

**NORTHGLENN MUNICIPAL COURT
ADAMS COUNTY, STATE OF COLORADO**

ADMINISTRATIVE ORDER: 23-01*

Subject: Warrantless Arrest Procedure

**This order replaces previous versions of the Court's Mandatory Warrantless Arrest Procedure.*

The purpose of this administrative order is to ensure that when a defendant is arrested without an arrest warrant a determination of probable cause is made by a Judge within 48 hours of the time of arrest. *See*, CMCR 204(d)(2) and Colo. Rev. Stat. § 13-10-111.5(2) and *Cnty. of Riverside v. McLaughlin*, 500 U.S. 44, 56 (1991).

The following procedure shall be used for all defendants (1) who are arrested for an alleged violation of a Northglenn Municipal ordinance without a warrant, and (2) are jailed in the Adams County Detention Facility:

- 1) The arresting officer shall complete and serve the defendant with a summons and complaint. The summons and complaint shall include an affidavit in support of warrantless arrest.
- 2) The affidavit in support of warrantless arrest shall be completed by the arresting officer. The officer must sign and have his signature notarized on the original.
 - a) The contents of the affidavit must establish probable cause that the arrested person committed the charged offense. The affidavit must state the offense, including the code section number and. The elements must include the location of the offense including the City of Northglenn, County of Adams, State of Colorado, the identity of the defendant as the person allegedly committing the offense and the date of the alleged offense.
- 3) The summons and complaint along with the affidavit in support of warrantless arrest shall be filed forthwith with the Northglenn Municipal Court.
 - a) If the arrest occurs Monday thru Friday between 8:00am and 5:00pm the summons and complaint and the affidavit shall be filed with the court pursuant to normal process and procedures.
 - b) If the arrest when the Northglenn Municipal Court is not open the following procedure shall be followed:
 - i) A copy of the summons and complaint along with the affidavit in support of warrantless arrest shall be emailed to court@northglenn.org AND abailhache@northglenn.org.
 - ii) The Judge shall be notified by text or phone call to her personal cell that a warrantless arrest has been made.
- 4) If the Judge makes a finding of probable cause and a bond hearing cannot be held within 48-hours then the Judge will authorize a PR bond. The Judge will send notice the Adams County Detention Center via email to jailrectechnicians@adcogov.org.

5) If the Judge finds that probable cause does not exist, then the Judge will send notice to the Adams County Detention Center that the arrestee shall be released from custody.

So ordered March 3, 2023.

A handwritten signature in black ink, appearing to read 'A. Bailhache', positioned above a horizontal line.

Judge Amanda Bailhache