



LOOKING BACK
MOVING FORWARD

DENVER DISTRICT ATTORNEY

2020 ANNUAL REPORT

For optimal viewing (a two page spread), in
your tools bar, go to:

View-> Page Display->2 Page View

A Letter from Beth McCann Denver District Attorney



Last year was full of challenges, yet these challenges presented opportunities for us to listen, learn and adapt.

In the blink of an eye, COVID-19 alerted us to our collective vulnerability in the face of a public health crisis and challenged us to manage our work and personal lives in new ways. Following the George Floyd murder, people took to the streets demanding changes to our system of justice and brought new attention to the Black Lives Matter movement.

Looking Back

The pandemic tested our criminal justice system as the need for social distancing and mask wearing impacted the function of the courts, jails and prisons. At the same time, the nation and Denver experienced an alarming increase in violent crime, but the members of our office remained steadfast in our commitment to the safety and well-being of the community and our mission. It was my responsibility to determine how we would move forward to enforce the law and protect the public and those in custody. On March 13th, I issued a work-from-home policy for the entire office. Within two weeks, Governor Polis and Mayor Hancock issued stay-at-home orders. Court trials were then suspended and their reopening dates continuously delayed.

Mission Statement:

To prosecute criminals, protect the rights and interests of victims and seek fair and equal justice for all.

Systemic Racism | Protests | Accountability

The pandemic was only part of the 2020 story. On March 25th our world was shaken as we watched the video of a Minneapolis police officer kneeling on George Floyd's neck. "Say his name" and "I can't breathe" became national chants. In Denver and across America people began calling for police reform. Some of the demonstrations were marred by acts of vandalism and clashes with police.



As a former state legislator and proud citizen of Denver, I was viscerally upset by the damage done to our beautiful city and the Colorado State Capitol. In fact, several of us from the office helped

with the clean-up of Civic Center Park. While I fully support the people's right to protest, charges were filed against those who crossed the line of their First Amendment rights and engaged in criminal activity.

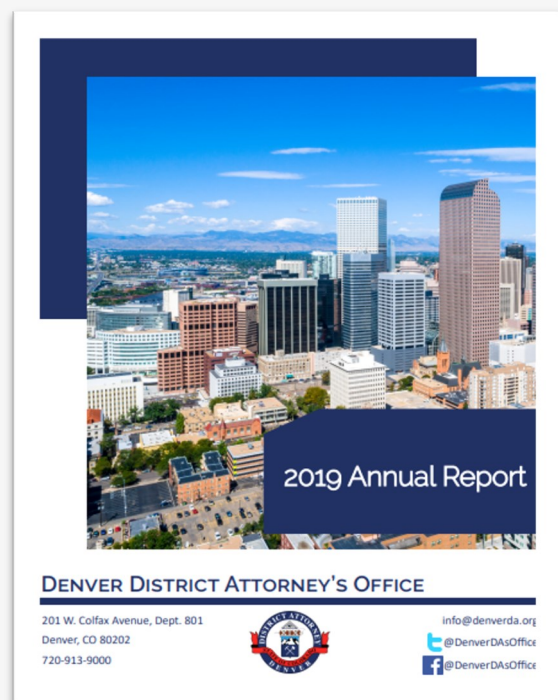
The protests called upon us to take a hard look at our history and confront current systems and practices – particularly around policing. On the other side, law enforcement felt their profession was under attack. While many supported reforms, such as diverting resources to fund mental health and social work, others called for defunding police altogether.

Defunding the police would threaten the safety and well-being of our community. The Denver Police Department continues to work collaboratively with our office to find alternatives to dealing with crime and mental health issues. In fact, in June of 2020, the department launched the STAR program which takes a more compassionate approach to policing and keeps people out of the criminal justice system by connecting people with services including shelter, food, counseling and medical treatment rather than taking them to jail if that is the appropriate response. I support and applaud the Denver Police Department's efforts to respond to community concerns about policing; there remains much work to be done. Members of the department continue to perform vital and important work to keep the Denver community safe while striving to treat all people with respect and concern.

We also looked inward to ensure that the office was treating people both within and outside the office with equity and respect. We examined our organizational policies and practices and evaluated their effectiveness at promoting the types of diversity and inclusion necessary to achieve a healthy work environment. I've said from my first day in office that as key participants in the judicial system, prosecutors need to be transparent in our work and engage in self-reflection about diversity, equity and inclusion.

We formed several internal committees to take a hard look at various aspects of our criminal justice system and where we might improve and to address any internal issues of bias or racism head on. Prior to the 2020 protests, we commissioned an independent internal study that analyzed one year's worth of cases to determine whether there were any racial and ethnic differences in case outcomes. The results of that study will be released in 2021. We have also engaged an independent firm to assist us with our internal efforts to ensure that our office is a safe and welcoming place for people of all backgrounds and cultures.

For the public to trust that we are ethical public servants committed to equity and fairness, it is essential for us to be transparent in our work. In my closing letter in the *2019 Annual Report* - before COVID-19, before the protests and before the heightened attention to racial imbalance within the criminal justice system - I wrote about our commitment to equity and diversity:



“Moving forward, we must be willing to have the difficult but honest conversations about the system’s lack of equity and balance for all people. The inequity has been the norm for far too long. As you have read within this report, I have taken the first step to look inward and research how our office handles cases that involve people of color. If we find bias, we will act on that research. Finally, we will continue to look at the criminal justice system through a broader lens and address the injustices of mass incarceration to ensure that every person is treated with dignity, respect and equality.”

My Commitment

We must continue to address the issues of racial equity and diversity while eliminating bias within our day-to-day world and within the criminal justice system. Behind the thousands of cases we handle are dedicated employees who believe in the rule of law, who care about our community and victims of crime, and who are tasked with doing what is right in a cumbersome and multi-faceted system.



Within these pages, you will read about the innovative programs we initiated, the number of cases filed, and the lessons learned from COVID-19. But more importantly, I hope you read between the lines and consider the herculean effort of everyone in this office who kept the criminal justice system moving forward during incredibly challenging times. I will forever be grateful to each person within the office who managed to work and accommodate those challenges.

I believe in the work we do. Every decision we make impacts victims and their families, defendants and their families and our broader community. It is important that we continue to improve the criminal justice system. We recognize that there is room for continued growth, and we are always looking for ways to improve. To that end, I welcome your feedback. My commitment to you is to protect our public safety, strive for continued transparency and be continually mindful of creating a more just and equitable system of justice.



MEETING THE MOMENT

It wasn't just the pandemic that required, almost demanded, that we rethink nearly every process and procedure within our office and the judicial system. As a final sting of COVID-19, the city's budget took an unexpected and dramatic hit. We were asked to cut our budget by 7.5%, implement a hiring freeze and institute eight mandatory furlough days for all employees. More work, less pay. The office met and faced that challenge.

COVID-19 and the environment of dissent and anger across America did not stop our work. Instead, we coordinated with the legal system and the legal stakeholders to preserve the rights of each individual and the criminal justice process overall.



JANUARY 2020

Thousands of people evacuate and millions of acres burn as bushfires rage across Australia.

The World Health Organization declares the COVID-19 outbreak a public emergency. President Trump bans travel from China.

JANUARY 1

JANUARY 21

JANUARY 30

JANUARY 31

The first U.S. case of COVID-19 is confirmed.

The United Kingdom withdraws from the European Union.

FEBRUARY 2020

Ahmaud Arbery is shot and killed while jogging in Georgia by three white men.

The first COVID-19 death is reported in the United States.

FEBRUARY 23

FEBRUARY 26

FEBRUARY 29

The U.S. House of Representatives passes anti-lynching legislation.

HURDLES INTO OPPORTUNITIES

COVID-19

Long before the pandemic, we were actively looking at alternatives and reform to mass incarceration. The pandemic gave us an opportunity to test alternatives.

OVERCROWDED

JAILS



COURT

PROCEEDINGS



EMBRACED TECHNOLOGY



CONSUMER PROTECTION

OVERCROWDED JAILS

Jails and prisons, already stretched to capacity, were fertile ground for the spread of COVID-19 which threatened not only the well-being of the inmates, but the sheriff deputies who run the jails and other employees who work there. We worked with legal stakeholders to reduce the inmate population through early release of some individuals and through personal recognizance bonds or low bonds when appropriate. As a result, the combined jail population dropped by more than 40%, increasing safety for inmates and staff.

Historical Population: Combined Facilities



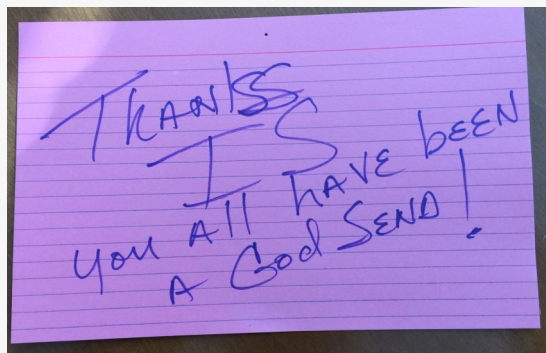
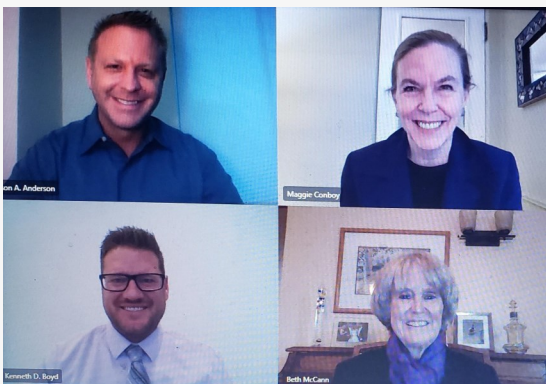
COURT PROCEEDINGS

Once the pandemic hit its peak, jury trials were suspended and then rescheduled and suspended again through the end of 2020. Court proceedings were conducted virtually. Preliminary hearings, arraignments, motions, and other proceedings continued via WebEx. Technical issues were quickly addressed, and we started to experience the benefits of online court proceedings. For example, victims who once feared facing the defendant in court, were now more willing to participate because they felt safer monitoring proceedings virtually. Victims and witnesses no longer needed to arrange for childcare, transportation or time off from work. The process of criminal justice in many ways became much simpler for the public and for us.



EMBRACED TECHNOLOGY


Our Information Services Department ensured the office was fully and virtually operational. In addition to doing our core work, we continued to offer community engagement programs and our education program for high schoolers. Meetings, trainings, and events such as the annual MADD WALK (Mothers Against Drunk Driving), the annual Start by Believing campaign and even our holiday party were virtual and successful.




 **Denver DA's Office**
@DenverDAsOffice

FRAUD FRIDAY!
As Covid cases rise so does a scammer's desire to separate you from your money or identity. If you receive a call or text about contact tracing check out the FTC Contact Tracing Infographic with 5 things to know:
consumer.ftc.gov/articles/conta...



 **Denver DA's Office**
@DenverDAsOffice

We're sharing this list of [#COVID19](#) scams and tips on how to avoid falling for them compliments of our state colleagues.

 **Stop Fraud Colorado** @StopFraudCo · Jul 27, 2020
We've compiled a list of tips and resources for avoiding [#coronavirus-related](#) scams, and a list of sites where you can find the most accurate, up-to-date information, including from the @CDPHE and @CDCgov. coag.gov/coronavirus/?u...

CONSUMER PROTECTION

Consumer protection efforts were in high gear to combat the explosion of scams surrounding COVID-19 vaccines, government checks, and cure-alls. The team collaborated with the Colorado Attorney General's Office and other area agencies to increase awareness surrounding these scams through social media, media interviews and virtual consumer protection presentations to ensure residents' safety.

MARCH 2020

New state drug law changes possession of 4 grams or < of most drugs from a felony to misdemeanor offense.

Breonna Taylor shot and killed by police in Louisville, KY.

MARCH 1

MARCH 11

MARCH 13

The WHO declares COVID-19 a pandemic. Worldwide death toll passes 10,000.

**Denver DA employees
begin working remotely.**

**Governor issues
statewide stay-at-home
order.**

MARCH 13

MARCH 20

MARCH 25

**Court suspends jury
calls through May 15.**

HURDLES INTO OPPORTUNITIES

ACCOUNTABILITY

The public outcry stemming from the killing of George Floyd brought demands for racial justice into the national and local spotlights. The public's outrage over pervasive racism, driven by the Black Lives Matter movement, played out in protests and public resistance throughout Denver and across America. That groundswell forced local governments to respond with tangible policy changes and commitments. We supported three new laws enacted by our legislators and governor.





POLICE ACCOUNTABILITY & REFORM

REPEAL OF THE DEATH PENALTY

**BAN ON CIVIL IMMIGRATION ARRESTS IN
COURTHOUSES**

DIVERSITY, EQUITY AND INCLUSION

POLICE ACCOUNTABILITY AND REFORM

DA McCann has both charged police officers with criminal conduct and determined that police shootings were legally justified. She understands how important it is to keep the public informed of the details surrounding police involved incidents. In June of 2020, the Enhanced Law Enforcement Integrity Act which bans chokeholds and improves use of force rules became state law. This law addressed issues ranging from body worn camera usage to requirements for police officers prior to use of force and elimination of some immunity for law enforcement officials. Prior to passage, DA McCann pushed for a quiet provision that made its way into the new law. That provision requires that a final report must be written and made public whenever a grand jury decides charges should not be brought against an officer in a shooting incident.



When our office files charges against an officer and a criminal trial begins, the public will get answers as to what happened through the normal legal process. If the officer is not charged, members of the public still want answers and they should get them. The provision the DA pushed to include in this law will ensure that when an officer-involved shooting is investigated by a grand jury a report be written and made public when the grand jury decides not to charge the officer. The transparency of a final grand jury report will ensure the public ultimately knows what happened in these incidents and why officers are not being prosecuted.

REPEAL OF THE DEATH PENALTY

The DA has long advocated for the abolition of the death penalty believing the government should not be in the business of killing people. Multiple national polls show a decrease in support for the death sentence. Evidence reflects that capital punishment has been used disproportionately against minorities and has not been shown to be a deterrent to crime.

Lawmakers passed a bill to end the use of capital punishment in Colorado. The governor signed Senate Bill 100 into law and commuted the sentences of the three Black men on death row.



BAN ON CIVIL IMMIGRATION ARRESTS IN COURTHOUSES

Immigration advocates have documented numerous cases of Immigration and Customs Enforcement (ICE) officers arresting people in or around courthouses, which causes crime victims and witnesses to be fearful of cooperating with our office let alone testifying in court. We supported Senate Bill-83 to prevent ICE from making civil arrests on courthouse property or from targeting people going to and from court. Governor Polis signed the bill into law in March of 2020.

APRIL 2020

COVID-19 cases surpass 3 million worldwide. U.S. cases surpass 1 million. The U.S. death toll from COVID-19 surpasses 50,000.


Suspension of jury calls extended to June 1.

APRIL 2

APRIL 3

APRIL 16

The CDC recommends that everyone consider wearing masks in public.

A timeline graphic is overlaid on a faded background image of the Colorado State Capitol building. The timeline consists of three dark blue chevron-shaped arrows pointing to the right, each containing a date. Vertical lines connect the dates to text boxes above and below the arrows. The text boxes contain descriptions of events corresponding to the dates.

Governor
issues executive
order for
'Safer at
Home'.

APRIL 17

APRIL 19

Mayor extends stay-at-
home order to May 8th.

APRIL 25

Protests at Colorado
Capitol against stay-at-
home order.

"We have begun to think about how to get back to some level of normalcy. Everything is really up in the air but we are thinking about how coming back to the office will look.

I recognize that people with young children will face some difficulty in coming into the office so we will have to be flexible."

~DA Beth McCann~

DIVERSITY, EQUITY AND INCLUSION



2020 spotlighted the importance of public trust in our work both externally and internally. Our internal work began with a virtual town hall with our entire office to discuss issues raised by the protests and specifically what our office could do to ensure we are sensitive to issues about DEI. At a subsequent town hall meeting for the entire office, Chief Deputy Dan Clark from the King County Prosecutor's Office in Seattle gave a virtual

presentation on inclusion and diversity. Every member of the office was then assigned to internal small groups to discuss these topics and to learn from each other.

We looked within the office and ourselves to examine bias and racism, not just as it pertains to the criminal justice process, but between and among each other. We recognize that the diversity within our office should better mirror the diversity of Denver's population. We established a recruitment and retention committee to focus on barriers to attracting and keeping people of color in our office and to consider the conflicts that a person of color confronts in a law enforcement role.

“Inclusion is not a matter of political correctness.”

We created committees to assist in developing new and creative ways to ensure that our commitment to fostering an environment that supports and encourages diversity and inclusion was ongoing and always in the front of our minds. We also established a committee to review instances of questionable police conduct so that we can bring these incidents to the attention of the police department. We also established affinity groups for those communities of color who want to meet and discuss issues applicable to their situations.

Externally, we continue to look for ways to improve the prosecutorial outcome for persons of color and continued our collaboration with the Colorado Evaluation and Action Lab at the University of Denver and an outside researcher to determine if there are differences in the way cases are handled based on race or ethnicity. The project known as the race and justice study is researching adult non-drug felony cases filed by our office between July 2017 and June 2018. The goals of the race and justice project are to ensure fair prosecutorial decisions, enhance data transparency and build community trust in the Denver District Attorney's Office. This study will help us review any racial and ethnic differences in case outcomes.

It is the key to growth.” ~ Rev. Jesse Jackson





CONTINUED ACCOUNTABILITY AND TRANSPARENCY

Our office holds the power to influence how justice is administered and how it is perceived by the public, and we continue to make great strides in keeping Denver safe and in strengthening community trust.

The following committees were established to ensure a structured process and procedure for our office to determine when and if police behavior needs to be addressed:

Use of Force

Members of this committee review cases referred to our office through the Internal Affairs Bureau (IAB) that might involve criminal behavior by police officers and sheriff's deputies.

Internal Complaints

The committee reviews instances of questionable behavior by peace officers and sheriffs' deputies brought to them by members of our office. When we determine that there was improper behavior, these cases are referred to DPD to refer to Internal Affairs for an investigation or for training purposes.

Brady Disclosures

Law enforcement agencies are required to provide a list of officers who have any record of lying or abusing arresting power. This committee serves as a clearinghouse for questions involving whether materials should be discovered under Brady. The members develop policies regarding when an officer should be placed on the Brady list and when an officer can be removed from the list.

Officer-Involved Shootings

Whenever there is an officer-involved shooting and no charges are filed against the officer, DA McCann holds a public meeting to walk Denver residents through the investigation and her decision on the legality of the shooting incident. DA McCann feels these public meetings are one step toward healing a community and upholding our commitment to transparency. In 2020 there were nine virtual public meetings regarding an officer-involved shooting.

(*Some of those reviewed may have been from a 2019 shooting incident.)

MAY 2020

Suspension of jury calls extended to June 15.

Video of George Floyd being killed goes viral.

MAY 6

MAY 14

MAY 25

MAY 28

Mayor calls for mandatory furlough days for city employees.

Black Lives Matter march in Denver.

JUNE 2020

Civic Center Park vigil to honor George Floyd.

DA McCann hosts a community meeting to discuss the officer-involved shooting death of William DeBose.

JUNE 9

JUNE 15

JUNE 18

JUNE 19

Suspension of jury calls extended to Aug 3.

Governor signs 'Enhance Law Enforcement Integrity' bill in to law.

*"At this point we're done and we're tired of us being killed for exactly no reason. Racism can't be the excuse anymore." **

**Source: The Denverite.*

BY THE NUMBERS

COUNTY COURT

Misdemeanor cases, including third degree assault, domestic violence, drug-related and state-level traffic cases such as alcohol/drug related driving offences, careless driving and driving without a license or insurance are prosecuted in County Court. The deputy district attorneys in this division are responsible for prosecutions in six County Court courtrooms.

DISTRICT COURT

Adult felony cases, except those routed to specialized crime units, are prosecuted in District Court. The deputy district attorneys are responsible for prosecutions in ten District Court courtrooms.

JUVENILE COURT


Prosecutors screen and file cases in which the defendant is between the age of 10 and 18 in Juvenile Court. Prosecutors also determine whether juvenile diversion (an alternative to formal court proceedings) is appropriate for a non-violent juvenile offender.

CASES FILED

	DISTRICT COURT	COUNTY COURT	JUVENILE COURT
2018	8,077	12,135	635
2019	8,029	10,101	607
2020	5,759	7,449	438

CASES FILED BY CHARGE TYPE

A single case may have multiple types of charges.

910 ASSAULTS	1,175 DOMESTIC VIOLENCE	1,270 DRUGS	604 BURGLARIES
552 FINANCIAL CRIMES		152 HOMICIDES	
945 MISC.	710 MOTOR VEHICLE THEFTS	287 ROBBERIES	82 SEXUAL ASSAULTS



And while we win some and we lose some, we measure success by the integrity of our efforts, how well we supported our victims and by how the law itself is administered.

~District Attorney Beth McCann



JULY 2020

DA McCann extends work
from home policy until
Sept 1.

Pro-Police Rally held in
Denver.

JULY 8

JULY 17

JULY 19

Georgia Congressman
and civil rights icon
John Lewis dies.

AUGUST 2020

**“Abolish the Police”
protests turn into riots.
Governor calls
demonstrators’ actions
“criminal terrorism”.**

AUGUST 22

**Protests over Elijah
McClain’s death occur.**

AUGUST 26

**Phased
implementation of
jury trials begin.**

AUGUST 30



INCREASE IN AUTO THEFTS

At the announcement of stay-at home orders, there was a thought, or hope, that crime rates would drop. In fact, crime did drop during the months of March, April and May of 2020. Unfortunately, violent crimes, domestic violence, and car thefts began to rise during the summer and continued to rise during the later months of 2020. Among the hypotheses for the increase are that COVID-19 caused great economic stress and the stay-at-home orders put people in constant and close contact, also increasing tension and stress. Car thefts and thefts of weapons and other materials from cars rose. We supported the legislation passed in 2020 to require people to store their firearms safely and report thefts of firearms quickly.

2015-2020 Denver Metro Area Annual Comparison

Year	Population ¹	Registered CATPA Vehicles	Theft Total	Percent Change	Thefts Per Capita	Percent Change	Recovery Total (To Present)	Percent Change	Recovery Rate	Recovery Total (Within the Year)
2015	2,752,732	2,222,942	10,095	-	367	-	8,923	-	88%	3,576
2016	2,796,333	2,276,051	11,785	17%	421	15%	10,907	22%	92%	5,953
2017	2,831,280	2,345,938	13,061	11%	461	9%	12,187	12%	91%	11,696
2018	2,872,399	2,379,655	13,452	3.00%	468	1.50%	12,548	3%	90%	12,327
2019	2,909,317	2,447,612	13,035	-3.10%	448	-5.10%	11,964	-5%	85%	11,334
2020	2,937,325	2,505,335	20,185	54.80%	687	55.20%	17,526	46%	87%	17,526

Sources:

1. Colorado Department of Local Affairs (DOLA). Denver PMSA Population 2014-2020. Website: <https://demography.dola.colorado.gov/population/data/profile-regions/>
2. Colorado Department of Revenue (DOR). Annual Report 2014-2020. Total Registered Vehicles by County. Website: <https://www.colorado.gov/pacific/revenue/annual-report>
3. Metro Denver Economic Development Corporation. 2020 Estimated Population. Website: <http://www.metrodenver.org/do-business/demographics/population/>
4. 2015-2019 motor vehicle theft and recovery data acquired from the Auto Theft Intelligence Coordination Center (ATICC) database on January 8, 2021.

*CATPA: Colorado Auto Theft Prevention Authority

DISTURBING INCREASE IN VIOLENCE

HOMICIDES

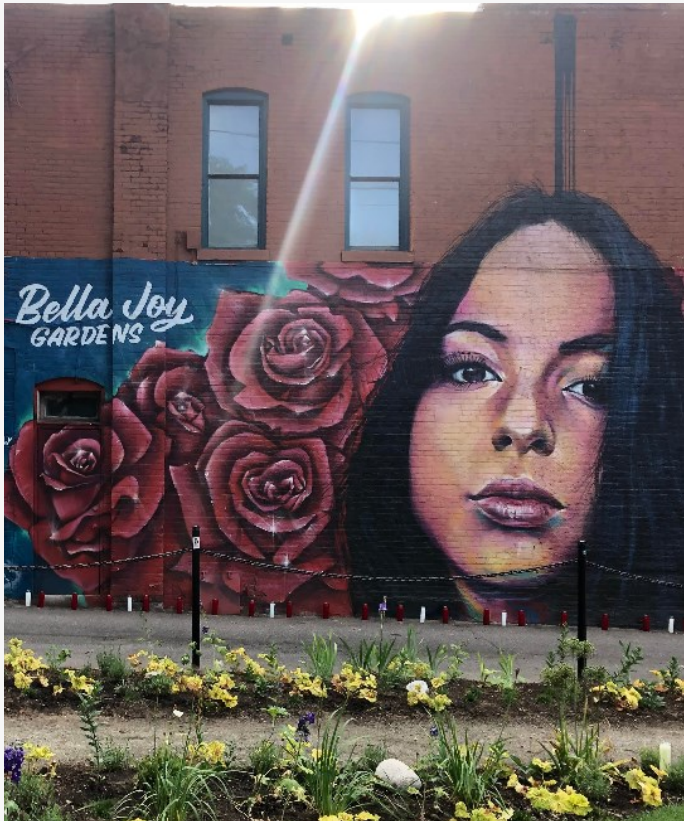
Ninety-two people were killed in homicides in 2020, the highest number recorded in the city since 1981. More than 600 people were shot in Denver but survived their injuries, which is a 25% increase since 2019.

CRIME IN THE CITY AND COUNTY OF DENVER

TYPE OF OFFENSE		JAN-DEC 2019		JAN-DEC 2020		CHANGE	
		#	%	#	%	#	%
VIOLENT CRIME	Murder	64	0.2%	92	0.2%	28	43.8%
	Rape	751	2.3%	585	1.4%	-166	-22.1%
	Robbery	1,203	3.7%	1,221	3.0%	18	1.5%
	Aggravated Assault	3,436	10.4%	4,294	10.6%	858	25.0%
SUBTOTAL		5,454	16.6%	6,192	15.2%	738	13.5%
PART 1 PROPERTY	Burglary	3,955	12.0%	5,199	12.8%	1,244	31.5%
	Larceny (Except Theft from MV)	10,039	30.5%	10,338	25.4%	299	3.0%
	Theft from Motor Vehicle	8,128	24.7%	10,422	25.6%	2,294	28.2%
	Auto theft	5,227	15.9%	8,326	20.5%	3,099	59.3%
	Arson	100	0.3%	155	0.4%	55	55.0%
SUBTOTAL		27,449	83.4%	34,440	84.8%	6,991	25.5%
PART 1 TOTAL		32,903	100.0%	40,632	100.0%	7,729	23.5%

Excludes runaways, traffic offenses, unfounded reports and non-criminal activity.

*Data chart provided by Denver Police Department



A portrait of Isabella “Bella” Thallas by Detour, AKA Thomas Evans, welcomes visitors to Bella Joy Gardens. Isabella Thallas was 21 years of age when she was shot and killed. The park, located off East 17th and Park Avenue, is a place where visitors can remember loved ones lost.

JUVENILES & HANDGUNS

Over the last several years, the number of juvenile cases involving handguns has increased dramatically. In response, we continued work to develop the Handgun Intervention Program (HIP), a specialty court designed to address the issue of juveniles and guns. The program will begin in 2021 and will strive to prevent young people from committing another gun-related crime and spiraling through the criminal justice system. A collaborative effort with Denver Juvenile Court, Denver Juvenile Probation, and public defenders, the new court will treat first-time, juvenile gun possessors with alternatives to jail.

“Denver is experiencing an alarming rise in violent crimes.



And Denver's young people are caught in the crossfire ...”

~DA Beth McCann

SEPTEMBER 2020

Mayor announces hiring freeze for city agencies.

Kentucky grand jury recommends no charges be brought against police in the killing of Breonna Taylor.

SEPTEMBER 15

SEPTEMBER 18

SEPTEMBER 23

Supreme Court Justice Ruth Bader Ginsburg dies.

OCTOBER 2020

Security guard Matthew Dolloff charged with 2nd degree murder of Lee Keltner.

Denver moves back to Level 3 COVID-19 restrictions.

OCTOBER 10

OCTOBER 16

OCTOBER 27

United States surpasses 8 million COVID-19 cases.

NEW INNOVATIVE PROGRAMS AND PROCEDURES

Each year, we develop new and evaluate existing programs and procedures, with a goal of finding alternatives to incarceration, aiding those who are mentally ill, or drug addicted and keeping violent offenders off the streets. We form collaborations knowing that together with city, state, and non-profit agencies, we can accomplish much toward ending violence and crime in Denver. Diversion programs are designed to divert people from the criminal justice system including those with mental illness or substance misuse addictions. If individuals successfully complete diversion, the cases are dismissed and are generally sealed. In 2020, our office launched two specialty courts to target those who are first time offenders and whose underlying illnesses drove the criminal behavior.

Drug Cases



DRUG CASES

In March of 2020, a new law which had been previously passed by the Colorado General Assembly went into effect. This law provided for a significant change in state drug laws that made possession of less than four grams of most drugs a misdemeanor offense rather than a felony. As a result, the felony Drug Court as it existed was changed to Divert Court which is explained below. Many more drug possession cases now go to Denver County Court for misdemeanor charges. The cases of possession of large amounts of drugs or for selling drugs still go through the Denver District Court as they are felonies. Depending on the defendants' eligibility and willingness to participate, they may enter into one of two new courts, Divert Court or HEM Court (descriptions below). Both new courts have an eye toward reform, second chance and rehabilitation.

**Note that due to the change in law, year-over-year, misdemeanor drug case filings went up and felony drug case filings went down.*

DRUG FILINGS	
2019	
2,871	District Court
624	Drug Court
65	Misdemeanor
3,560	Total
2020	
1,308	District Court
6	Drug Court
795	Misdemeanor
2,109	Total



HELPING, ENGAGING AND MOTIVING (HEM) COURT

The HEM Court was started in March 2020 when a new law took effect. HEM Court is based on a harm reduction model and addresses the needs of the offender to enable that person to become substance free. People arrested for drug possession are evaluated by Pre-trial Services right away to determine if they are willing to participate in drug and/or alcohol addiction treatment and if they can meet additional eligibility requirements necessary to participate in HEM Court. HEM requires participants to meet with case managers for the duration of the eight-week program during which time participants will work with case managers to set goals to help them address underlying issues such as housing insecurity and unemployment. The case managers who are probation officers are specially trained for this program and provide additional resources to the participants. Those who successfully complete the program may have their cases dismissed.



HEM COURT DATA

HEM Cases Supervised

207 cases assigned to HEM
179 cases completed (closed)
28 active cases (does not include active warrants)

Compliant Terminations – 129

Non-Compliant Terminations (closed) – 47

Compliance Rate – 72%

Identity of Enrolled Participants - Male 74%, Female 26%
68% of males completed HEM
86% of females completed HEM

Self-Identification of HEM Participants

57% White, 29% Hispanic, Latinx, 12% Black or African American

Drug of Use of HEM Participants

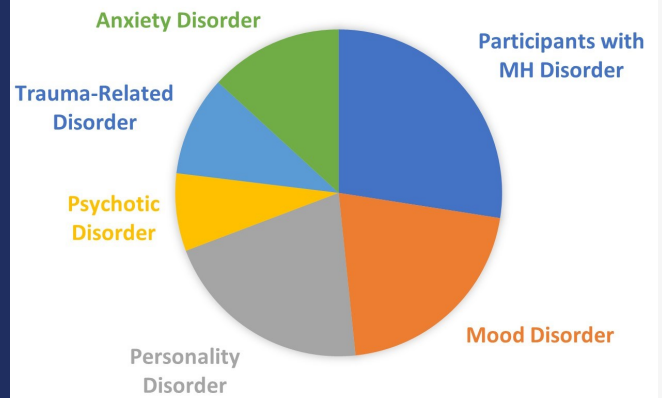
41% Methamphetamine, 32% Heroin, 18% Cocaine, <1% Fentanyl, <1% Marijuana, <1% Alcohol <1% Opiates

As of March 1, 2020 – December 31, 2020

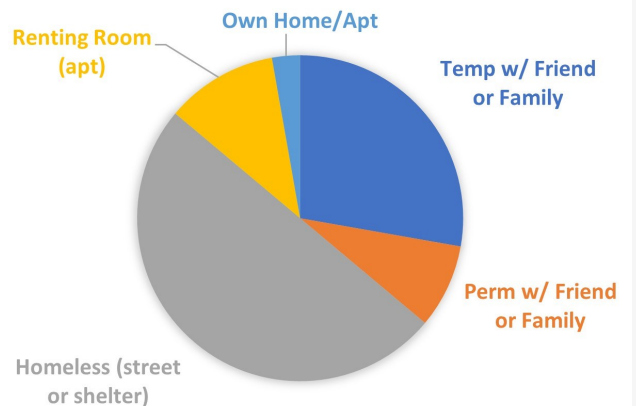
DIVERT COURT

This specialty treatment drug court program is for those charged with felony drug possession and is designed as an alternative to incarceration. The program provides a court-supervised probation program for substance-dependent, high-risk, and high-need offenders. The target population are those people who plead to a felony offense who would have a minimum sentence of up to four years in the Department of Corrections. The program is positioned as a “last chance” alternative to prison for those facing significant prison time. Persons in the DIVERT program are sentenced to the RISE (Restoring Individuals Safely and Effectively) Program in the Denver County Jail for 90 days and then placed on probation for a minimum of three years. This two-year program began in 2020 with 37 participants.

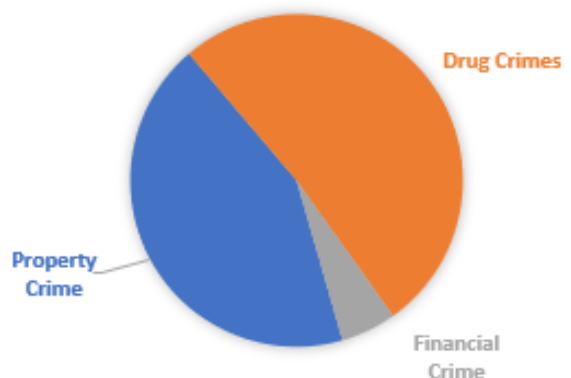
MENTAL HEALTH STATUS



HOUSING STATUS AT PROGRAM ENTRY



CURRENT OFFENSE



RESTORATIVE DENVER

Restorative Denver is a partnership between the Denver District Attorney's Office and the community-based nonprofit organization, The Conflict Center. Eligible cases are screened by the DA's Office and then referred to The Conflict Center to be handled through a restorative justice process that is entirely community-based. Restorative Denver began accepting cases in October 2019. Trained facilitators bring together the offender, victim, community members and support people to discuss the underlying offense, how it impacted the victim and the broader community and how the offender can repair the harm caused by their actions. In 2020, Restorative Denver celebrated its first year of success in which it saw a number of cases resolved through this process.



65 people were referred to Restorative Denver

35 people successfully completed the program

6 people withdrew from the program

"I am writing this letter in hopes that everyone who played a role in the decision-making that led me to be directed to The Conflict Center's Restorative Justice Program, will see, and understand how this experience changed my life. Having never been in any sort of legal trouble before, I was petrified the whole way through. That being said, everyone was so kind and non-judgmental.

The next point I would like to bring up, is how strongly I encourage and recommend this program, or one similar for other individuals like myself. I think it's extremely important that people have the opportunity to express their hurts and regrets caused from the situation as well as to take accountability for your actions and try to make them right.

The attention was mainly focused on ways to make it right. I know not everybody would agree, but serving extended amounts of jail time, or paying large amounts of money doesn't fix the problem a lot of the time although it may help in some cases. Since my experience, I've taken a huge interest in the justice system, and even applied to be a community member at the conflict center myself. I greatly appreciate being given an opportunity to fix what harm I've caused. I feel tremendous gratitude to have been introduced to so many wonderful people. I hope to hear of more people who had the same experience as I did, and hope that I can be a part of that experience. "

Respectfully submitted,

Name withheld for privacy

Restorative
Denver Client
Letter

NOVEMBER 2020

United States exceeds
100,000 daily COVID-19
cases.

Restaurant workers laid
off in preparation for
new shut down.

NOVEMBER 4

NOVEMBER 13

NOVEMBER 16

Governor urges
Coloradans not to
travel for
Thanksgiving.

DECEMBER 2020

Suspension of jury calls extended to February 8, 2021.

Electoral College confirms Joe Biden as President of United States.

DECEMBER 3

DECEMBER 14

DECEMBER 14

DECEMBER 20

COVID-19 vaccinations start in United States.

United States death toll from COVID-19 tops 317,000. Worldwide death toll from COVID-19 reaches 1.69 million.

DIVERSION PROGRAMS

In 2020, our Young Adult Diversion Program was expanded to include older adults and to include misdemeanors as well as felonies. We expanded the program to include not just pre-file cases* but also post-file. We were also able to add a restorative justice component to the program.

Part of being accepted into the program is the defendant's willingness to accept responsibility for the harm done and willingness to participate in the demands of supervision. There is a compliance period before the person is accepted which allows time to determine if the person will follow directions and stay in contact with their supervisor. An in-depth risk/needs analysis is conducted to determine a person's level of risk and need.

Pre-file means the case is only filed if the participant doesn't complete the program.



A Success Story

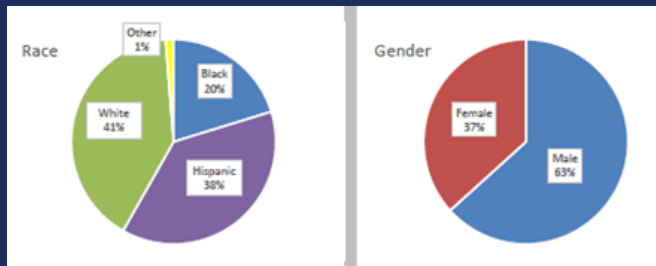
A young 23-year-old male, struggling with substance abuse and poor social influences, was charged with F5 forgery for attempting to cash a stolen check.

The diversion officer worked with him and was able to place him in residential substance abuse treatment program. He completed both programs successfully and looks forward to a healthy and productive life.

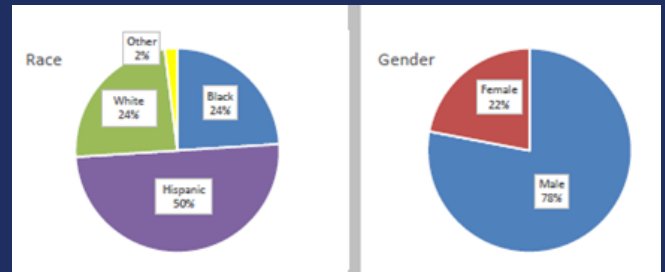
ADULT DIVERSION

YOUNG ADULT DIVERSION

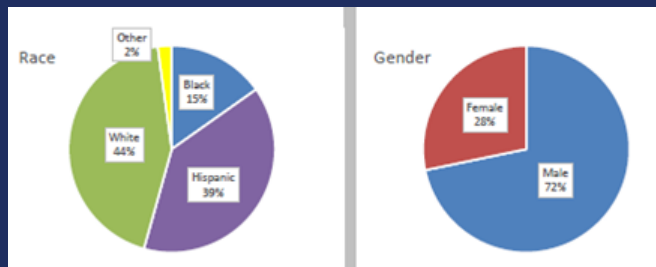
ETHNICITY/GENDER OF ADULTS WHO WERE ACCEPTED IN 2020



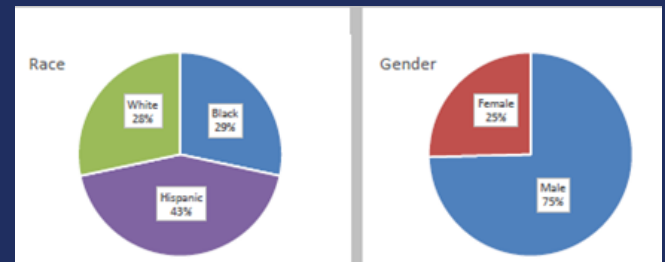
ETHNICITY/GENDER OF YOUNG ADULTS ACCEPTED IN 2020



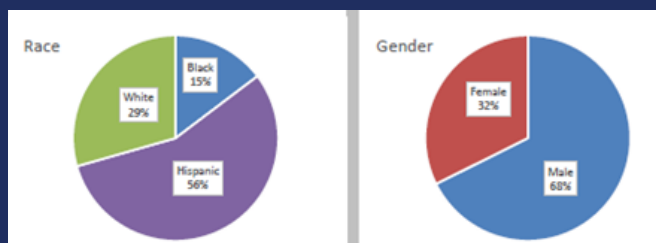
ETHNICITY/GENDER OF ADULTS WHO WERE SUCCESSFUL IN 2020



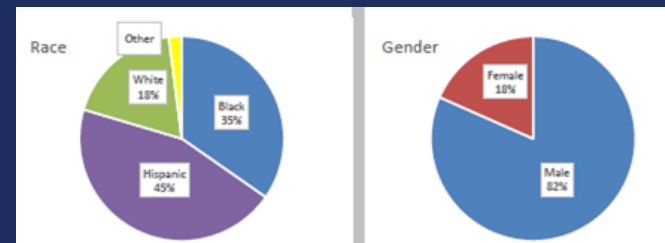
ETHNICITY/GENDER OF YOUNG ADULTS WHO WERE SUCCESSFUL IN 2020



ETHNICITY/GENDER OF ADULTS WHO WERE TREATED IN 2020



ETHNICITY/GENDER OF YOUNG ADULTS WHO WERE TREATED IN 2020



DOMESTIC VIOLENCE FIREARMS RELINQUISHMENT PROGRAM

Our office is the only jurisdiction in the state - and one of only a few in the country - with a dedicated domestic violence firearms relinquishment investigator. Colorado law prohibits people with a domestic violence protection order against them from owning firearms. Removing guns as soon as a victim seeks help is critical because a victim of domestic violence is exponentially more likely to be killed if their abuser has access to a gun. 60 guns were relinquished through the program in 2020.



“Domestic violence victims are significantly more likely to be killed if their abuser has access to a gun which is why the most effective intervention is removing firearms from abusers. Under DA McCann’s Domestic Violence Firearms Relinquishment Initiative our investigator and prosecutor protect victims and hold offenders accountable.”

~ Assistant District Attorney Maggie Conboy

RESTART

(RECOGNIZING AND ESTABLISHING SMART TREATMENT ALTERNATIVES FOR RECOVERY AND TRANSITION)

- Designed to break the cycle of addiction to drugs and alcohol, driving while under the influence and other related criminal behavior.
- Program is voluntary based on accepting a plea agreement and acceptance into the program.
- Persons who have three prior convictions nationwide of a DUI, DUI Per Se, or DWAI and are charged with their fourth alcohol-related driving offense are screened for program eligibility.



SOBRIETY COURT

Designed for repeat misdemeanor DUI offenders.

- Systematic process to address addiction, offender success and recovery.
- Program is voluntary and eligibility is based on legal and clinical screening.
- 14 to 24-month program duration.

IN THE NEWS

While many events and cases happened in 2020, below are a few that drew headlines.

[Denver's Law Enforcement Announce First-of-Its-Kind Charges Against Alleged Human Traffickers](#)

[Denver DA Announces 12 Individuals Known as "The Family" Indicted on Organized Crime Charges](#)

[Restorative Denver Celebrates One Year Anniversary](#)

[Death Penalty Repeal – Death Penalty Information Center Webinar with Denver DA McCann and San Francisco DA Chesa Boudin](#)

[Denver DA Resolves Four Criminal Cases Against Serial Sex Offender Agustin Guerrero](#)

[Jury Finds Datwon Armstrong Guilty of Assaulting a Denver Police Officer](#)

[Denver District Attorney Announces Plea Deal with Leland Pankey](#)

[Denver DA Announces Five Individuals Indicted in Auto-Theft Ring](#)

[Geoffrey Wescott James Charged with Securities Fraud and Theft Totaling \\$5.4 Million](#)

[Woman Charged by Denver DA with Theft from an At-Risk Senior](#)

If you would like to read more about these items refer to our website www.denverda.org and look under the News Media tab.

Contact Information

201 W. Colfax Avenue, Dept. 801

Denver, CO 80202

720-913-9000

info@denverda.org

Social Media

Twitter: [@DenverDAsOffice](#)

LinkedIn: Denver District Attorney's Office

Facebook: [@DenverDAsOffice](#)

WHAT'S NEXT

We will continue to file criminal cases and pursue justice for victims of crime. Our dedicated staff will continue to work day and night to hold people accountable for their criminal behavior and protect community safety. We will continue to advance a broader debate and design of public health, safety, and funding strategies through collective action with the Denver Police Department, the Mayor's Office, and other government agencies and community partners. We look toward expanding our current programs, establishing a conviction review unit, and increasing diversity, equity, and inclusion in all that we do. By ensuring we live in a society that's governed by laws, we help shape what kind of society we are going to live in. It is our responsibility to the people of Denver to advance a society that is just, equitable and compassionate and that holds offenders accountable so everyone can trust our criminal justice system.

