\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*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 is stolen or embezzled, or is designed or intended for use as a means of committing a criminal offense, or is or has been used as a means of committing a criminal offense, or the possession of which is illegal, or would be material evidence in a subsequent criminal prosecution in this state or another state, or the seizure of which is expressly required, authorized or permitted by any statute of this state, or which is kept, stored, maintained, transported, sold, dispensed, or possessed in violation of a statute of this state, under circumstances involving a serious threat to public safety or order or to public health, or which 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 HOME AGENCY and is currently assigned to the Northern Colorado Drug Task Force (NCDTF). 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 involved in the illegal distribution of controlled substances in Northern Colorado and that TARGET SUBJECT utilizes the VEHICLE DESCRIPTION to facilitate his illegal distribution activities.

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

BACKGROUND OF AFFIANT

STATEMENT OF PROBABLE CAUSE REGARDING CRIME BEING INVESTIGATED – OR IF FOR FUGITIVE PURPOSES, EXISTENCE OF OUTSTANDING WARRANT – AND PC TO BELIEVE THE ACCOUNT LISTED IS AN ACCOUNT THAT COULD LEAD TO MATERIAL EVIDENCE OR A FUGITIVE MIXED WITH THE BELOW PARAGRAPHS

Based on your Affiant’s law enforcement training and experience investigating subjects involved in illegal drug distribution, your Affiant is aware that subjects often use their vehicles to drive to and from locations where drug transactions are completed, often times transporting either drugs and/or US currency in order to facilitate the drug distribution activity.

Your Affiant knows that subjects involved in drug trafficking keep secondary locations, or stash houses, where large amounts of narcotics are stored as they typically do not keep them at their primary residence. The use of an electronic monitoring device will assist law enforcement in identifying these locations.

Your Affiant believes that the installation of an electronic tracking device (also known as a “GPS tracker”) would assist law enforcement officers in the above-detailed investigation. Specifically, such a tracking device would aid in the identification of locations where illicit controlled substances and the proceeds from the sale of illicit controlled substances are distributed, exchanged and/or stored.

Based on your Affiant’s law enforcement training, education, and experience investigating other drug trafficking organizations, your Affiant is aware that an electronic tracking device has proven to be an invaluable tool in assisting in physical surveillances of individuals suspected of trafficking illegal controlled substances. Aided by the tracking device, law enforcement agents conducting physical surveillance have been able to track the whereabouts of vehicles without having to closely follow a vehicle. The use of this tracking device reduces or eliminates the chance that the operator of the target vehicle will detect that he is the subject of a physical surveillance while allowing law enforcement the ability to know exactly where the vehicle is located at any time.

Based on the aforementioned information, Your Affiant believes probable causes exists that the above described vehicleis being used in the commission of the crimes being investigated and/or may lead investigators to evidence related to the above described criminal activity. Your Affiant is requesting that this Court authorize Your Affiant and/or his/her 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 sixty (60) days, 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 sixty (60) day period.

Further, Your Affiant respectfully asks this Court to order that the notification of this search warrant be delayed until the completion of the law enforcement criminal investigation. 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 completion of the law enforcement criminal investigation. 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 HOME AGENCY and NCDTF records, conversations with fellow officers, personal observations and interviews. I am a YOUR TITLE with the HOME 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 in my presence 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**

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 is stolen or embezzled, or is designed or intended for use as a means of committing a criminal offense, or is or has been used as a means of committing a criminal offense, or the possession of which is illegal, or would be material evidence in a subsequent criminal prosecution in this state or another state, or the seizure of which is expressly required, authorized or permitted by any statute of this state, or which is kept, stored, maintained, transported, sold, dispensed, or possessed in violation of a statute of this state, under circumstances involving a serious threat to public safety or order or to public health, or which 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 sixty (60) days, to commence upon the first signal received pursuant to this device, unless this Court 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 sixty (60) day period.

IT IS FURTHER ORDERED that the notification of this search warrant be delayed until the completion of the law enforcement criminal investigation 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 completion of the law enforcement criminal investigation, 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