



DENVER
THE MILE HIGH CITY

Denver County Court

2019 Budget

“To administer justice fairly, efficiently, and effectively, while providing excellent customer service and a positive work environment.”



Overview of Denver County Court

Largest Court in the State

- 150,000 cases
 - State Criminal
 - Preliminary Felony Hearings – Up by 57%
 - State Civil – 24,000 Civil Returns in 2018
 - State Protection Orders
 - General Sessions (Municipal)
 - Traffic

Five Locations

- 3 Courthouses
- Probation Department - Minoru Yasui
- Parking - Wellington Webb

Denver County Court Bench

- 17 Judges
- 3 Full-Time Magistrates

Denver County Court Staff

- 251 employees which includes:
 - Probation Department
 - County Court Marshals

Budget

- \$24 million

Denver County Court Judges



“When court users perceive the justice system to be fair, they are more likely to comply with court orders and follow the law in the future – regardless of the outcome of their case.”

Four Key Elements of Procedural Fairness

1. Treat court users with dignity and respect
2. Ensure that court users understand the process
3. Assure that court users have a voice
4. Ensure that decisions are made neutrally

TED Ideas Worth Spreading, Judge Victoria Pratt, *How Judges Can Show Respect*,
https://www.ted.com/talks/victoria_pratt_how_judges_can_show_respect?language=en

Procedural Justice, Center for Court Innovation, <https://www.courtinnovation.org/areas-of-focus/procedural-justice>

Procedural Justice Symposium

Keynote Speaker



BECOMING MS. BURTON

*From Prison to Recovery to Leading
the Fight for Incarcerated Women*

SUSAN BURTON & CARI LYNN

with a foreword by MICHELLE ALEXANDER

- **Two Day Symposium held at University of Denver's Sturm College of Law**
- **150 Stakeholders Attended**
 - Including Denver County Court Judges, Denver County Court Staff, District Attorney's Office, City Attorney's Office, State Public Defender's Office, Municipal Public Defender's Office, Pre-Trial Services, Probation Department, Sheriff's Department, Police Department, and the Denver Budget Office
- **Other National Experts**
 - Judge Victoria Pratt presented on incorporating procedural fairness
 - Evidence-based sentencing
 - Harms of over-incarceration at pre-trial stage
 - Unintended harms of the poor in our civil courts

- **Denver County Court Resource Committee**
 - Reconvened October 2017
 - Reorganization launched January 2018
- **Reduce long wait times in our trial courts**
 - Majority of trials in one day
 - Courtrooms picking panels by 9/9:30 AM
 - Jurors released by 10:30 AM
 - Citizen jurors subpoenaed decreased from 2,164 to 1,686 per month
 - Wait times for victims, jurors, defendants, witnesses significantly reduced
- **Significant reduction in pre-trial incarceration**
 - Personal recognizance bonds increased from 8% to 57%
 - 2,375 defendants per day are supervised in the community instead of incarcerated waiting for trial
 - Weekend court expanded from one to two courts effective August 4, 2018
 - Drug pleas taken at 2nd advisement

- **Reorganization of Civil Courts**
 - Civil returns relocated from Room 164 to Courtroom 104
 - Legal services available
 - Assigned case manager
 - Self-Help Center and Jordan Sagle
 - Assisted 3,778 in 2017; 2,068 as of June 2018
- **Warrants**
 - Designated judge available from 8 AM to 4:30 PM
- **Specialty Courts**
 - Sobriety Court
 - Outreach Court
 - Wellness Court
 - Women's Court (in progress)
 - Driving Under Revocation Navigators - 5,000 cases filed annually

- Felonies up by 57%
- Civil threshold increase
 - HB 18-056 increases civil threshold from \$15,000 to \$25,000 beginning January 1, 2019
- Increase of complex cases
- Adopting evidence-based best practices results in a welcomed increase in caseload and additional judicial officer time



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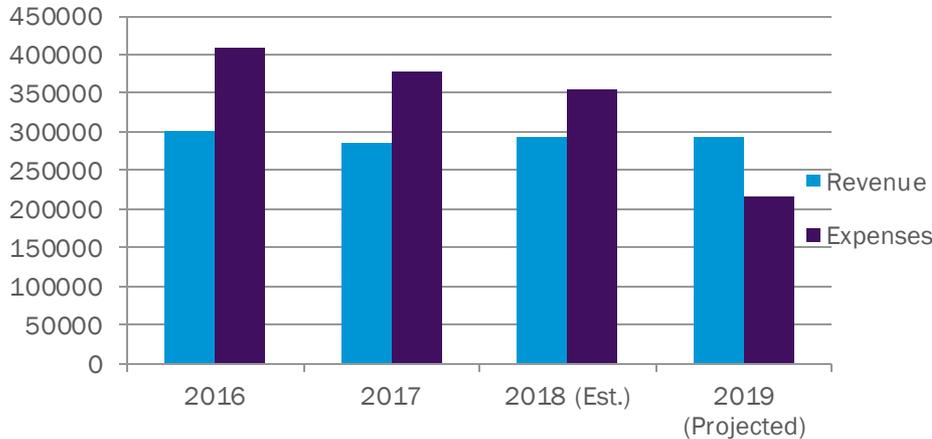
Approved Budget Recommendations

OJW Position to General Fund

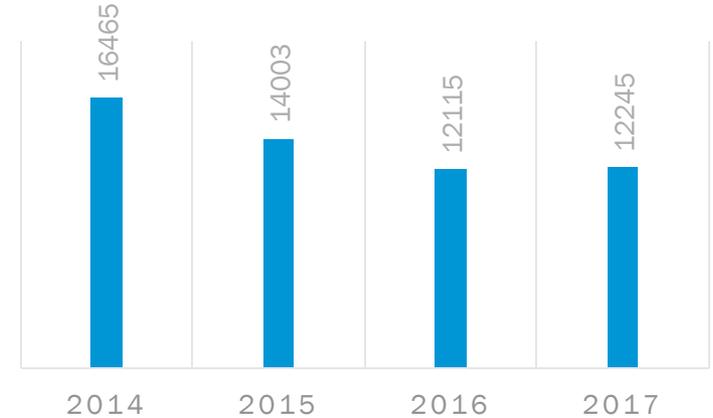
| Expenditures | Revenues | FTE | Duration |
|--------------|----------|---------------|-----------|
| \$141,708 | \$0 | 1.0 Permanent | Permanent |

The Court is moving 1 of 3 FTEs from the Outstanding Judgment Warrants (OJW) SRF to the General Fund. From 2013 to 2017, OJW revenue decreased 21% due to a 26% decrease in people failing to appear. The Court has worked diligently to reduce the number of FTA's. The OJW was surviving on its' surplus; however, as expenses rise and revenues decline, the OJW fund can no longer sustain itself.

OJW Performance



TRAFFIC FTAS



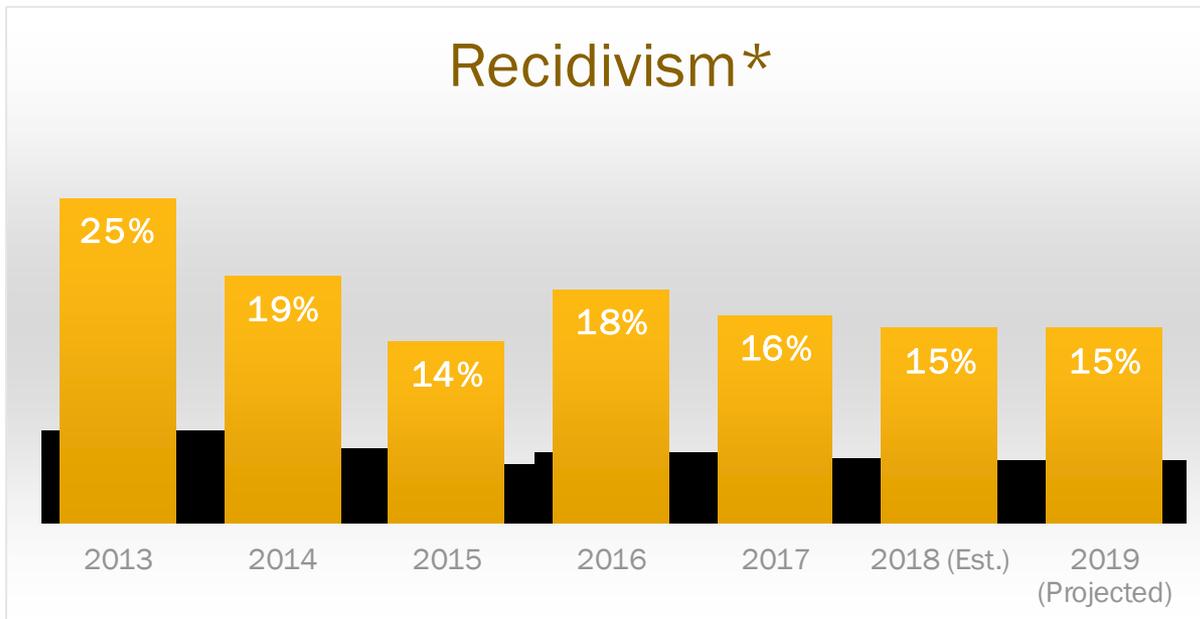
In the 2018 Legislative Session, the Colorado Legislature introduced HB 18-1406 to eliminate OJWs. The Colorado Legislature will introduce a similar bill in the near future.

Denver County Court worked with Harvard University to conduct a randomized control study to measure the impact of post card and text message reminders on the Failure to Appear (FTA) rate. Initial results show that FTAs reduced between 3.8% and 5%.

Extend Occupational Intern

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|-------------|-----------|
| \$42,958 | \$0 | 1.0 Limited | Permanent |

Denver County Court had a limited Occupational Intern which ended in 2017. The position was extended to 12/31/20. The intern will continue to supervise low risk offenders which would otherwise be assigned to staff probation officers. This allows staff probation officers the ability to focus on higher risk caseloads; which in turn, reduces recidivism while also providing a safer community.



*People sentenced to probation

Priority #3: Associate IT Developer

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|---------------|-----------|
| \$111,281 | \$0 | 1.0 Permanent | Permanent |

In 2018, the Court identified 28 high priority IT projects that when completed will improve efficiency, boost morale, reduce paper, increase public access to information, and enhance customer service. The additional Associate IT Developer will assist with these projects as well as support current in-house systems used in the Court’s day-to-day operations.



Increased efficiency

Associate IT Developer will assist in completing 10 high priority projects which could result in saving 6,800 staff hour and 42,000 sheets of paper



Increased customer satisfaction

Electronic traffic ticketing, public access to civil documents, and electronic bond release projects will improve customer experience

Staff IT Systems Administrator

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|---------------|-----------|
| \$94,002 | \$0 | 1.0 Permanent | Permanent |

The Staff IT Systems Administrator will assist with problem resolution, help desk satisfaction, computer and other equipment deployment, and allow time for the Senior IT Systems Administrator to focus on large, complex projects. Since the Court has migrated away from paper files and now relies heavily on technology, it is imperative the Court's systems remain operational at all times.



Growing Workload

Resolved 1729 help desk calls in 2017; servers have grown 42% in 4 years; 478 personnel computers and 159 printers must be maintained



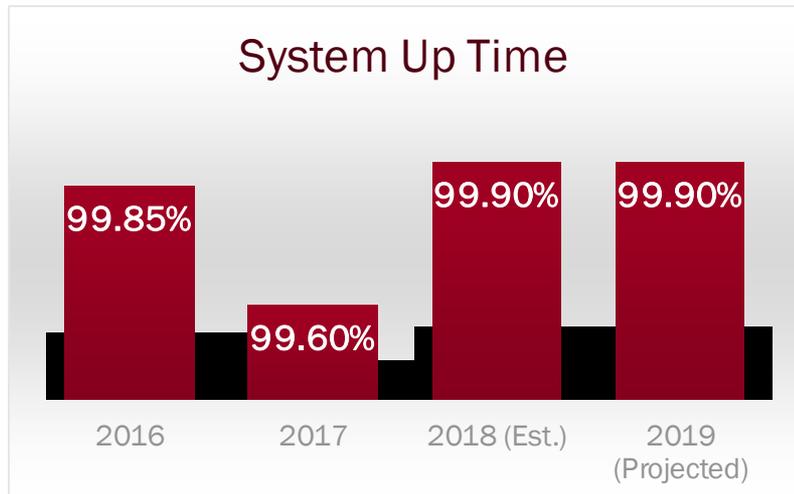
System Security

HB 18-1128 requires increased security of consumer data; 12 million electronic files must be secure; system must stay operational for Court to conduct business

Computer Security Software

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|-----|-----------|
| \$25,673 | \$0 | N/A | Permanent |

It is critical for the Court to remain proactive in identifying network problems and security issues before they occur. As technology becomes more savvy, so to must the security measures to protect the Court's information. The additional computer security software will improve our network and system security with tools such as Kaseya Network Traverse and Opsview SMB.




System Security

12 million electronic case files contain confidential information; hackers could potentially change judicial orders, release defendants, suspend sentences

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|---------------|-----------|
| \$145,338 | \$0 | 2.0 Permanent | Permanent |

Denver’s Criminal Justice Stake-Holders are working in collaboration to incorporate evidence-based practices to make our communities safer by reducing recidivism. These efforts include a pre-trial risk assessment to ascertain those defendants who would likely benefit and successfully be diverted from the criminal justice system with (1) a timely misdemeanor offer and (2) probationary supervision in Denver County Court as opposed to a felony conviction and state supervision. Denver County Court will absorb approximately 500 cases. Currently, a probation officer has an average of 120 cases.

Collateral Consequences of a Felony Conviction

- Employment
- Business Opportunities
- Access to government benefits
- Student loans
- Housing
- Contracting
- Voting
- Parental rights

Terminated Compliant



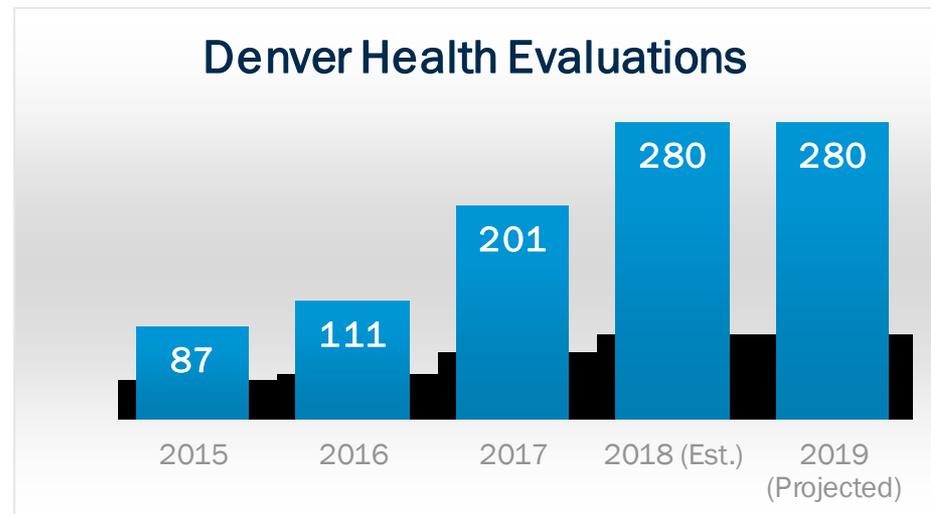
Denver County Probation increased the number of defendants who successfully complete probation to 72%. Compared to the state’s probation department in 2016, the state’s overall compliance rate was 65% and Denver District Probation’s was 53%. Denver County Probation has the **highest** success rate in the state

Mandated Medical Services (Comp. Evals)

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|-----|-----------|
| \$60,000 | \$0 | N/A | Permanent |

Denver has seen an increase of the homeless population and people with untreated mental health disorders. This directly impacts Denver County Court’s General Sessions cases. Defendants with mental health disorders and competency issues continues to increase. The Court has no discretion once competency is raised. Majority of defendants are first referred to Denver Health, where an evaluation costs \$600. Should a second evaluation be granted, the costs nearly double. As more and more individuals with mental health issues are being charged with a crime, these mandated cost will continue to increase.

The Denver Revised Municipal Code § 14-49 states that when competency is raised the court “shall suspend all proceedings until the issue of competency is determined.” This ordinance is rooted as a protection in the United States Constitution. The Constitution holds that an accused may not plead guilty, be tried, or sentenced while he or she is incompetent. Otherwise, this is a violation of the defendant’s due process rights under the Fourteenth Amendment. *Hampton v. Tinsley*, 240 F.Supp. 213 (D. Colo. 1965), rev’d on other grounds, 335 F.2d 470 (10th Cir. 1966).



*Competency evaluations proposal pending with Crime Prevention & Control Commission to provide immediate service to this population.

The ONLY law enforcement agency that actively effectuates Denver County Court's outstanding warrants.

Outstanding Warrants

- 40,000 outstanding warrants
- Marshals work 120 cases at any given moment
- Marshals' Office prioritize the following:
 - Domestic Violence
 - Violation of Protection Order
 - Felony
 - NO BOND allowed warrant
 - Sex Offender

Close Relationship with Pre-Trial Services

- Work closely with Pre-Trial Services
- Timely and effective apprehension of defendants who violate the terms of their bond or abscond from GPS monitoring and go into warrant status
- 2,375 individuals on in the community

Marshal's Workspace & Cubicles

| Expenditures | Revenues | FTE | Duration |
|---------------------|----------|-----|----------|
| \$40,200 | \$0 | N/A | One-Time |
| Marshal's Workspace | | | |

| Expenditures | Revenues | FTE | Duration |
|--------------------|----------|-----|----------|
| \$38,838 | \$0 | N/A | One-Time |
| Marshal's Cubicles | | | |

In the 2018 budget, the City granted the Court's request to expand the Court Marshal staff by an additional 2 FTE positions, bringing total staff to 8 FTE's (including the JAIII position). The current space occupied by the Marshals is over capacity and insufficient for their mission of locating and apprehending fugitives who pose significant risk to the safety of victims, witnesses and the community. The Marshals are POST-certified Peace Officers and are the only unit that actively apprehends dangerous fugitives from Denver County Court on a daily basis. They need space to perform their duties, dedicated command and control space for planning, briefing and safely executing operations and allow secure storage room for equipment (firearms, ammunition, body armor, radios, Tasers and other non-lethal equipment, handcuffs, etc.) We are working with the City Real Estate Office to find the most efficient and cost effective means to remodel or relocate the Marshals' workspace.

PT Magistrate Compensation

| Expenditures | Revenues | FTE | Duration |
|--------------|----------|-----|-----------|
| \$50,000 | \$0 | N/A | Permanent |

Magistrates work on average 5,400 hours per year presiding over thousands of cases in traffic night court, the weekend in-custody dockets, small claims court, and providing coverage for arraignment dockets, protection orders, and specialty courts. With the expansion of the weekend docket in Courtroom 2100, the number magistrate hours increased approximately 500 hours a year. The expansion has reduced docket times, improved efficiency, and resulted in earlier release times for defendants. Research shows that when held 2-3 days, low-risk defendants are 40% more likely to commit new crimes before trial than equivalent defendants held no more than 24 hours.* Therefore, any reduction of jail time creates a safer community and does not put defendants at risk for losing their homes, jobs, or children.

In addition to more hours, the 2018 Pay Survey conducted by the Office of Human Resources granted part-time magistrates a pay increase from \$69.58 to \$72.13 per hours, effective July 1, 2018.

*LIAF, The Hidden Cost of Pretrial Detention, November 2013

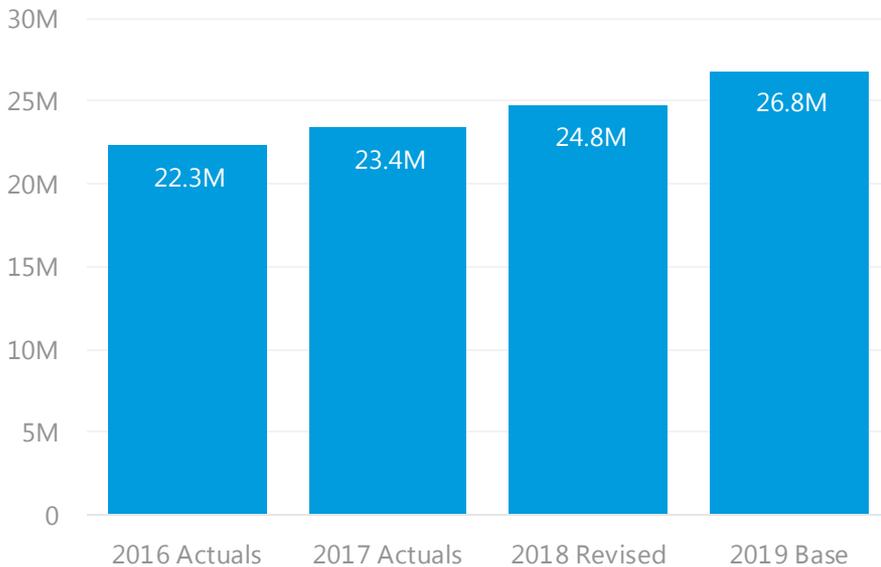


County Court General Fund Expenses, Revenues, and FTEs

Total FTE



Total Expenses



Total Revenues

