COUNTY OF LARIMER )

) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

**AFFIDAVIT FOR SEARCH WARRANT**

Before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge / Magistrate

Affiant, LEO NAME, a commissioned law enforcement officer, being duly sworn, deposes and states that I have probable cause to believe that data stored within, on, or upon the equipment capable of storing electronic data identified or described as:

**YOUR DEVICE HERE, EXAMPLE (Multiple devices may be listed):**

A Dell computer with a serial number of 1234567. This computer is currently located at 2221 Timberline Rd (Fort Collins Police Services) logged into evidence as item number FC145-1 under case number 13-1234

Computer system: make, model, s/n, description.

# of floppy disks

# of CD’s

There is now located there within or upon:

1. Data which tends to show possession, dominion and control over said equipment.
2. Any electronic data that would be illegal to possess (contraband), or fruits or proceeds of a crime, or data intended to be used in the commission of ?? (SPECIFY CRIME DESCRIBED IN AFFIDAVIT);
3. Case specific items to be searched for like video or still images, data showing criminal activity, owe sheets, customer list, email or internet communication, etc. Make sure you specifically relate it to the crime listed in your affidavit so the warrant is not overly broad.

Further, I have probable cause to believe that the requested items constitutes property which are designed or intended for use as a means of committing a criminal offense, or which are or have been used as a means of committing a criminal offense, or the possession of which is illegal, or which would be material evidence in a subsequent criminal prosecution in this state, another state, or federal court, or the seizure of which is expressly required, authorized, or permitted by a statute of this state or the United States. **OPTIONAL LANGUAGE IF APPROPRIATE (add or delete):** or that would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest order is outstanding.

The facts establishing grounds for issuance of a search warrant and showing probable cause to believe that they exist are as follows.

**PROABABLE CAUSE STATEMENT**

Tie the items you are searching for to the suspect, why do we believe a computer was used during the crime, etc

Use the two below paragraphs in your affidavit to explain why the search of computer equipment is not done at the scene.

Due to the nature and vulnerability of magnetic or digital data, it is necessary to seize media capable of storing magnetic data (digital media devices), such as a cell phones, flash media devices, CD’s, DVD’s, and computers. It is necessary to remove these items from the scene and transport them to a controlled environment so a complete search of the items may be accomplished in such a way that the data it is protected, and unaltered.

Due to the technical knowledge required to perform the evidence recovery examination from digital media devices (computer forensic examination), an onsite analysis of the systems is not practical and it may not be completed within the 14 day time period. Additionally, searching for and documenting digital evidence is a highly technical process that requires specific expertise and specialized equipment. Due to the many types of digital media hardware, and software in use today, searching these systems at the seizure location is impractical, and it is often necessary to use specially designed software and computer manuals to analyze the data. Also, computer experts may need to be consulted during the search of the equipment due to the highly technical nature of evidence recovery and its analysis.

Finally, your Affiant requests that this Affidavit and any Order granting a search warrant be sealed until the completion of the law enforcement criminal investigation. Should this information be made public record prior to the completion of the investigation, your Affiant strongly believes that such disclosure would have an adverse impact on the criminal investigation in progress. Your Affiant further believes that sealing this affidavit and any order would be in the best interests of the community.

I believe the above facts to be true from official Fort Collins Police Services records, conversations with fellow officers, personal observations and interviews. I am a sworn police officer with Fort Collins Police Services. 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 State of Colorado.

# Affiant\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

# \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# Judge/Magistrate

COUNTY OF LARIMER )

) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

**SEARCH WARRANT**

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

Judge / Magistrate

TO: ANY PEACE OFFICER AUTHORIZED BY LAW TO EXECUTE SEARCH WARRANTS IN THE COUNTY OF LARIMER AND STATE OF COLORADO.

The court, upon review of a sworn affidavit filed by LEO NAME, a commissioned police officer, in support of the issuance of this search warrant, hereby commands you to search the following described property, namely:

**YOUR DEVICE HERE, EXAMPLE (Multiple devices may be listed):**

A Dell computer with a serial number of 1234567. This computer is currently located at 2221 Timberline Rd (Fort Collins Police Services) logged into evidence as item number FC145-1 under case number 13-1234

Computer system: make, model, s/n, description.

# of floppy disks

# of CD’s

And to Seize:

1. Copy list from Affidavit once finalized and Paste as a New List so the numbering will start anew.

The court also hereby finds probable cause to believe that the requested items constitutes property which has been stolen or embezzled, or which are designed or intended for use as a means of committing a criminal offense, or which are or have been used as a means of committing a criminal offense, or the possession of which is illegal, or which would be material evidence in a subsequent criminal prosecution in this state, another state, or federal court, or the seizure of which is expressly required, authorized, or permitted by a statute of this state or the United States. **OPTIONAL LANGUAGE IF APPROPRIATE (add or delete):** or that would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest order is outstanding.

The grounds for this Search Warrant are set forth in the accompanying Affidavit for Search Warrant, a true and correct copy of which is attached hereto and is incorporated herein by reference. The Court being satisfied that grounds for the issuance of this Search warrant exist and that there is probable cause to believe that they exist.

Therefore you are commanded to execute and serve this warrant at any time within fourteen days from the date hereof, to search and seize theitems described herein. And to provide a copy of this search warrant to the person responsible for the equipment, and to make prompt return of this Search Warrant, to the undersigned Judge.

The Court orders that this Order granting a search warrant and the accompanying Affidavit be sealed until the completion of the law enforcement criminal investigation.

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

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

Judge/Magistrate