**APPLICATION FOR SEARCH WARRANT**

Name of Police Officer: Click or tap here to enter text.

Suspect Name: Click or tap here to enter text.

Case No.Click or tap here to enter text.

Now Comes Click or tap here to enter text.**,** Law Enforcement Officer, and requests the Honorable Court to issue a warrant to search:

The person of: Click or tap here to enter text.

In order to obtain a sample of blood sufficient to test for alcohol and/or drugs. Pursuant to 23 V.S.A. § 1203 (b) this sample will be drawn by a physician, licensed nurse, medical technician, physician assistant, medical technologist, laboratory assistant, intermediate or advanced emergency medical technician, or paramedic at a medical facility, police or fire department, or other safe and clean location as determined by the individual drawing the blood.

To authorize the above medical professionals to conduct the withdrawal of the blood sample in a manner consistent with current medical procedures.

The applicant has probable cause to believe the toxicology results from the blood sample from Click or tap here to enter text.will constitute evidence of the commission of a crime:

Driving Under the Influence of Alcohol and/or drugs, in violation of 23 V.S.A. § 1201.

For the purpose of establishing probable cause for issuance of this warrant, I have attached my Affidavit in Support of Search Warrant Application.

The officer taking property under the warrant shall give to the person from whom the property was taken a copy of the warrant and a receipt for the property taken; or a written inventory of any property taken shall be made in the presence of the applicant for the warrant, or the officer serving the warrant, and the person from whom the blood sample was taken or in the presence of at least one credible person other than the applicant for the warrant, officer serving the warrant or the person from whose possession or premises the property was taken, and shall be verified by the officer.

The return shall be made as soon as possible, but no more than five calendar days after execution of the warrant and completion of the search and shall be accompanied by the inventory, and a copy of the warrant as served. The clerk of the court to which the warrant was returned shall upon request deliver a copy of the inventory to the person from whom the blood sample was taken and to the applicant for the warrant

 This Application Is Executed By Click or tap here to enter text.**,** this Click or tap here to enter text. day of Click or tap here to enter text.

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 LAW ENFORCEMENT OFFICER

**SEARCH WARRANT**

TO: ANY VERMONT LAW ENFORCEMENT OFFICER

YOU ARE HEREBY COMMANDED TO SEARCH:

The person of Click or tap here to enter text.

FOR THE FOLLOWING PROPERTY OR OBJECTS:

A sample of blood sufficient to test for alcohol and/or drugs. Pursuant to 23 V.S.A. § 1203 (b) this sample will be drawn by a physician, licensed nurse, medical technician, physician assistant, medical technologist, laboratory assistant, intermediate or advanced emergency medical technician, or paramedic at a medical facility, police or fire department, or other safe and clean location as determined by the individual drawing the blood.

This warrant authorizes the above medical professionals to conduct the withdrawal of the blood sample in a manner consistent with current medical procedures.

The officer taking property under the warrant shall give to the person from whom the property was taken a copy of the warrant and a receipt for the property taken; or a written inventory of any property taken shall be made in the presence of the applicant for the warrant, or the officer serving the warrant, and the person from whom the blood sample was taken or in the presence of at least one credible person other than the applicant for the warrant, officer serving the warrant or the person from whose possession or premises the property was taken, and shall be verified by the officer.

The return shall be made as soon as possible, but no more than five calendar days after execution of the warrant and completion of the search and shall be accompanied by the inventory and a copy of the warrant as served. The clerk of the court to which the warrant was returned shall upon request deliver a copy of the inventory to the person from whom the blood sample was taken and to the applicant for the warrant.

This Warrant shall be executed as soon as practicable and no later than twenty-four (24) hours from the issuance of the Warrant between 6:00 AM and 10:00 PM; however, because the supporting affidavit shows reasonable cause exists to execute this warrant at other times it may be executed upon this signage.

This Warrant issued upon the basis of an affidavit and finding of probable cause by me.

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Dated At , County of Click or tap here to enter text.**,** this Click or tap here to enter text.day of Click or tap here to enter text.**.**

 **Time: \_\_\_\_\_\_\_\_\_\_**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**JUDICIAL OFFICER**

# **STATE OF VERMONT**

Choose an item.

# **AFFIDAVIT IN SUPPORT OF SEARCH WARRANT APPLICATION**

Now comes Click or tap here to enter text., affiant, being duly sworn, makes the following statement to establish that I have probable cause for the issuance of a search warrant to obtain an evidentiary sample of this subject’s blood:

1. I, Click or tap here to enter text., have been a certified police officer in the state of Vermont since Click or tap here to enter text.. I am certified by the Vermont Criminal Justice Training Council. I have received training to identify impaired operators. This training includes: Click or tap here to enter text.
2. Based on the following facts and information, this affiant has probable cause to believe that the operator’s blood may contain evidence of the commission of the crime of driving under the influence of alcohol and/or drugs.
3. On Click or tap here to enter text., Click or tap here to enter text. was operating a Click or tap here to enter text. with Click or tap here to enter text. on Click or tap here to enter text. in Click or tap here to enter text.. This was open to the general flow and circulation of traffic on the date and time of this incident. During this incident, I made observations – the totality of which – have led me to conclude that the operator is under the influence to *at least* the slightest degree and their ability to operate a vehicle safely is diminished. This affidavit is being submitted for the limited purpose of establishing probable cause and I have not included every detail involving this investigation. My observations were:
	1. Click or tap here to enter text.
	2. Click or tap here to enter text.
	3. Choose an item. Click or tap here to enter text.
4. Based on the clues and indicators described in paragraph 3, I believe that the operator was driving under the influence pursuant to Title 23 VSA 1201. Title 23 VSA 1202 allows law enforcement to seek an evidentiary sample of an operator’s blood given the presence of certain elements. In this incident, evidentiary blood is needed because: Choose an item.
5. I am requesting this warrant be granted and served without delay. The reason for this is with every passing minute, the operator’s body is absorbing, metabolizing, and *eliminating* the chemicals that I believe are causing their impairment. Via this elimination process, a delay in getting this blood sample taken means that the drug and/or alcohol evidence to be found in the operator’s blood may be lost.
6. Based on the above facts, circumstances, and observations, I believe that I have probable cause that the operator’s blood may contain evidence of the commission of the crime of driving under the influence of alcohol and/or drugs; therefore, this search warrant is respectfully requested.

Subscribed and sworn to before me of

This Click or tap here to enter text.day of Click or tap here to enter text.

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 JUDICIAL OFFICER AFFIANT – Click or tap here to enter text.

**IF THE WARRANT WAS REQUESTED BY RELIABLE ELECTRONIC MEANS THE JUDICIAL OFFICER SHALL NOTE THE OATH WAS ADMINISTERED.**