

TWENTY-FIRST JUDICIAL DISTRICT, MESA COUNTY, COLORADO

ADMINISTRATIVE ORDER 16-04

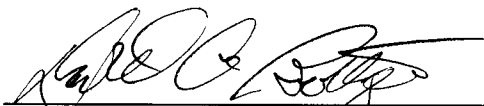
All physical evidence received as exhibits in criminal cases shall be returned to the investigating law enforcement agency for storage after the hearing or trial in which the items were introduced into evidence. The following provisions apply to exhibits offered by both the prosecution and the defense.

1. Prior to a hearing or trial, the district attorney shall prepare an exhibit list that includes the court exhibit number and the associated agency exhibit number and clearly and specifically describes the nature of the exhibit, *e.g.*, "Officer Jones' report of May 1, 2016." This list shall be used by the court to denote the exhibits admitted as evidence during the hearing or trial. At the conclusion of the trial or hearing, the list shall become part of the court's permanent record. Copies shall be provided to the district attorney, defense counsel and law enforcement, if applicable.
2. Following a seven day objection period, any physical evidence offered in a hearing or trial which was originally in the custody of the investigating law enforcement agency shall be returned to the custodian of that agency for storage. This applies to all tangible evidence admitted during the course of the hearing or trial except items such as charts, diagrams, documents, photos, CDs and DVDs which shall remain with the court. The district attorney, and, if applicable, defense counsel, shall advise the court of the appropriate law enforcement agency to take custody of the evidence. It is the responsibility of the lead law enforcement officer to contact the clerk in the assigned division following the seven day objection period to arrange a time for release and pick up of exhibits.
3. Any exhibit originating from the District Attorney's office shall be returned to a representative of the District Attorney's office.
4. Any defense exhibit that was not originally in the custody of the investigating law enforcement agency shall be returned to defense counsel.
5. The law enforcement agency, the district attorney or defense counsel, as applicable, shall sign a receipt for the returned exhibits specifically identifying the exhibit by number or letter and description.
6. The law enforcement agency or counsel to whom the exhibits were returned shall be responsible for retaining these exhibits until the court orders otherwise.

This order applies to hearings and trials occurring on or after June 1, 2016.

Done this 27th day of April, 2016.

BY THE COURT:



David A. Bottger, Chief Judge
Twenty-first Judicial District