

DENVER DISTRICT ATTORNEY'S OFFICE

2022 Annual Report



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From the District Attorney

I am proud to share the Denver District Attorney's Office 2022 Annual Report. The people of Denver have entrusted me and everyone who works here with the constitutional duty of helping keep our communities safe. Every day the nearly 300 people who work within this office hold people accountable for their criminal actions while striving for justice and equity for victims and defendants of all races and ethnic backgrounds. I am proud of everyone who works here and believe they deserve our appreciation and gratitude.

Contained in this report is an overview of new programs and projects as well as updates on existing ones. This year, we dug out from the crushing case backlog COVID-19 created just in time to see an alarming rise in illegal drug sales, gun violence and motor vehicle theft cases. There is a strong correlation between these three crimes, and we are taking proactive steps to do what we can to address each independently while also recognizing the interconnection among them. Likewise – and even more concerning – is the nexus between guns and juvenile cases. Simply stated, too many young people are obtaining guns and using them to commit unthinkable crimes.

In June, after receiving budget approval from Denver City Council, we announced the launch of our new Conviction Review Unit. Our prosecutorial teams put their heads and hearts into ensuring that those who inflict harm on our community are held accountable for their actions. Nevertheless, it is critically important to ensure that justice is done in those rare instances where someone asserts a legitimate claim of actual innocence or questions a sentence that is now overly harsh in light of statute changes.

We remain committed to being transparent and accountable and made huge strides toward that goal with the September launch of our public dashboard. We worked with other state prosecutors, researchers, academics and community members to launch a first-of-its kind project and are proud that now anyone can explore our data and gain a better understanding of the work we do.

It is impossible to capture all of the work we did this year; however, I hope that in reading this report, you get a sense of our priorities and accomplishments.





Office Leadership

The culture of the office starts at the top with our executive team. Experts in their field, each encompasses and upholds the mission and vision of the Denver District Attorney's Office.

Our 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 improvement of the criminal justice system to provide fair alternatives to incarceration in appropriate cases.

We envision a workplace where individuals with diverse backgrounds and experiences can work with one another to serve the community with integrity and compassion.



Elizabeth (Beth) McCann

Elizabeth (Beth) McCann was first elected district attorney of Denver and sworn into office on January 10, 2017. She is now serving her second term in office as the first woman to hold this position. Prior to becoming district attorney, she was a four-term state representative for Colorado House District 8. She served almost eight years as a district attorney in the office serving under DAs Dale Tooley and Norm Early. DA McCann was a founding member and former president of the Colorado Women's Bar Association, served as first Vice-President of the Denver Bar Association and was on the Board of Governors of the Colorado Bar Association. She also served on the Colorado Supreme Court/Court of Appeals Nominating Commission and was a member of the Colorado Commission on Criminal and Juvenile Justice. She currently serves on the board of Caring for Denver Foundation. DA McCann graduated magna cum laude from Wittenberg University in Ohio with a B.A. in American Studies and earned her law degree from Georgetown University Law School.



Marguerite (Maggie) Conboy

Marguerite (Maggie) Conboy was appointed as one of the two assistant district attorneys in 2021. She has spent a significant part of her career working with victims of crime. From 2012-2016, she was the chief deputy district attorney supervising the office's Family Violence Unit which handles prosecutions of all felony domestic violence and crimes against children. She spent most of her time in the Denver DA's Office prosecuting domestic violence and sexual assault defendants and those who commit crimes against children. From 2009-2012, she served as the senior sexual assault specialist to better the investigation and prosecution of sexual assaults in Denver. She currently serves on the board of the Rose Anom Center. ADA Conboy earned her law degree from DePaul College of Law.



Zach McCabe

Zach McCabe was appointed as one of the two assistant district attorneys in the Denver District Attorney's Office in 2020. Since joining the office in 2005, he has also served in the Family Violence, Cold Case, Organized Crime, and Economic Crime Units. He has tried murder, manslaughter, sexual assault, cold case, child sexual abuse, domestic violence, illegal firearm, gang-motivated shooting, and drug distribution cases. ADA McCabe earned his law degree from the University of Denver.



Liza Willis

Liza C. Willis serves as the chief of staff for the office. In 1988 she joined the office as a victim advocate and rose through positions of increasing importance under several elected district attorneys. Prior to being chief of staff, she served as senior chief deputy district attorney/legal administrator, chief of District Court, deputy district attorney with the office's Appellate, District and Juvenile Units and Drug Court. While working full-time, she earned her J.D. and law degree from the University of Denver Sturm College of Law.



Robert M. Russel

Robert M. Russel works at the Denver District Attorney's Office as chief deputy of the Appellate Division. Prior to joining the DA's Office, Mr. Russel was a judge on the Colorado Court of Appeals. He has served on committees that advise the Colorado Supreme Court on the Rules of Evidence, Rules of Criminal Procedure, Rules of Appellate Procedure, and Criminal Jury Instructions. He also headed the Appellate Divisions of both the United States Attorney's Office and the Colorado Attorney General's Office. He was a Supreme Court Fellow with the National Association of Attorneys General. Mr. Russel is a graduate of the Colorado Law School.

Fast Facts

\$2,343,772

Amount of compensation paid to victims of crime

89.66%

Win rate for postconviction motions handled by the Appellate Unit

1,816

Number of At-Risk mandatory reports received

42

Number of actual innocence applications received by the office's new Conviction Review Unit

79

U visa certifications approved on behalf of immigrants who report crime and to protect them for cooperating with prosecution

131

Number of Denver Public Schools fifth graders who participated in the office's Courtrooms to Classroom program

36

Human trafficking cases investigated through tips originating from human trafficking hotlines, Denver Sherriff's Department, Denver Public Schools, and other sources

335

Number of record requests processed through the Colorado Open Records Act and Colorado Criminal Justice Records Act

2

Declarations submitted on behalf of human trafficking victims to help them qualify for a T Visa

114

Number of firearms retrieved from 59 cases under the office's Domestic Violence Firearms Relinquishment program

6,950

Contacts to the DA's Office Consumer Fraud Hotline

\$1,126,500

Amount in grants awarded to the office

Office Units

Family Violence	Cold Case	Organized Crime	Appellate
Victim Compensation	Juvenile	Elder/At-Risk Abuse	Behavioral Health
Diversion	Intake	Economic Crimes	Human Trafficking
10 District Court Divisions	County Court	Digital Evidence	Conviction Review



Protecting the Public

Protecting public safety is DA McCann’s top priority. We are in court everyday prosecuting criminal cases, presenting evidence to judges and juries, and fighting to keep people in custody who need to be there all while providing support for crime victims. In addition, we are supporting and providing mental health and drug addiction treatment as well as job training and counseling through our diversion and Restorative Denver programs.

Among the most disturbing issues is the rise in the number of juveniles committing violent crimes which led to a 35% increase in our juvenile case filings. On June 11, thousands of people, including DA McCann, took part in the March for Our Lives event to demand a nation free of gun violence.

Two troubling statistics show that motor vehicle theft case filings increased more than 11% from the previous year, and fentanyl cases more than doubled from the prior year.

Those who study crime have various theories as to why crime rates are climbing nationwide — the effects of the pandemic, economic decline, anger, the impacts of social media, woeful lack of adequate resources for mental health and substance misuse treatment. The cases behind the numbers below are complex, heartbreaking and the details can be horrible. The prosecutors and staff who manage these cases are committed to fair and just prosecution of offenders.

Our data dashboard, which will be highlighted later in this report, is available on our website to track the trends and patterns for our cases over time.

▶ CASES FILED

Year	District Court	County Court	Juvenile Court
2020	5724	7008	438
2021	5724	7020	360
2022	5029	7222	488

▶ NUMBER OF JURY TRIALS

District Court	County Court	Juvenile Court
98	61	4

Additionally, there were 8 juvenile trials that were direct filed to District Court. Meaning the charges were such that these juveniles were charged as adults.

▶ CASES BY CRIME CATEGORY

Year	Crime Category	District Court	Juvenile Court	County Court
2020	Fugitive	99	0	0
2021	Fugitive	107	0	0
2022	Fugitive	102	0	0
2020	Drugs	1158	23	737
2021	Drugs	989	13	908
2022	Drugs	974	18	1163
2020	DUI	66	0	229
2021	DUI	41	2	368
2022	DUI	31	0	328
2020	Other	435	18	387
2021	Other	364	14	394
2022	Other	327	28	366
2020	Person	1412	129	650
2021	Person	1506	118	892
2022	Person	1424	144	836
2020	Property	2200	176	217
2021	Property	2277	110	212
2022	Property	1835	193	330
2020	Sex Offense	81	32	52
2021	Sex Offense	111	34	67
2022	Sex Offense	121	37	64
2020	Traffic	11	0	4411
2021	Traffic	13	1	3954
2022	Traffic	21	1	3490
2020	Weapons	237	60	100
2021	Weapons	300	67	139
2022	Weapons	176	66	200

▶ HOMICIDE CASES

Year	First Degree Murder	Second Degree Murder	Manslaughter
2020	7	53	3
2021	6	54	4
2022	3	56	2
TOTAL	16	163	9

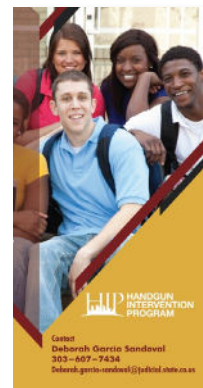
JUVENILES AND GUNS



The growing number of violent cases committed by juveniles is beyond disturbing; it is a crisis. In collaboration with other agencies, we continue to develop programs that interrupt potential violence and address the root causes of juvenile violent crime.

JUVENILE CASES WITH POSSESSION OF GUN AND/OR MURDER CHARGE

Crime Category	2020	2021	2022
Possession of a Gun	101	114	115
Attempted Possession of a Gun	5	1	0
Attempted Murder/ Conspiracy to Commit Murder	20	21	17
Murder	7	8	9



Handgun Intervention Program (HIP)

Launched in 2021 the Handgun Intervention Program (HIP) is a multidisciplinary agency approach to tackling the problems of juveniles and guns. The primary goals of HIP include promoting public safety by reducing delinquent activities and providing the opportunity for juveniles to live a violent-free lifestyle. Since the launch of the program in mid-2021, 36 young people, who otherwise would have found themselves caught up in the criminal justice system, along with their parent or guardian, have participated in HIP.

The focus is geared towards early intervention to prevent future gun use, reduce recidivism and increase youth's involvement in community-based programs. The program emphasizes accountability, strong community partnerships and competency development. – HIP Brochure

FENTANYL: A GROWING CRISIS



Fentanyl continues to be a local and national crisis. As case filings involving other illegal drugs declined, our office filed 50% more cases involving fentanyl this year than last year. According to the most recent data available from the Denver Office of the Medical Examiner, at least 219 people died of fentanyl overdoses in Denver in 2022. Although the 2022 data is not final, fentanyl overdoses represent half of the 424 overdose deaths in the city last year. The number of fentanyl deaths in 2022 is a slight decrease from the 239 deaths in 2021, but a significant increase from the 17 deaths recorded in 2018.

Our office is taking an aggressive approach to the fentanyl crisis by imposing strict penalties on fentanyl dealers. We believe the focus on dealers will help curtail the drug getting to the street and ultimately consumed by unsuspecting drug users. Additionally, DA McCann supported a 2022 fentanyl bill that provided increased penalties for dealers along with the distribution-resulting-in death provision. The new law provides our prosecutors with tools to file more aggressive charges against fentanyl dealers.

Drug Type	2020	2021	2022	Total
Amphetamine	9	9	13	31
Cocaine	381	255	255	890
Fentanyl	133	350	691	1174
Heroin	302	166	69	537
Ketamine	11	15	10	36
LSD	49	27	15	91
Marijuana	86	63	24	173
Meth	822	605	502	1929
Other Drug	0	7	14	21
Oxycontin	18	14	11	43
Prescription	247	103	58	408
Psilocybin	21	18	18	57
Total	1406	1029	119	3554

MOTOR VEHICLE THEFTS



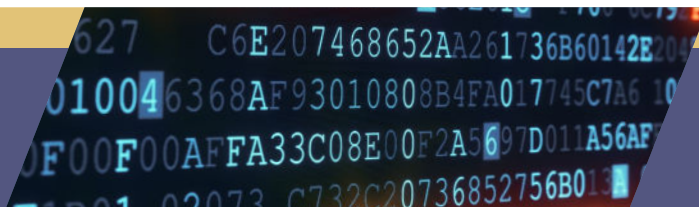
Motor vehicle crimes have escalated dramatically over the past three years and, adding to public safety concerns, many of these crimes involve juveniles, guns and organized crime rings. We are prioritizing these cases because we understand the ripple effect a stolen car has on people's lives, such as getting to work or school, and carrying out day-to-day tasks.

Further, our office is an active member of the Colorado Metropolitan Auto Theft Task Force and other groups working on this issue. Currently motor vehicle theft charges are based on the value of the vehicle. We are hopeful that the 2023 Colorado General Assembly will pass a bill that makes motor vehicle theft a felony offense regardless of the value of the vehicle.

MOTOR VEHICLE THEFT CASES	2020	2021	2022
	547	687	767

“We’re devoting a lot of those resources on the complex (motor vehicle) cases that we can take to the grand jury. We’ve been focusing on the bigger fish of organized crime rings that are making this their career and stealing larger numbers of cars and often using these stolen vehicles to commit other crimes.” – Denver DA Beth McCann

DIGITAL EVIDENCE



The Digital Evidence Unit continues to provide critical assistance to our prosecutors and investigators, as well as to our law enforcement partners. In 2022, our digital evidence investigator worked on 72 cases (47% were either homicides or aggravated assaults), examined 149 pieces of evidence, and performed 178 acquisitions.

New technologies were implemented, including several new digital evidence software platforms, which allow our investigators and prosecutors to examine and prepare digital data more effectively in our prosecutions. Numerous warrant templates were drafted and/or updated and distributed, ensuring that the data that we seek is obtained in compliance with established legal guidelines. Our digital evidence director presented at several nationwide trainings this year, including the National District Attorneys Association Summer Summit which was held in Denver in July and to the group's "Bridging the Digital Device: From Crime Scene to Courtroom" in Orlando in November. Our Digital Evidence Unit was also involved in two federal grant projects involving digital evidence, which better enables us to obtain and handle digital evidence, including in the fast-developing field of vehicle forensics. All these efforts have greatly enhanced our ability to discover, use, support, and manage digital evidence.

COLLABORATIONS



Collaborations are often the solution to some of the most complex problems we face. Healthy collaborations work across disciplines, sectors and government agencies to problem solve and develop innovative and long-lasting solutions to an issue. Every day we collaborate with the Denver Police Department on our cases. We also value the number of collaborations with which we are involved. These collaborations, made up of service providers, government agencies and local citizens work toward solutions that improve our community.

The following are the collaborations with which we were involved in 2022.

Colorado Metropolitan Auto Theft Task Force (C-MATT) - the partnership of multiple local, county and state law enforcement agencies that form one task force to deal only with prolific auto thieves.

Regional Anti-Violence Enforcement Network (R.A.V.E.N.) - This task force targets organized auto theft criminals to reduce vehicle theft and insurance fraud through a statewide, cooperative law enforcement effort.

The Denver Alliance for Cruelty Prevention - mission is to provide education and outreach to professionals such as veterinarians, police and members of the public about the connection between violence against humans and cruelty against animals.

Denver Anti-Trafficking Alliance (DATA) - works to create a victim-centered, multi-disciplinary response to human trafficking in Denver.

Denver Forensic Collaborative for At-Risk Adults - a multi-disciplinary team staff at-risk cases to provide a safety net to victims of abuse, neglect and exploitation of at-risk adults. The program provides outreach and training surrounding these issues.

Hate Free Colorado - a diverse group of community partners who are dedicated to countering hate crimes in Colorado. The coalition currently has members from a variety of civil rights and advocacy organizations in Colorado as well as several law-enforcement partners.

Law Enforcement Assisted Diversion (LEAD) - is a pre-booking diversion program that aims to improve public health and to end the cycle of recidivism for low-level offenders who would otherwise be charged for things like drug possession, trespassing or prostitution.

Rose Aandom Center - a multi-agency, safe location in downtown Denver that combines community and law enforcement resources and referrals to support victims of domestic violence.

Sexual Assault Interagency Council (SAIC) - improves the response to sexual assault in Denver by ensuring a consistent, collaborative, and culturally competent response from the criminal justice system, hospitals, and victim service providers to encourage reporting and promote recovery.

Youth Violence Prevention Action Table - increases communication and information sharing among city agencies, community organizations, and youth to address gaps and opportunities where the city can increase support.

Redirecting People's Lives

“Protecting public safety is my top priority and that of the Denver DA’s Office. The attorneys in my office are in court every day prosecuting criminal cases, presenting evidence to judges and juries, and fighting to keep people in custody who need to be there.” – Denver DA Beth McCann

DA McCann’s top priority is to protect the public’s safety and hold offenders accountable for their actions. As part of our mission, we also work to prevent and deter crimes from occurring in the first place. Mental health, drug addiction and economic instability are complex issues which are an underlying reason for many of our cases. For some cases the correct outcome is prison. For other cases collaboration, education, rehabilitation, and diversion will do more to redirect a person’s path than a lifetime within the criminal justice system.

We are committed to improving the criminal justice system and providing fair alternatives to incarceration in appropriate cases. Our office has both an adult and juvenile diversion program which focus on rehabilitation not punishment. The programs allow a defendant, to avoid developing a criminal record. All our diversion programs work with the community, court system and other service agencies to provide support and treatment for the offender when appropriate. These programs are designed to interrupt the lifestyle and addictions that lead to further criminal involvement and to help people make better choices in their lives and ultimately keep them from further criminal activity. If the defendant successfully completes the program, their case will be dismissed and sealed.

THEO’S SUCCESS STORY



“My story began when I was ten when I caught my first charge.”
“I’ve never had anyone talk to me like I was a human being.”
“She believed in me when I couldn’t.” And she said, “This is your chance.”
“Because I went through Diversion, I’ve become a youth advocate and help kids advocate for their own life.”

Juvenile Diversion program director, “When he started to believe in himself, it was a game changer.”

Question for Theo: If you had not gotten into Diversion, where do you think you’d be now?

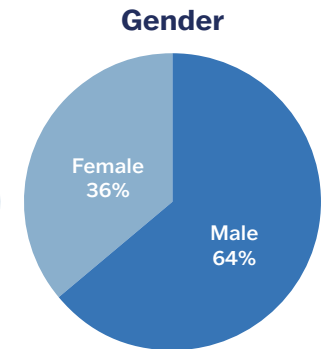
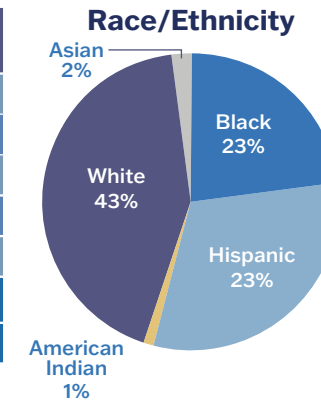
Theo’s answer: Life sentence in prison.

Currently Theo works at Family Strong as a youth advocate.

ADULT DIVERSION STATISTICS 2022 | By Race, Ethnicity and Gender

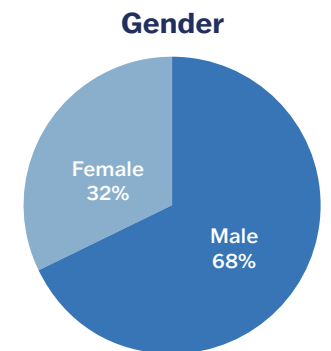
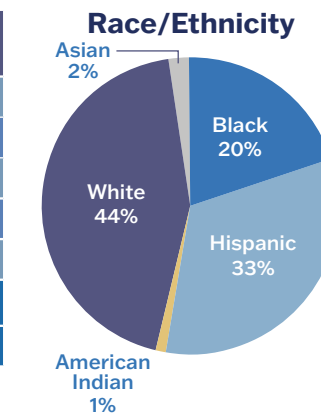
ADULTS ALL ACTIVE 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	38	28	66
Hispanic	54	36	90
American Indian	1	2	3
White	88	36	124
Asian	4	2	6
Subtotal Gender	185	104	289
			TOTAL ACTIVE



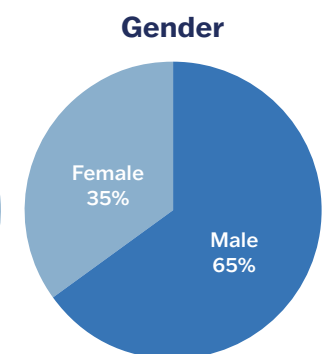
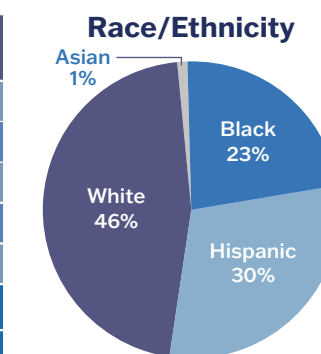
ADULTS ACCEPTED 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	21	14	35
Hispanic	36	21	57
American Indian	1	0	1
White	57	19	76
Asian	2	2	4
Subtotal Gender	117	56	173
			TOTAL ACCEPTED



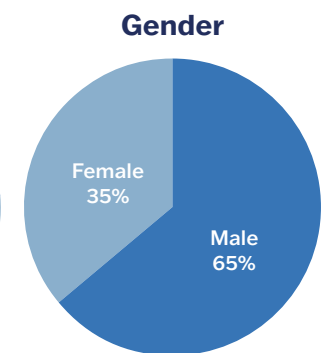
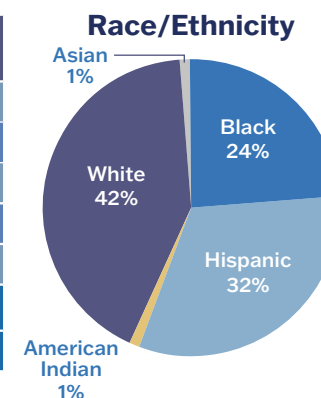
ADULTS SUCCESSFUL 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	19	12	31
Hispanic	23	17	40
American Indian	0	0	0
White	43	18	61
Asian	2	0	2
Subtotal Gender	87	47	134
			TOTAL SUCCESSFUL



ADULTS TREATED 2022

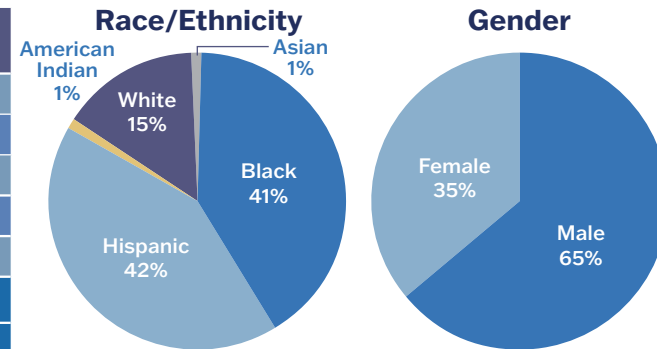
Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	21	14	35
Hispanic	31	16	47
American Indian	1	0	1
White	41	19	60
Asian	0	1	1
Subtotal Gender	94	50	144
			TOTAL TREATED



JUVENILE DIVERSION STATISTICS 2022 | By Race, Ethnicity and Gender

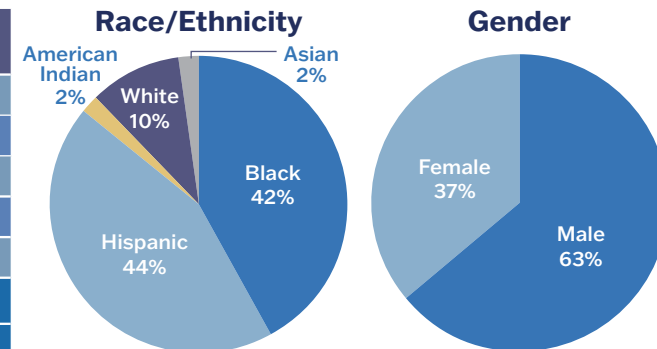
JUVENILE ALL ACTIVE 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	21	21	42
Hispanic	32	11	43
American Indian	1	0	1
White	11	4	15
Asian	1	0	1
Subtotal Gender	66	36	102
			TOTAL ACTIVE



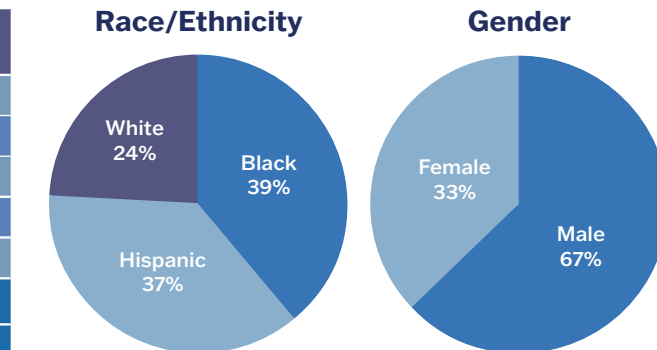
JUVENILE ACCEPTED 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	11	13	24
Hispanic	18	7	25
American Indian	1	0	1
White	5	1	6
Asian	1	0	1
Subtotal Gender	36	21	57
			TOTAL ACCEPTED



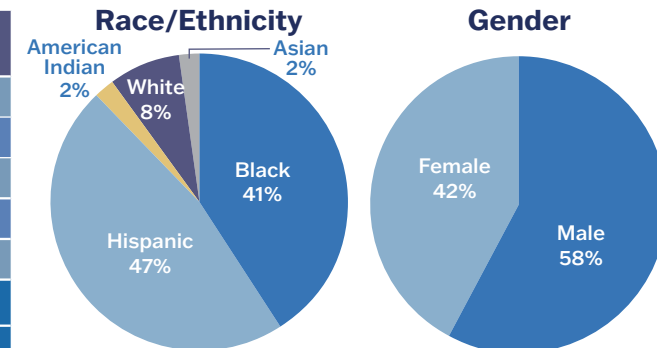
JUVENILE SUCCESSFUL 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	10	8	18
Hispanic	12	5	17
American Indian	0	0	0
White	9	2	11
Asian	0	0	0
Subtotal Gender	31	15	46
			TOTAL SUCCESSFUL



JUVENILE TREATED 2022

Race/Ethnicity	Male	Female	Subtotal Ethnicity
Black	10	12	22
Hispanic	17	8	25
American Indian	1	0	1
White	2	2	4
Asian	0	0	1
Subtotal Gender	94	50	53
			TOTAL TREATED



RESTORATIVE DENVER

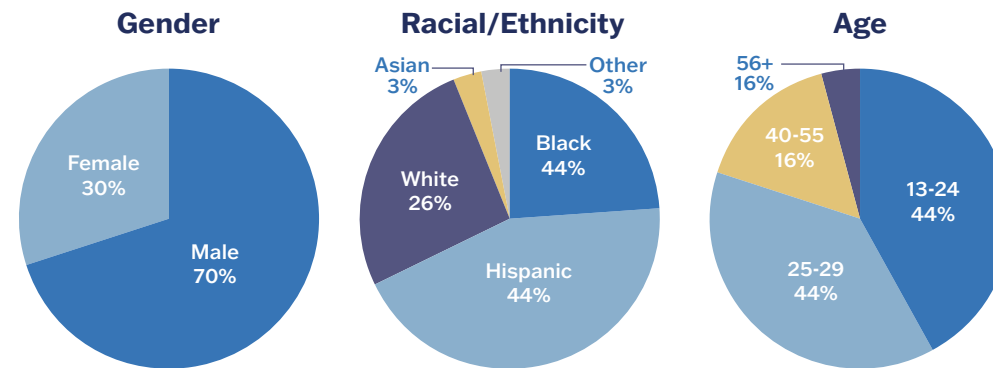
Another diversion effort is a restorative justice program, Restorative Denver, which is a partnership between the Denver District Attorney's Office and The Conflict Center, a community-based nonprofit organization. Cases are screened for this program and, if appropriate, referred to The Conflict Center to be handled through this community-based, restorative justice process.

To be eligible for Restorative Denver, defendants must be willing to take accountability for their actions and agree to work on repairing the harm caused, and the victims must be open to having their cases handled through restorative justice.

“I am more aware of my surroundings along with more conscious of the harm my actions can cause. I am grateful that I had the opportunity to participate.”

- Restorative Denver Participant

DEMOGRAPHICS OF THE 115 PEOPLE REFERRED TO RESTORATIVE DENVER IN YEAR THREE



RESTORATIVE DENVER STATISTICS

115
Case Referrals

99
Successful Completions

1
Person Withdrew Before Starting the Program

4
People Were Unsuccessful

Since launching in October 2019, 206 people have successfully completed Restorative Denver. Of these successful participants, four people reoffended – **a 98% success rate, a 2% recidivism rate** compared to a 17% recidivism rate for those who completed probation.

PROBLEM SOLVING COURTS AND PROGRAMS

These specialized courts focus on the mental health or substance misuse issues that are often the underlying contributors to criminal offenses. Cases in our Behavioral Health Unit are frequently referred to one of these specialty courts based on the defendant's eligibility and willingness to comply with the requirements of the specific program.

*The Denver County Court and Denver District Court provides the data for each of these specialty courts.

	<p>HEM Court Helping, Encouraging and Motivating Court. Serves individuals charged with misdemeanor 1 drug charges. Completion of programming results in a case dismissal.</p>	<p>538 case referrals 230 successful completions 44% completion rate</p>
	<p>Sobriety Court An accredited, treatment court that serves repeat misdemeanor DUI offenders. Participants receive treatment for their addiction. Program length is 14-24 months.</p>	<p>25 active participants 5 active warrants 23 graduates</p>
	<p>DIVERT Court Formerly known as Drug Court, this supervised probation program is for felony drug possession charges. Participants serve 90 days in Denver County Jail and are then on probation for a minimum of three years.</p>	<p>148 referrals 85 sentenced to DIVERT 7 graduates 16 unsuccessful terminations</p>
	<p>Restart Recognizing and Establishing Smart Treatment Alternatives for Recovering and Transition Program. Designed to break the cycle of addiction. Three-phased program.</p>	<p>30 referrals 18 sentenced to Restart 10 terminations 15 graduates</p>
	<p>REACH Resilience, Empowerment, Autonomy, Community, Hope. Designed to lessen the amount of time a defendant spends incarcerated while awaiting competency restoration services.</p>	<p>264 referrals 85 dismissals 108 active participants 34 participants on bond receiving services</p>



Increasing Public Trust

“I believe that it is our responsibility as elected officials to hold offenders accountable for criminal behavior, while advancing a society that is just, equitable and compassionate, so all members of our communities can trust the criminal justice system.”

– Denver DA Beth McCann

The criminal justice system and our office are dependent on the public trusting in the work we do. Without that trust, the criminal justice system suffers; police do not get called, victims may not testify, and jurors are reluctant to serve.

DA McCann's commitment to gaining and keeping the public's trust is exemplified through our ongoing pledge to being transparent and accountable. Being active in the community, sharing our data, complying with public record requests offering case updates, and holding public forums after an officer-involved shooting incident are examples of how we are honoring that pledge. Our office places a high value on interacting and working with and within the Denver community.

DATA DASHBOARD

In September, along with seven other Colorado jurisdictions, we launched our public [data dashboard](#). The intent of the dashboard is to provide greater insight into the work we do and to allow the community to understand performance indicators, such as demographic data, how we serve victims, case resolutions, and more. The dashboard tracks race, ethnicity and gender data in order to monitor and then reduce any racial disparities within the criminal justice system. This data not only allows us to be smart

on crime and consider new ways to maximize public safety, it also holds us accountable to ensure that the work we do is fair, just, and equitable for each defendant and victim that comes through our office.

When accessed from our [website](#) the dashboard allows the public to take a deeper dive in to our case statistics. Users can view real-time and year-over-year data for comparison of specific information such as how many homicides, sexual assaults, weapons and juvenile cases we file.



OFFICER-INVOLVED SHOOTINGS

Colorado law requires our office to conduct investigations and review all incidents that involve the discharge of a firearm by a police officer that results in an injury or death of a person. The criminal code specifies the use of physical force or deadly physical force is justified in certain circumstances. Some of the incidents are self-defense, some are accidental, and some are to prevent harm to others. No matter the situation, DA McCann is responsible for deciding whether the shooting was legally justified or if an officer should be criminally charged. Once DA McCann makes her decision, a letter with the findings is released to the chief of the involved police department and that letter is posted on our website. In 2022 Denver had [four officer involved shootings](#). Each of these incidents were deemed legally justified and no criminal charges were filed against the officers.

CONVICTION REVIEW UNIT

In Colorado, there are few legal pathways to support resentencing or determining actual innocence once a person has been convicted of a crime. After receiving budget approval from the mayor and Denver City Council, DA McCann launched the new unit which she announced at a [June press conference](#).

Through this unit, there are remedies for individuals wrongfully convicted of a crime. The unit team reviews post-conviction petitions, clemency petitions, and claims of actual innocence or wrongful conviction. The credibility of claims is determined through review of all available files and evidence. Reinvestigations are conducted to determine if new evidence exists and/or exculpatory evidence was suppressed in prior proceedings. The review process is conducted by the director of the Conviction Review Unit in collaboration with defense counsel to investigate applicant's claims and, where appropriate, to support the applicant's request for relief. The unit also reviews clemency applications from the governor's office and requests for sentence reviews of particularly long sentences that are incompatible with current law as well as standards of fairness and equity. Since the launch of the unit and during 2022 there have been 45 sentence reduction applications received, 26 clemency requests and 42 actual innocence applications filed.

As John Hollway, Executive Director for the [Quattrone Center](#) for the Fair Administration of Justice at the University of Pennsylvania Carey Law School said, "Conviction Review Units have a vital role in prosecutor's offices, ensuring that the prosecutor's continuing obligation to pursue justice is met even in situations where the appellate courts might provide procedural hurdles."

“It is critically important to ensure that justice is done in those rare instances where someone asserts a legitimate claim of actual innocence or a sentence that is now overly harsh in light of statute changes. It is equally important to ensure that we are always examining our work, learning lessons and constantly improving.”

– Denver DA Beth McCann

ADVISORY COUNCILS

Early in her tenure, DA McCann established three community-based advisory councils to provide technical expertise and advice for specific issues affecting the community.

LAW ENFORCEMENT & COMMUNITY RELATIONS COUNCIL

Members of this council represent Denver's diversity and neighborhoods. Discussions center on issues of importance to the community and ways to improve relationships with law enforcement and criminal justice in general.

Members of the Council

Beth McCann
Denver District Attorney
Jake Friedberg
Denver District Attorney's Office
Representative Elisabeth Epps
State Legislator and
Founder, Colorado Freedom Fund
Leanne Wheeler
Colorado Criminal Justice Reform Coalition
C4 Action
Christie Donner
Colorado Criminal Justice Coalition
Superintendent Patrick Demmer
Greater Metro Denver Ministerial Alliance
Pastor Robert Davis
Greater Metro Denver Ministerial Alliance
Denise Maes
Maes Solutions LLC
Itzel Gonzales
Servicios De La Raza
Reverend Leon Kelly
Open Door Youth Gang Alternatives
Haroun Cowans
Impact Empowerment Group
Hillary Potter, Ph.D.
University of Colorado at Boulder

John Bailey
Colorado Black Round Table
Jeff Fard
Community Member
Gerardo Lopez
Homies Unidos
Dr. Jose Silva
Society of Hispanic Professional Engineers
Walker Knight Jr.
Criminal Justice Committee/Democratic Party
Jonathan McMillan
Colorado Office of Gun Violence Prevention
Jackie Larner
Together Colorado
Sharletta Evans
5280 Survivors
Reverend Steven Dewberry
Metropolitan Urban Challenge, Inc.
Emily Lapel
City of Denver Legislative Analyst
Jesse Paris
Community Member
Brandy Majors
Community Member
Jennifer Hopek
Office of the Alternate Defense Counsel

IMMIGRATION COUNCIL

This team discusses the intersection of immigration and criminal law. The group helped to develop a policy for the Denver D.A.'s office which instructs deputy district attorneys to take immigration consequences into account when fashioning plea offers. It has also worked on and supported legislative and internal policy changes in the courts.

Members of the Council

Beth McCann
Denver District Attorney
Angela Padilla
Denver District Attorney's Office
Antonio Portilla Montemayor
Consul for Protection & Legal Affairs of Mexico
Arturo Jimenez
Immigration Law Offices of Arturo Jimenez
Tina Diaz
Community College of Denver

Hans Meyer
Meyer Law Office
Pastor Robert Setor
Greater Metro Denver Ministerial Alliance
Arash Jahanian
Denver Public Schools
Rick Kornfeld
Recht Kornfeld PC
Nhu-Minh Le
The Colorado Health Foundation

[\(continued on next page\)](#)

Immigration Council (continued)

Noel Chavez-Guizar
Servicios de la Raza
Alyssa Reed
Reed Immigration
Danielle Cardona
Denver Public Schools
Laura Lunn
Rocky Mountain Immigrant Advocacy Network
Christopher N. Lasch
University of Denver
Conor Gleason
Rocky Mountain Immigrant Advocacy Network
Tanika Vigil
Immigration Attorney

Laura Shoaps
Rocky Mountain Immigrant Advocacy Network
Maya Wilbourn
Immigration Attorney
Christine Hernandez
Chair Immigration Section Hispanic National Bar Association
Brianna Tomci
Lutheran Immigration and Refugee Service
Emily Kyle
Rocky Mountain Immigrant Advocacy Network

MENTAL HEALTH ADVISORY COUNCIL

Members of this council are from the criminal justice, health care, and mental health communities including system participants, service providers, and people with lived experience. The group focus is on mental health treatment and the intersection with the criminal justice system.

Members of the Council

Beth McCann
Denver District Attorney
Juan Silva
Denver District Attorney's Office
Angela Padilla
Denver District Attorney's Office
Thain Bell
Chief Deputy Denver District Attorney
Regina "Regi" Huerter
Policy Research Associates
Leora Joseph
Office of Civil & Forensic Mental Health
Dr. Evelyn Leslie
Colorado School for Family Therapy
Dr. Reo Leslie
Colorado School for Family Therapy
Vincent Atchity
Mental Health of Colorado
Eugene Yom
Asian Pacific Development Center
Rev. Dr. Reginald Holmes
Denver Ministerial Alliance
Chris Richardson
WellPower
Meghan Baker, JD, MSW
Disability Law
Aubrey Boggs
Colorado Mental Wellness Network
Cathy Carrigan
Denver Adult Probation

Audrey Vincent
BHS/CC/CARES at Denver Health
Mary "Beth" Wise
Pretrial Services
Terri Hurst
Colorado Criminal Justice Reform Coalition
Lisa Raville
Harm Reduction Action Center
Lynn Unger, LCSW
Competency Projects Cultivator
Amanda Bent
Drug Policy Alliance & Harm Reduction Action Center
Gabe Claeson
Community Member
Amanda Klahr
Adult Psychology Nurse
Alison Canjar
Community Member
Bianca Champoux
Denver Health
Dr. Nikki Johnson
Denver Sheriff Department
Aubree Cote
Department of Public Safety
Molly Somogyi
Denver County Court
Katie Donohue
Denver City Attorney's Office
Judge Elizabeth Leith
Denver Probate Court

COMMUNITY ENGAGEMENT

DA McCann is committed to interacting directly with Denver communities. We have multiple programs from in-person meetings, to providing information via newsletters and utilizing social media.

IN THE COMMUNITY

Neighborhood Meetings – Our neighborhood outreach program is a key way we directly interact with the community. In 2022, we presented to 32 registered neighborhood organizations. Members of our office volunteer to present to groups and answer questions. The most valuable aspect of these meetings is hearing the feedback and viewpoints from community members on matters surrounding community safety and the criminal justice system.

DA Dispatch – [A quarterly newsletter](#) from DA McCann provides updates from our office including details about new programs and information about current crime issues that are of concern to the community.

Memorial Sign Program – We honor victims of motor vehicle deaths with roadside markers to memorialize their lives. The sign placed near the location where the death took place, gives family and friends of victim(s) an opportunity to have a personalized memorial in the memory of their loved one(s). Our office works with the City and County of Denver and CDOT to erect the memorial road signs at the site. The signs also serve as a reminder to drivers of the results of reckless driving or driving while under the influence of alcohol and/or drugs.

Courtrooms to Classrooms – Courtrooms to Classrooms is a program that places deputy district attorneys and DA staff into Denver Public Schools 5th grade classrooms to teach young students how laws affect their daily life. The curriculum is designed to provide positive role models and teach problem-solving and decision-making techniques.

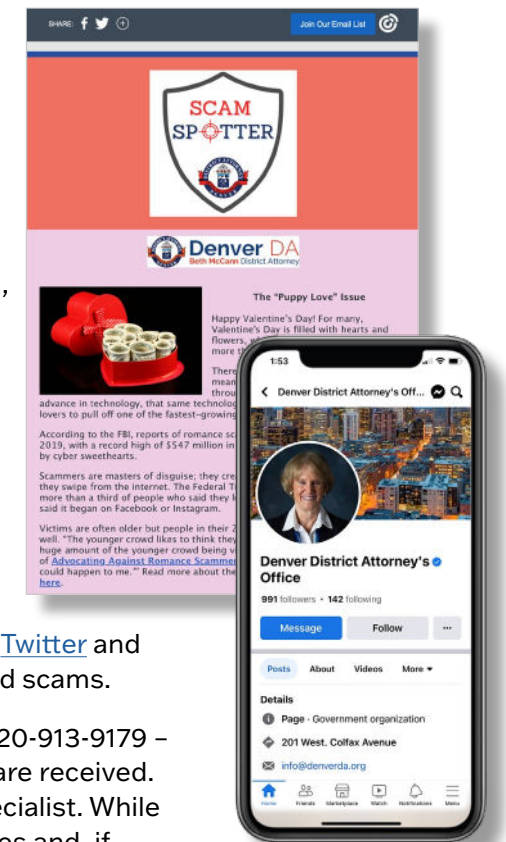
CONSUMER PROTECTION

Presentations: Our office offers presentations, free of charge to the community on a range of topics including identity theft protection, internet and telemarketing scams and healthcare fraud. Participants learn how to recognize behaviors associated with con artists and simple but effective ways to protect themselves.

Monthly Newsletter: Each month we produce a consumer protection e-newsletter called, [Scam Spotter](#) which highlights current scams and offers consumer tips on how to stay safe from scams. [Scam Spotter](#) is now available in both English and Spanish and is sent to more than 2,000 subscribers.

Social Media: Each Friday we publish "Fraud Friday" alerts on both [Twitter](#) and [Facebook](#). These alerts provide quick tips regarding current fraud and scams.

Consumer Fraud Hotline: The Office maintains a fraud hotline – 720-913-9179 – through which a variety of consumer complaints and fraud inquiries are received. Consumers may call the hotline and speak to an economic crime specialist. While the specialists cannot provide legal advice, they can provide resources and, if appropriate, take information to investigate the issue further.





Advancing Internal Growth

The office participated in two significant research studies with the goal of ensuring fair prosecutorial decisions, enhance data transparency and build community trust in our office. This year we strengthened our Intake Unit with a chief who has more than 23 years of experience and we added attorneys to ensure we are providing consistency in our charging decisions.

We began the year with a **full salary review** of each employee within the organization. The salary review was a valiant effort on the part of our chief of staff as salaries were compared to like positions throughout the city and state. We engaged an outside consultant to review our salary structure and conduct market research regarding the salaries of like positions. We also worked with our analyst in the Human Resources Department to ensure that our office is paying the staff fairly and commensurate with others in like positions. We also looked at the new Equal Pay for Equal Work Act to ensure compliance. City council members approved overall salary increases and the subsequent raises provided an affirmation of the value each person brings to the office.

This past year, we brought in an outside agency that specializes in **Diversity, Equity and Inclusion** within organizations. They conducted an extensive survey of the office to determine what employees consider to be the most pressing issues for our office within this area of focus. They presented these results to management and then to the entire office. A one day training was held with all employees to develop values and a mission for the office. The outside agency conducted several training sessions to help us strategize about how to handle various situations that arise that involve racial or ethnic situations. We all learned a lot about being conscious of microaggressions and biases in the workplace and in dealing with those in the criminal justice system.

The details of many of our cases can be overwhelming and traumatic. DA McCann is committed to addressing the emotional toll these cases can bring. To that end, she established a **Peer Support Group** to provide coworkers a familiar staff member with whom to speak when the tensions of the work we do, or life in general become a struggle. The members of this team are well trained on how to provide confidential support and assistance.

And finally fun! COVID put a hold on office retreats until this year. On a spring weekend in April many of our staff convened in Colorado's mountains **to attend trainings and most of all, to engage and interact with each other.**

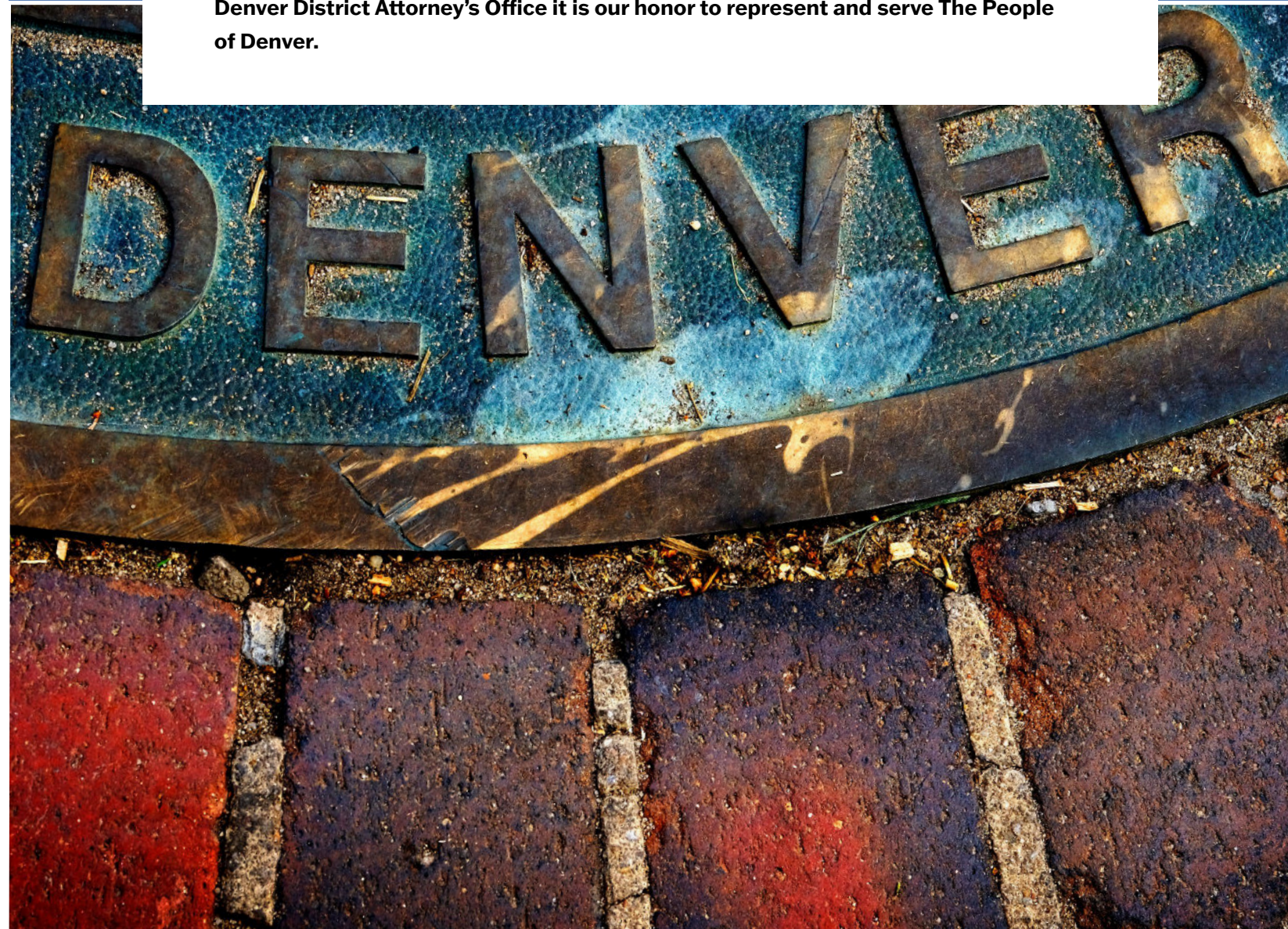


Closing Thoughts From DA McCann

While we accomplished much this year and have many things to be proud of, there is always more to do. Looking forward to 2023, we are already underway with plans to launch a warrant forgiveness program so that people with an outstanding warrant have the opportunity to resolve their warrant without being arrested. Several other local area jurisdictions have done this and for appropriate cases. We will work with the courts and other system stakeholders on this new initiative.

We will also finalize, implement and practice our mass violence incident protocol. While I hope we never need to implement it, we must be ready. I also hope to increase some of our internal capabilities. By hiring a new training chief and DEI expert, we can remain one of the best public law firms in the country. And finally, we will continue to focus on hiring and retaining employees through a reinvigorated mentor program.

Despite our challenges, I remain optimistic that this city and the Denver DA's Office is poised for good things in the year ahead. On behalf of all of us who work at the Denver District Attorney's Office it is our honor to represent and serve The People of Denver.





Denver District Attorney's Office

201 W. Colfax Avenue, 8th Floor

Denver, Colorado 80202

720-913-9000

Linea en Espanol-Fiscal de Distrito:

720-913-9020

DenverDA.org

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