



Denver District Attorney

2019 Budget

“The Denver District Attorney’s Office (DA) mission is to professionally and competently prosecute crimes and investigate criminal activity on behalf of the people of the State of Colorado and to seek equal justice for all in the criminal justice system. Our mission includes the prevention and deterrence of crimes, support of the well-being of victims, participation in the community, transparency, accountability, and reform of the criminal justice system to provide fair and equal justice.”

Key Strategic Metrics

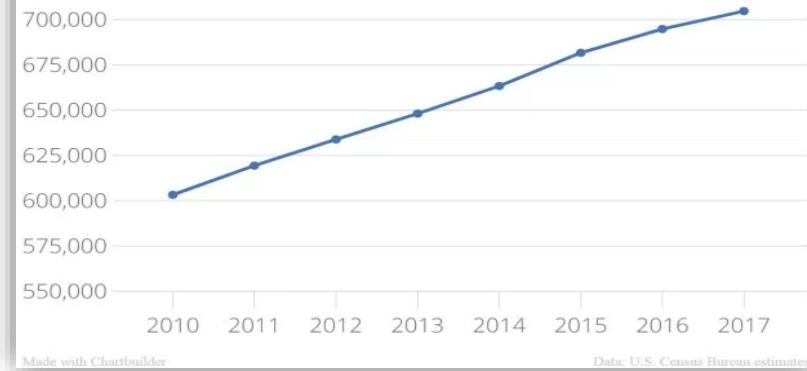
Welcome to
shutterstock
DENVER



Since 2010, Denver's population has grown by 101,403

<https://www.denverpost.com/2018/03/22/denver-population-growth-100000-7-years-pace-slowing/>

Denver grows by more than 100,000 in 7 years



"Denver violent crimes are up this month (386) compared with last (356), and up this year over the same time period last year.

Denver has had 2130 violent crimes reported so far this year, an average of 350.0 per month / 11.5 per day.

In 2017, Denver averaged 349.8 per month, and the year before that (2016) Denver averaged 331.2 per month.

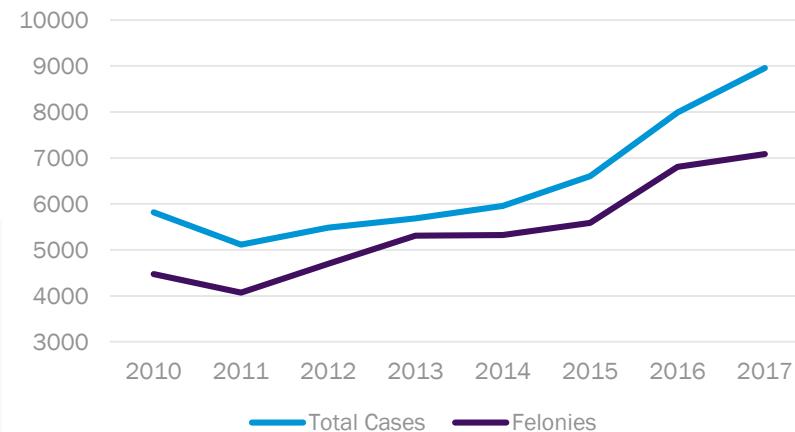
The most violent crimes any neighborhood in Denver has had this year is [Five Points](#), with 130.

The average # of violent crimes per neighborhood this year is 27.31."

<https://crime.denverpost.com/crime/violent/#charts>



Increases in Cases Over Eight Years



Deputy District Attorneys District Court Division

| Expenditures | FTE | Duration |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------|
| \$446,457 | 4 FTE District Attorney | Permanent |
| <ul style="list-style-type: none"> • Denver's population continues to grow • A steady increase in case filings has driven the need for attorney positions • Staffing has not kept pace with population growth and felony case filings | | |

| Cases reviewed by a DA for charging decision at Intake | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | % INCREASE OVER 8 YEARS |
|--------------------------------------------------------|------|------|-------|-------|-------|-------|-------|-------|-------------------------|
| TOTAL CASES reviewed (intake) | 9937 | 9264 | 10072 | 10329 | 10763 | 11640 | 13740 | 14323 | 44% |
| -Felonies | 6943 | 6491 | 7309 | 7975 | 7986 | 8467 | 10098 | 10028 | 44% |
| -Misdemeanors | 2994 | 2773 | 2763 | 2354 | 2777 | 3173 | 3642 | 4295 | 43% |

| Cases ACCEPTED for charging at Intake | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | % INCREASE OVER 8 YEARS |
|-----------------------------------------------------|------|------|------|------|------|------|------|------|-------------------------|
| TOTAL CASES Accepted for charges (in Intake) | 5821 | 5116 | 5486 | 5684 | 5960 | 6603 | 7991 | 8961 | 54% |
| -Felonies | 4476 | 4068 | 4700 | 5311 | 5323 | 5589 | 6808 | 7085 | 58% |

| Expenditures | FTE | Duration |
|--------------|-------|-----------|
| \$125,798 | 1 FTE | Permanent |

- Develop and standardize hiring and training
- A resource to all staff, particularly with complex cases
- Conduct internal investigations
- Coordinate office security and witness protection issues

| <u>District</u> | <u>JOB TITLE</u> |
|-----------------|--------------------|
| Adams | Chief Investigator |
| Arapahoe | Chief Investigator |
| Boulder | Chief Investigator |
| Denver | N/A |
| El Paso | Chief Investigator |
| Jefferson | Chief Investigator |
| Larimer | Chief Investigator |
| Pueblo | Chief Investigator |
| Weld | Chief Investigator |

Victim Advocate Elder Abuse

| Expenditures | FTE | Duration |
|--------------|-------|-----------|
| \$66,094 | 1 FTE | Permanent |

- This specialized victim advocate will work with the underserved elderly and at-risk populations
- The Denver Police Department has created a Special Victims Unit which handles crimes against elderly and at-risk victims, resulting in an increased number of cases
- Jan 2018 to-date, mandatory reporting has generated 818 reports

Colorado's laws establishing Mandatory Reporting of Abuse and Exploitation of At-Risk Elders became effective on JULY 1, 2014. The two Acts [mentioned above] require certain professionals (and their staff and volunteers) to report elder abuse, neglect or exploitation. Any mandatory reporter who OBSERVES the abuse, neglect or exploitation of a person who is 70 years of age or older (an "at-risk" elder) OR has reasonable cause to believe that an at-risk elder has been abused, neglected or financially exploited MUST report the abuse to police or local law enforcement within 24 hours after making the observation or discovery of abuse. The mandatory reporter who makes a report in good faith will be immune from civil or criminal liability. However, willful failure to report OR filing a FALSE report can be prosecuted under the new law.

Mandatory reporters include: health care professionals, pharmacists, psychologists and mental health care providers, social workers, long-term care providers, care facility staff, home health providers, clergy members, law enforcement officials and personnel, court-appointed guardians and conservators and personnel of banks and other financial institutions.





Victim Advocate

Behavioral Health Court (BHU)

& Human Trafficking (HT) Units

| Expenditures | FTE | Duration |
|--------------|-------|-----------|
| \$66,094 | 1 FTE | Permanent |

• Provide support to victims of the Behavioral Health Courts Unit (BHU) and the Human Trafficking Unit (HT)

• Crime Victim Compensation and Victim and Witness Rights legislation (the “VRA”), Title 24 C.R.S., requires strict compliance

The Victim Rights Act

The enabling legislation known as the Victim Rights Act became effective in January of 1993, and was amended in 1995, 1997, 2000, 2006, and 2007, 2008, 2009, 2010, 2011, 2012 and 2014. In an attempt to balance the scales of justice, the Victim Rights Act provides victims of crime an active role in the criminal justice process.

District Attorney's Offices have the responsibility to notify crime victims of:

- The filing of charges and provide an explanation of the charges;
- Decisions not to file charges in felony cases;
- Appropriate critical stages and the date, time and place of specified critical stages in the court proceedings;
- The name of the deputy district attorney handling the case and the court to which the case is assigned;
- The existence of the criminal protection order and upon the request of the victim, the procedure for modifying the protection order if a procedure exists;
- The availability of the district attorney to seek a court order to protect a victim's residential address;
- Any pending motion that may substantially delay the prosecution and inform the court of the victim's position on the motion;
- Any hearing concerning a petition for sealing of records;
- The availability of any benefits and/or transportation to and from court; and
- Any scheduling changes or cancellations, if such changes or cancellations are known in advance.

In addition, the District Attorney shall:

- Consult, where practicable, with the victim concerning the reduction of charges, negotiated pleas, dismissal or other dispositions;
- Minimize contact between the victim and the defendant before, during, and immediately after a court proceeding;
- Facilitate the prompt return of a victim's property when it is no longer needed for evidentiary reasons;
- Provide the victim with the opportunity to prepare a victim impact statement that is given to the Court;
- Inform the victim of the function of a presentence report and the name and telephone number of the probation officer preparing the report, as well as the defendant's right to view the presentence report and the victim impact statement;
- Explain the victim's right to attend and express an opinion at the sentencing hearing;
- Inform the victim of any hearing for reconsideration or modification of a sentence pursuant to a 35 (a) or 35(b) of the CO Rules of Criminal Procedure, (Note: a probation department shall notify a victim of a court ordered modification of the terms and conditions of probation); and
- Inform the victim of the right to receive information from correctional officials concerning the imprisonment and release of a person convicted of a crime against the victim and the right to receive information from the probation department.

| Expenditures | FTE | Duration |
|--------------|-------|-----------|
| \$71,067 | 1 FTE | Permanent |

- Intake Division prepares all paperwork for case filings
- The position has helped to decrease burn out and low morale due to increasing workloads

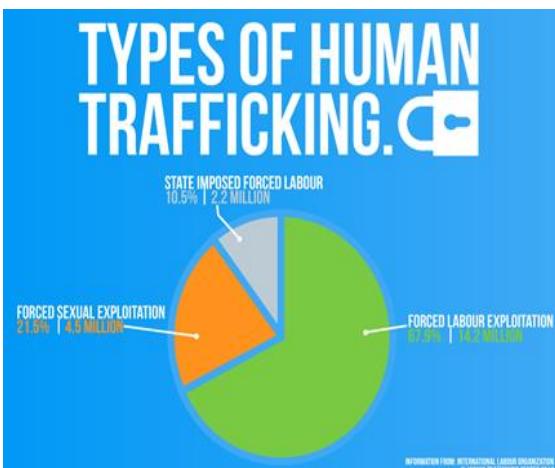
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Denver Anti-Trafficking Alliance

Program Director

| Expenditures | FTE | Duration |
|--------------|-------|-----------|
| \$89,368 | 1 FTE | Permanent |

- JAG funding has been significantly delayed and is uncertain at this time. The delay in funding may impact the work that DATA has accomplished and will result in a disruption of services to the underserved population of sex and labor trafficking victims



Information Technology Associate IT Technicians

| Expenditures | FTE | Duration |
|--------------|-----------------------------|-----------|
| \$59,917 | .75 FTE (.25 Jan; .5 July)* | Permanent |

- A temporary on-call employee and a part-time staff person provide technical support for the entire office
- The Denver DA's IT Department is independent and is not supported by Technical Services (TS)
- **These positions are budgeted to start in the 2nd quarter of 2019*



in·for·ma·tion tech·nol·o·gy

/ in'fər'māshən tek'näljē/

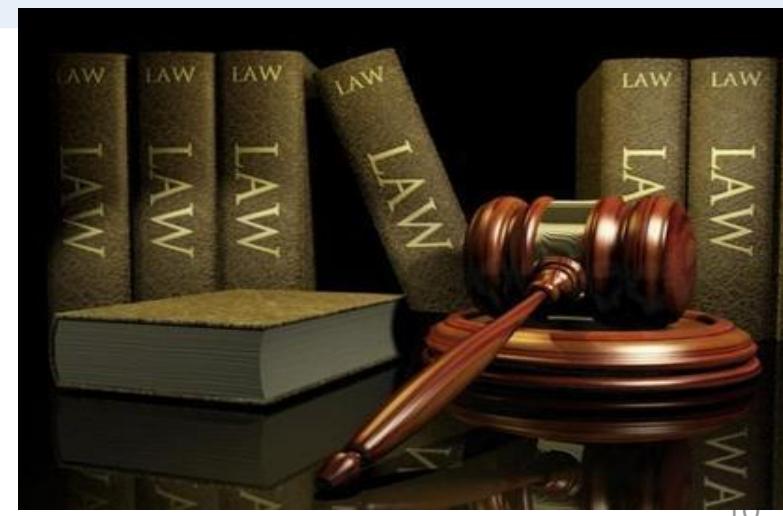
noun

the study or use of systems (especially computers and telecommunications) for storing, retrieving, and sending information.

Deputy District Attorneys Appellate Division

| Expenditures | FTE | Duration |
|--------------|------------------|-----------|
| \$192,115 | 1.5 FTE (April)* | Permanent |

- Post-conviction (PC) motions are more sophisticated and complex
- PC motions take weeks to prepare
- The positions provide the necessary time, skill and specialized ability to respond to these motions
- **These positions are budgeted to start in the 2nd quarter of 2019*



Records Administrative Support Assistant

| Expenditures | FTE | Duration |
|--------------|------------------|-----------|
| \$49,327 | .75 FTE (April)* | Permanent |

- CORA requests require significant time for review, redaction and preparation, and often takes weeks to respond
- The position ensures accuracy, consistency and timeliness
- **This position is budgeted to start in the 2nd quarter of 2019*

CORA or CCJRA?

• "Public Records" means and includes all writings made, maintained, or kept by ...[a] political subdivision of the state...and held by any local-government-financed entity for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds

• "Criminal Justice Records" means materials made, maintained or kept by any criminal justice agency in the state for use in the exercise of functions required or authorized by law or administrative rule





Sr. Criminal Investigator Firearms Relinquishment Program

| Expenditures | FTE | Duration |
|--------------|-----------------|-----------|
| \$75,602 | .75 FTE (April) | Permanent |

• Recent legislation requires domestic violence offenders to relinquish their firearms however the law is not enforced

• The position will coordinate efforts to remove firearms from non-compliant defendants

• **This is a critical public safety issue**

• **This position is budgeted to start in the 2nd quarter of 2019*

A Colorado law supposed to make some suspects give up their guns is not working

Five years after Colorado legislators heralded a new gun law designed to protect victims of domestic violence, a three-month investigation by 9Wants to Know has discovered a statewide system of lax -- if not downright nonexistent -- enforcement where not even the state's court system knows just how many people are willfully ignoring judicial orders.

The consequences have proven tragic time and time again.

Defendants under court order not to possess guns have killed spouses, girlfriends, and strangers with weapons a judge had ordered them to relinquish.

Author: Katie Wilcox, Chris Vanderveen
Published: 10:58 AM MDT May 15, 2018
Updated: 10:52 PM MDT May 16, 2018

Deputy District Attorney

Behavioral Health Court and Restorative Justice

| Expenditures | FTE | Duration |
|--------------|-----------------|-----------|
| \$78,309 | .58 FTE (June)* | Permanent |

- Cutting-edge programs
- Review of cases for young adult diversion intake
- Review of cases appropriate for restorative justice to oversee use of facilitators and experts
- Deputy will split time and duties between Behavioral Health Unit and Restorative Justice Program
- **This position is budgeted to start in the 3rd quarter of 2019*



re·stor·a·tive jus·tice

noun

1.a system of criminal justice that focuses on the rehabilitation of offenders through reconciliation with victims and the community at large.

Chief Deputy District Attorney Training

| Expenditures | FTE | Duration |
|--------------|----------------|-----------|
| \$101,034 | .5 FTE (July)* | Permanent |

- Training new attorneys to ensure effective and consistent prosecution
- Guides newer deputies on increasingly complex issues
- Organizes trial advocacy and best practices training for all attorneys

*This position is budgeted to start in the 3rd quarter of 2019



Training

Knowledge, competencies, professional development, teaching of vocational or practical skills provides the b

- On-the-job training tak
- Off-the-job training aw

Lead Victim Advocate

| Expenditures | FTE | Duration |
|--------------|----------------|-----------|
| \$44,170 | .5 FTE (July)* | Permanent |

- The position provides consistent and effective communication and support for crime victims and witnesses
- Consistent training and maintain trauma-informed best practices to address common needs and issues
- **This position is budgeted to start in the 3rd quarter of 2019*

| <u>District</u> | <u>Job Title</u> |
|-----------------|---------------------------------|
| Adams | Victim Services Manager |
| Arapahoe | Director of Victim Services |
| Boulder | Director Victim/Witness Unit |
| Denver | No position |
| El Paso | Victim Witness Program Manager |
| Jefferson | Director of Victim/Witness Unit |
| Larimer | Victim Witness Division Manager |
| Pueblo | No Position |
| Weld | Director of Victim Services |



Sr. Criminal Investigator Family Violence Unit

| Expenditures | FTE | Duration |
|--------------|----------------|-----------|
| \$53,449 | .5 FTE (July)* | Permanent |

- Increased filing of strangulation cases since the statute was enacted
- Improved prosecutions through focusing resources on cases and providing more thorough investigations
- The cases in the Family Violence Unit are complicated, emotional and stressful cases that require a great deal of resources
- **This position is budgeted to start in the 3rd quarter of 2019*

HOUSE BILL 16-1080

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 18-3-202, add (1) (g) as follows:

18-3-202. Assault in the first degree. (1) A person commits the crime of assault in the first degree if:

(g) WITH THE INTENT TO CAUSE SERIOUS BODILY INJURY, HE OR SHE IMPEDES OR RESTRICTS THE BREATHING OR CIRCULATION OF THE BLOOD OF ANOTHER PERSON BY APPLYING PRESSURE TO THE NECK OR BY BLOCKING THE NOSE OR MOUTH OF THE OTHER PERSON AND THEREBY 10 CAUSES SERIOUS BODILY INJURY.

SECTION 2. In Colorado Revised Statutes, 18-3-203, amend (1) 12 (h) and (2) (c) (l); and add (1) (i) as follows:

18-3-203. Assault in the second degree. (1) A person commits 14 the crime of assault in the second degree if:

....
(i) WITH THE INTENT TO CAUSE BODILY INJURY, HE OR SHE IMPEDES OR RESTRICTS THE BREATHING OR CIRCULATION OF THE BLOOD OF ANOTHER PERSON BY APPLYING PRESSURE TO THE NECK OR BY BLOCKING THE NOSE OR MOUTH OF THE OTHER PERSON AND THEREBY CAUSES BODILY INJURY.

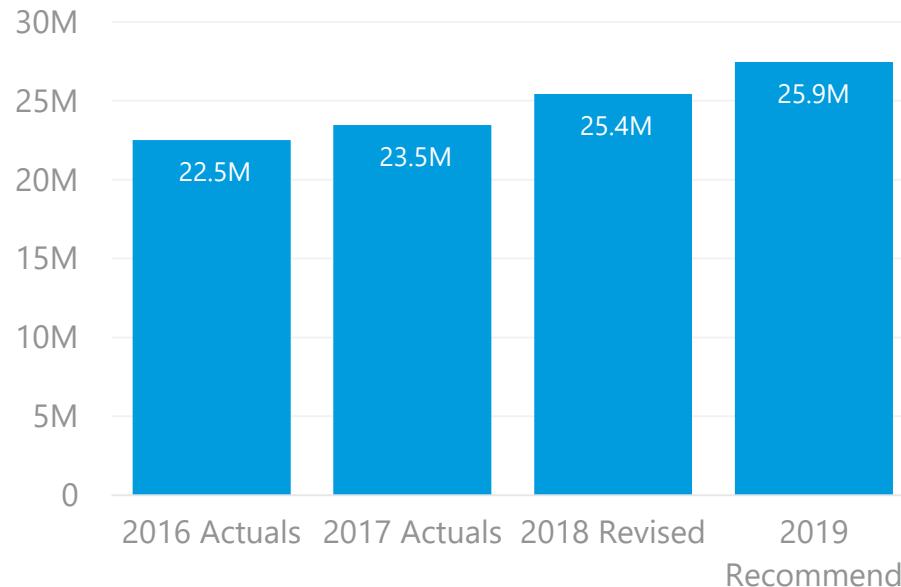


District Attorney General Fund Expenses, Revenues, and FTEs

Total FTE



Total Expenses



Total Revenues

