

DENVER DISTRICT and COUNTY COURT
COUNTY OF DENVER, COLORADO

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ADMIN ORDER
2020-02

**JOINT ADMINISTRATIVE ORDER REGARDING ARREST AND BENCH WARRANTS
ISSUED BY COUNTY COURT FOR THE CITY AND COUNTY OF DENVER DURING COVID**

In light of the public health risk posed by COVID-19 and the advisories and information circulated by the Centers for Disease Control, the Colorado Department of Public Health and Environment, and local public health departments recommending active steps to slow the spread of the virus and precautions to reduce the risk of exposure and reduce spread of the virus in the Denver County's jails, the Court hereby finds and orders:

Summons in Lieu of Arrest:

Law enforcement agencies in the City and County of Denver are encouraged to proceed by summons in lieu of initial arrest for all cases heard in our courts unless victim or public safety may be compromised, or in cases described in CRS 24-4.1-302 (e.g., those involving domestic violence, sex crimes, crimes against children, assault, stalking, violation of restraining order etc.). Please see C.R.S. 16-5-206 and 24-4.1-302 for guidance. However, the arresting authority is directed to abide by the statutes governing it—the Court cannot and does not direct law enforcement to act contrary to law.

Proceeding on active arrest warrants:

If a law enforcement officer employed by a law enforcement agency located in the City and County of Denver, Colorado contacts an individual who has an active arrest or bench warrant issued by the Denver County Court, the officer is not required to execute the warrant and arrest that individual, unless the arrest or bench warrant includes a Victims Rights Act ("VRA") offense listed in C.R.S. §24-4.1-302 (e.g., those involving domestic violence, sex crimes, crimes against children, assault, stalking, violation of restraining order etc.). Law enforcement officers are to be guided by community safety concerns and the risk of person absconding when deciding whether to execute and arrest a person on an active warrant covered by this order. When making this determination, the officer should consider the nature of the offense, the amount of bond set by the court, and any other information known to the officer relevant to the question of whether the individual poses a risk to the public if an arrest does not occur.

Entered this 27th day of March 2020.

BY THE COURT:



MICHAEL A. MARTINEZ, Chief Judge
DENVER DISTRICT COURT



THERESA A SPAHN, Presiding Judge
DENVER COUNTY COURT