\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*INSTRUCTIONS\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

-This search warrant mask is specifically for the placing and monitoring of a tracking device

-There is RED text below that needs to be changed based on the needs of your search warrant.

-There is BLUE text below which is provided for information to the reader about what is being requested and why. Make sure you read this information and understand it since you are putting it your search warrant. You may need to adjust some of the wording or content in these areas to the specifics of your case.

- After the warrant is finalized, highlight all of the text by selecting CTRL+A and then change all text to black

-It would be a good idea to delete this section before printing/sending your warrant to get signed.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*PLEASE DELETE\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Case No:

COUNTY OF LARIMER ) IN THE COMBINED COURT

) SS

STATE OF COLORADO )

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT FOR ELECTRONIC TRACKING DEVICE**

BEFORE THE HONORABLE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUDGE / MAGISTRATE

Affiant, YOUR NAME HERE, a commissioned law enforcement officer, being duly sworn, deposes and states that I have probable cause to believe that a motor vehicle described as:

PHOTO [IF AVALIABLE]

**YEAR: YEAR**

**MAKE: MAKE**

**MODEL: MODEL**

**VIN: VIN**

**COLOR: COLOR**

**LICENSE: LICENSE**

is being utilized in furtherance of criminal activity, or may lead investigators to evidence of criminal activity, for which a Search Warrant may be issued pursuant to the provisions of C.R.S. §16-3-301, §16-3-303.5 and Crim. P. 41, namely that this property would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest warrant is outstanding.

Because this Affidavit is being submitted for the limited purpose of securing an order authorizing the installation and use of an electronic tracking device, your Affiant has not included details of every aspect of this investigation to date. Facts not set forth herein are not being relied on in reaching your Affiant’s conclusion that an order should be issued. Nor does your Affiant request that this Court rely on any facts not set forth herein in reviewing this application.

Your Affiant is a sworn law enforcement officer with the AGENCY and is currently assigned to ASSIGNED UNIT AND ANY PARTNERING AGENCY. Your Affiant has been trained at the state and local levels with regard to my duties and is authorized by law to execute search and arrest warrants in the state of Colorado.

Based on the information provide in this Affidavit, your Affiant believes that TARGET SUBJECT is utilizing the VEHICLE DESCRIPTION and its ongoing location will assist with the apprehension of a person for whom a lawful arrest warrant is outstanding.

The facts tending to establish the grounds for issuance of a Search Warrant are as follows:

BACKGROUND OF AFFIANT

STATEMENT OF PROBABLE CAUSE REGARDING EXISTENCE OF OUTSTANDING WARRANT – AND PC TO BELIEVE THE LISTED VEHICLE COULD LEAD TO THE APPREHENSION OF A FUGITIVE MIXED WITH THE BELOW PARAGRAPHS

Your Affiant believes the installation and use of an electronic tracking device on the VEHICLE DESCRIPTIONwould assist law enforcement officers in locating and arresting fugitive TARGET SUBJECT. Based on the investigation law enforcement believes TARGET SUBJECT is the primary driver of the VEHICLE DESCRIPTION, and the ability to remotely monitor and surveil the vehicle offers one of the best and only opportunities to safely take TARGET SUBJECT into custody while minimizing the risk to all involved, particularly in light of OUTLINE CASE SPECIFIC CONCERNS.

Your Affiant is requesting that this Court authorize Your Affiant and/or designee to surreptitiously install an electronic transmitter/tracker to the above described vehicleand to monitor that device in order to provide Your Affiant the locations where criminal activity is taking place or where evidence may be located.

The electronic transmitter / tracker (GPS) will emit an electronic tracking signal thus notifying law enforcement officers of the locations of the vehicle. This electronic transmitting device (GPS) will in no way monitor or record conversations, sounds or video images and is solely for the purpose of identifying the locations of the vehicle in order to obtain evidence of criminal activity or aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest warrant is outstanding.

This request is made for an order authorizing the installation of the electronic tracking device for a period to commence as soon as practicable for the surreptitious installation of the electronic tracking device on the above described vehicle.

Your Affiant also respectfully requests that officers involved in this investigation be granted the authorization to continuously monitor, track, and record the movements of this vehicle twenty-four (24) hours per day, seven (7) days a week, for a period of time not to exceed thirty (30) days or until such time that TARGET SUBJECT is apprehended, to commence upon the first signal received pursuant to this device, unless a court of competent jurisdiction expressly authorizes an extension of this search warrant. This monitored data may include:

* Time, date, and location of the device;
* Identification of satellites used and the quality of the satellite signal at the time the coordinate was recorded;
* Temperature or motion;

Additionally, Your Affiant respectfully asks this Court to expressly authorize law enforcement officers:

1. To access TARGET SUBJECT private property with the intention of installing and maintaining the tracking device on the above-described vehicle, including but not limited to private driveways, parking lots, detached garages or outbuildings;

2. To obtain the vehicle, enter the interior of the vehicle(s), and/or re-enter the vehicle(s) for the installation, placement, maintenance, repair and removal of the device;

3. To complete routine maintenance on the electronic tracking device while it is affixed to the above-referenced vehicle, whether on public or private property, for the thirty (30) day period.

Further, Your Affiant respectfully asks this Court to order that the notification of this search warrant be delayed until the apprehension of TARGET SUBJECT. Due to the sensitive nature of the case and the ongoing investigation, which includes close physical surveillance of the above-referenced vehicle, Your Affiant believes that notification of the placement of the electronic tracking device will reveal the criminal investigation to the owner or custodian of the above-reference vehicle. Such notification would likely jeopardize both the investigation and the safety of the officers involved.

Further, Pursuant to Crim. P. 41 and §16-3-304(2), Your Affiant requests that this Court seal the affidavit and search warrant until the apprehension of TARGET SUBJECT. The affidavit establishes grounds to believe that disclosure at this time of the affidavit and search warrant and court order for production of records would be contrary to the public interest. Such order for sealing does not apply to representatives of law enforcement agencies, and District Attorney’s Offices.

I believe the above facts to be true from official law enforcement records, conversations with fellow officers, personal observations and interviews. I am a YOUR TITLE with the AGENCY. I have been trained at the State, and local levels with regard to my duties. I am authorized by law to execute search warrants in the County of Larimer and State of Colorado.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AFFIANT

This affidavit was sworn to and subscribed by telephone this DATE day of MONTH 20\*\* at \_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge / Magistrate

Case No.

COUNTY OF LARIMER ) IN THE COMBINED COURT

) SS

STATE OF COLORADO )

**SEARCH WARRANT FOR ELECTRONIC TRACKING DEVICE**

BEFORE THE HONORABLE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge / Magistrate

The Court, upon review of an affidavit filed by YOUR NAME HERE which is incorporated by reference, in support of the issuance of this search warrant, hereby authorizes the attachment and monitoring of an electronic tracking device upon a motor vehicle described as:

PHOTO [IF AVALIABLE]

**YEAR: YEAR**

**MAKE: MAKE**

**MODEL: MODEL**

**VIN: VIN**

**COLOR: COLOR**

**LICENSE: LICENSE**

as it is being utilized in furtherance of criminal activity, or may lead investigators to evidence of criminal activity, for which a Search Warrant may be issued pursuant to the provisions of C.R.S. §16-3-301, §16-3-303.5 and Crim. P. 41, namely that this property would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest warrant is outstanding.

THEREFORE, you are commanded to execute and serve this warrant at any time within fourteen (14) days from the date of this order.

YOU ARE AUTHORIZED to continuously monitor, track, and record the movements of this vehicle twenty-four (24) hours per day, seven (7) days a week, for a period of time not to exceed thirty (30) days or until such time that TARGET SUBJECT is apprehended, to commence upon the first signal received pursuant to this device, unless a court of competent jurisdiction expressly authorizes an extension of this search warrant. This monitored data may include:

* Time, date, and location of the device;
* Identification of satellites used and the quality of the satellite signal at the time the coordinate was recorded;
* Temperature or motion;

YOU ARE ALSO AUTHORIZED:

1. To access TARGET SUBJECT private property with the intention of installing and maintaining the tracking device on the above-described vehicle(s), including but not limited to private driveways, parking lots, detached garages or outbuildings;

2. To obtain the vehicle, enter the interior of the vehicle, and/or re-enter the vehicle(s) for the installation, placement, maintenance, repair and removal of the device;

3. To complete routine maintenance on the electronic tracking device while it is affixed to the above-referenced vehicle, whether on public or private property, for the thirty (30) day period.

IT IS FURTHER ORDERED that the notification of this search warrant be delayed until the apprehension of TARGET SUBJECT or until otherwise ordered by a court of competent jurisdiction because such notification would jeopardize both the investigation and the safety of the officers involved.

IT IS FURTHER ORDERED that this Search Warrant and application be **SEALED** until the apprehension of TARGET SUBJECT, that the identity of any target(s) of the underlying criminal investigation may be redacted from any copy of this Order to be served on any service provider or other person.

Based upon the affidavit of the above-named Affiant, which is incorporated by reference, I am satisfied that there is probable cause to believe there is a legal basis and also legal authority for the issuance of this Search Warrant. You are therefore authorized to execute this Search Warrant according to these terms and as otherwise permitted by law.

Dated this **\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_ 20\_\_**, at \_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge / Magistrate