



# Colorado Springs Police Department

## Standard Operating Procedure

### DL-1103-10 After Hours Warrants

#### Section 1100 – Investigative Functions

Effective Date: 11/22/2021  
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## .01 Purpose

The purpose of this directive is to outline the procedures for obtaining arrest warrants, search warrants, and court orders for non-testimonial identification (e.g., CRCP § 41.1 and CRCP § 9.1 Orders) via email, after normal court business hours.

## .02 Cross Reference

[GO 740 Determining Probable Cause](#)

[GO 743 Search Warrants](#)

[GO 1034 Deconfliction Program](#)

[P1-166 Search Warrant Checklist](#)

## .03 Definitions

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## .04 Procedure

When the district and county courts are not in session, and search and seizure situations arise that require prompt action, it is possible to obtain arrest warrants, search warrants, and court orders for non-testimonial identification (e.g., CRCP Rule 41.1 Orders and CRJP Rule 9.1 Orders), via email at **(REDACTED)** outside of normal court business hours.

Personnel will comply with the following procedure when obtaining a warrant outside of court business hours:

- Contact the on-duty patrol supervisor, and explain the circumstances that necessitate obtaining a warrant or court order immediately rather than waiting for normal court hours.

- If the supervisor agrees that a justification exists for immediate action, the officer will then draft an "Attachment A" for an affidavit, which details the facts supporting the request for a warrant or court order.
  - The officer should also complete the forms appropriate for the specific type of warrant or court order being sought. These will then be submitted to the on-duty patrol supervisor for approval as to legal form and completeness.
  - A subsequent review and approval for search warrants will be conducted by an available command officer (lieutenant or higher) prior to contacting the on-call judge.
  - The search warrant checklist will be utilized for reviewing all search warrant applications by Patrol Operations Bureau personnel prior to presenting the search warrant to the presiding judge.
  - The on-duty patrol supervisor will provide notification regarding the substantive issues involving drug-related search warrants to an on-duty or on-call supervisor from MVNI, prior to contacting the on-call judge.
- Once the warrant or court order is approved for submittal to the court by the involved supervisors, the officer should contact the on-call judge via telephone **(REDACTED)**.
    - If the on-call judge cannot be contacted, the officer will contact the Fourth Judicial Court Administrator (dispatch has the number) for further guidance.
    - The police officer will then be sworn on oath over the telephone by the on-call judge.
    - After being sworn on oath, the police officer will sign and date the documents entitled "Application and Affidavit" and "Attachment A" (and "Attachment B", if applicable).
    - These documents, along with the actual unsigned warrant or court order, will then be electronically scanned to the on-call judge via email. The on-call judge will then review the request, and if it is determined to be legally sufficient and proper, will issue the warrant or court order.
    - The signed warrant or court order will then be emailed back to the officer for service, along with copies of the "Application and Affidavit" and the "Attachment A" (and "Attachment B", if applicable) bearing the electronic signature of the on-call judge. The on-call judge will also email a copy of the signed warrant or court order to the El Paso County Court Clerk for filing purposes.
  - The police officer obtaining a search warrant or court order will then arrange for its execution within 14 business days. The officer requesting the issuance of a search warrant or court order will later need to contact the office of the Court Clerk for the assigned search warrant or court order number.

- The officer actually executing the court order or search warrant will be responsible for making the appropriate report of execution or return of service to the court via email at **(REDACTED)**.

If an officer has an immediate need to get an arrest warrant signed after hours, as a suspect poses a significant threat to an individual, the community, or other exigent factors of concern are present utilize the process with the on-call judge outlined above.

Once the signed arrest warrant is received via email from the judge the officer must bring a copy of the arrest warrant to either the El Paso County Jail or the El Paso County Sheriff's Office Dispatch Center so it can be properly entered into the NCIC/CCIC databases.

The officer obtaining a warrant or court order will scan a copy of the signed warrant or court order and attach it to a supplement in MFR.