

CRIMINAL JUSTICE UPDATE

City Council Special Meeting – May 26, 2020

Presiding Municipal Court Judge Linda Cooke

Deputy City Attorney, Sandra Llanes - City Attorney's Office

Assistant City Attorney II, Chris Reynolds - City Attorney's Office

Judicial

Prosecution

Defense

Probation/Navigation

Law Enforcement, including HOT

CRIMINAL JUSTICE SYSTEM COMPONENTS

KEY INDIVIDUALS

COURTS:

Presiding Judge Linda Cooke & Associate Judge Jeff Cahn

Probation Officers (3)

Homeless Navigators Megan Newton & Nhat Nguyen

HOMELESS OUTREACH TEAM:

Officer Jenny Paddock

Officer Ross Maynard

CRIMINAL DEFENSE:

Criminal Defense Clinic in the Clinical Education Program at CU Law,

Professor Ann England & students

PROSECUTION:

City Attorneys

Spring 2014	Navigation duties assigned to Probation
Summer 2015	Homeless Navigator Pilot (Intern)
June 2016	Full-time BMC Homeless Navigator hired
Fall 2016	Began collaborating with OneHome/MDHI
2017	Began working with HSBC; CE began October 2017
2019	Began planning for Community Court with TA grant
Fall 2019	Expanded Navigation to 2 FTE
Spring 2020	Applied for Community Court Grant Funding

COURT APPROACHES TO OFFENDERS EXPERIENCING HOMELESSNESS

Integration of Court & Navigation Processes

- Judge receives a plea offer from the prosecutor, defendant, and/or defense lawyer
- Judge imposes a sentence, usually community service
- The sentence is suspended if offender completes an individualized, alternate condition
- Completion is an alternative way of holding offender accountable for violations
- Sample alternate conditions:
 - Apply for ID, Social Security Card, Birth Certificate
 - Obtain disability verification
 - Schedule and/or attend physical/behavioral health appointment
 - Task related to obtaining housing (once voucher allocated)
- Navigators (and HOT) assist with completing conditions
- Most conditions are helpful to housing goals, engaging with supportive services

CITY ATTORNEY OFFICE - PROSECUTION TEAM

CHRIS REYNOLDS – ASSISTANT CITY ATTORNEY II

PHILLIP VOLPI – ASSISTANT CITY ATTORNEY I

J.B. CANNAFAX – ASSISTANT CITY ATTORNEY I

DAWN MUNAJJ – LEGAL SECRETARY II

COMMON TYPES OF MUNICIPAL COURT CASES

- Parking
- Traffic
- Animal violations
- Civil Code violations
- Quality of Life violations committed largely by young adults
- Quality of Life violations committed largely by individuals experiencing homelessness
- Other low-level offenses

General offenses carry a maximum fine of \$1,000 and/or up to 90 days in jail.

CITY PROSECUTION PHILOSOPHY

PROBLEM SOLVING APPROACH

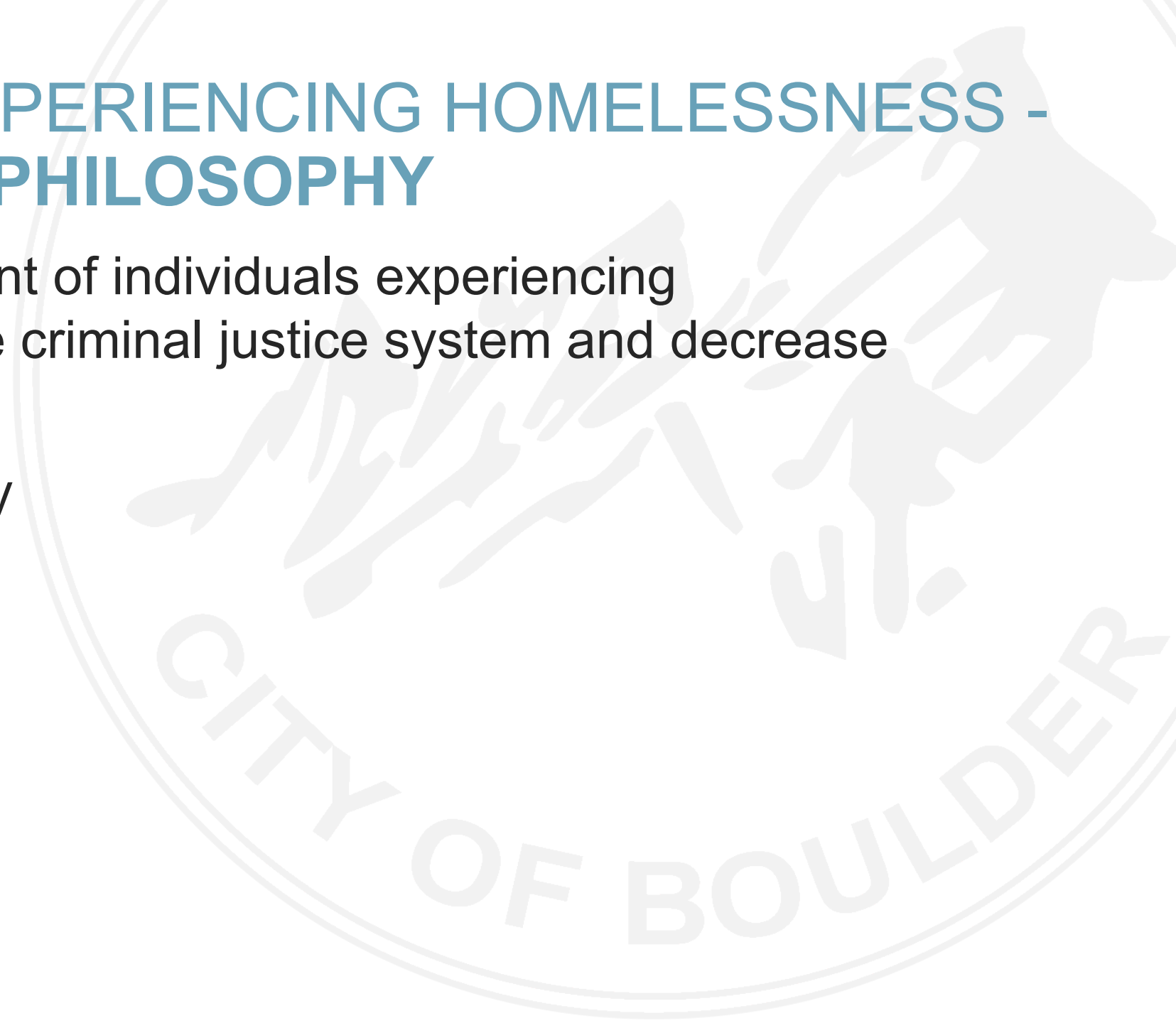
TOOLS:

- CU RESTORATIVE JUSTICE PROGRAM
- COMMUNITY SERVICE
- SUSPENDED FINES
- PLEA OFFERS
- MEDIATION
- ALTERNATIVE PLEA OFFERS WITH GOAL OF CONNECTING PEOPLE TO SERVICES AND ULTIMATELY HOUSING

OFFENDERS EXPERIENCING HOMELESSNESS - PROSECUTION PHILOSOPHY

Reduce the involvement of individuals experiencing homelessness with the criminal justice system and decrease recidivism.

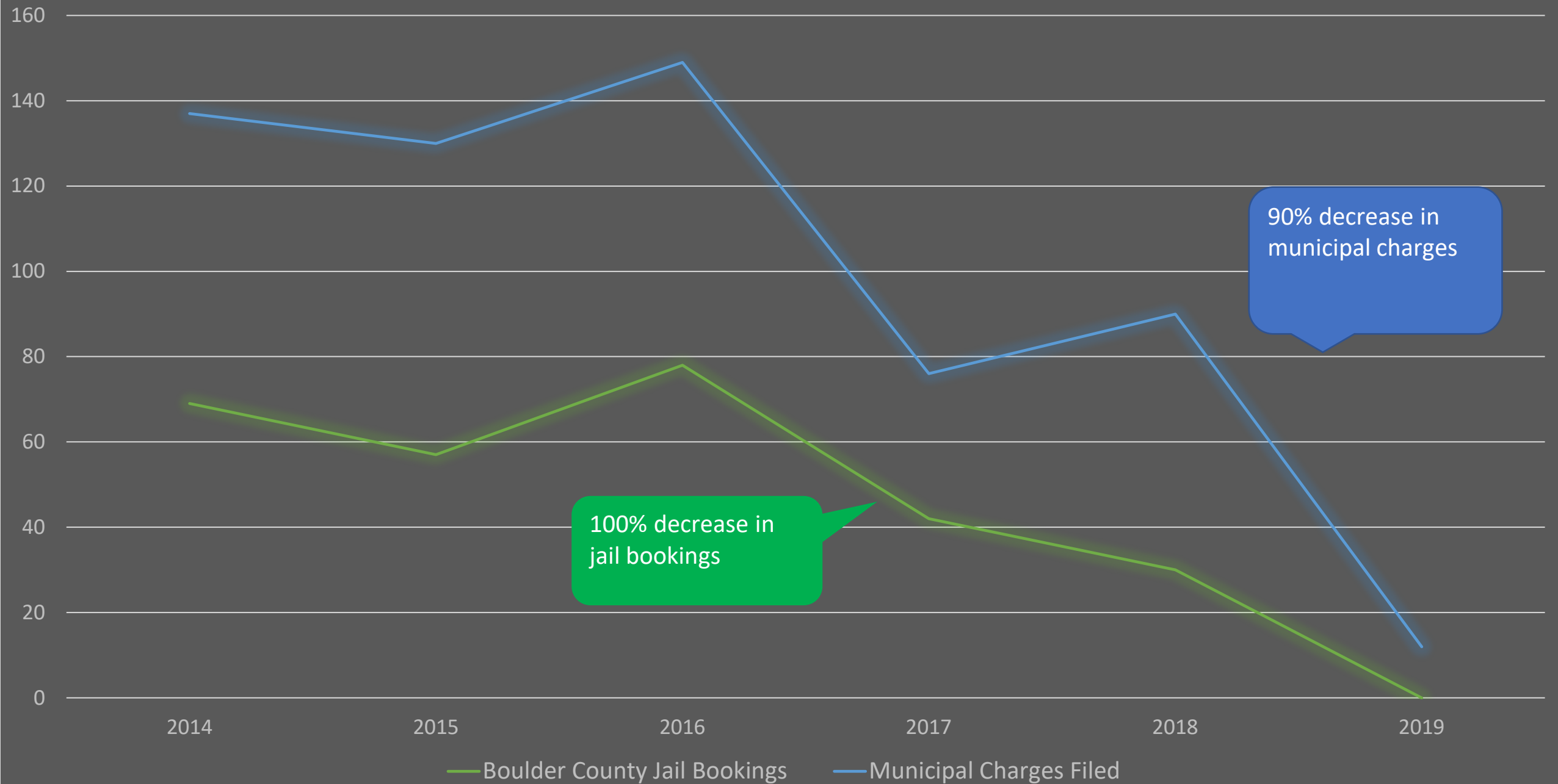
- Community Safety
- Collaboration
- Harm Reduction



OFFENDERS EXPERIENCING HOMELESSNESS - PROSECUTION STRATEGIES

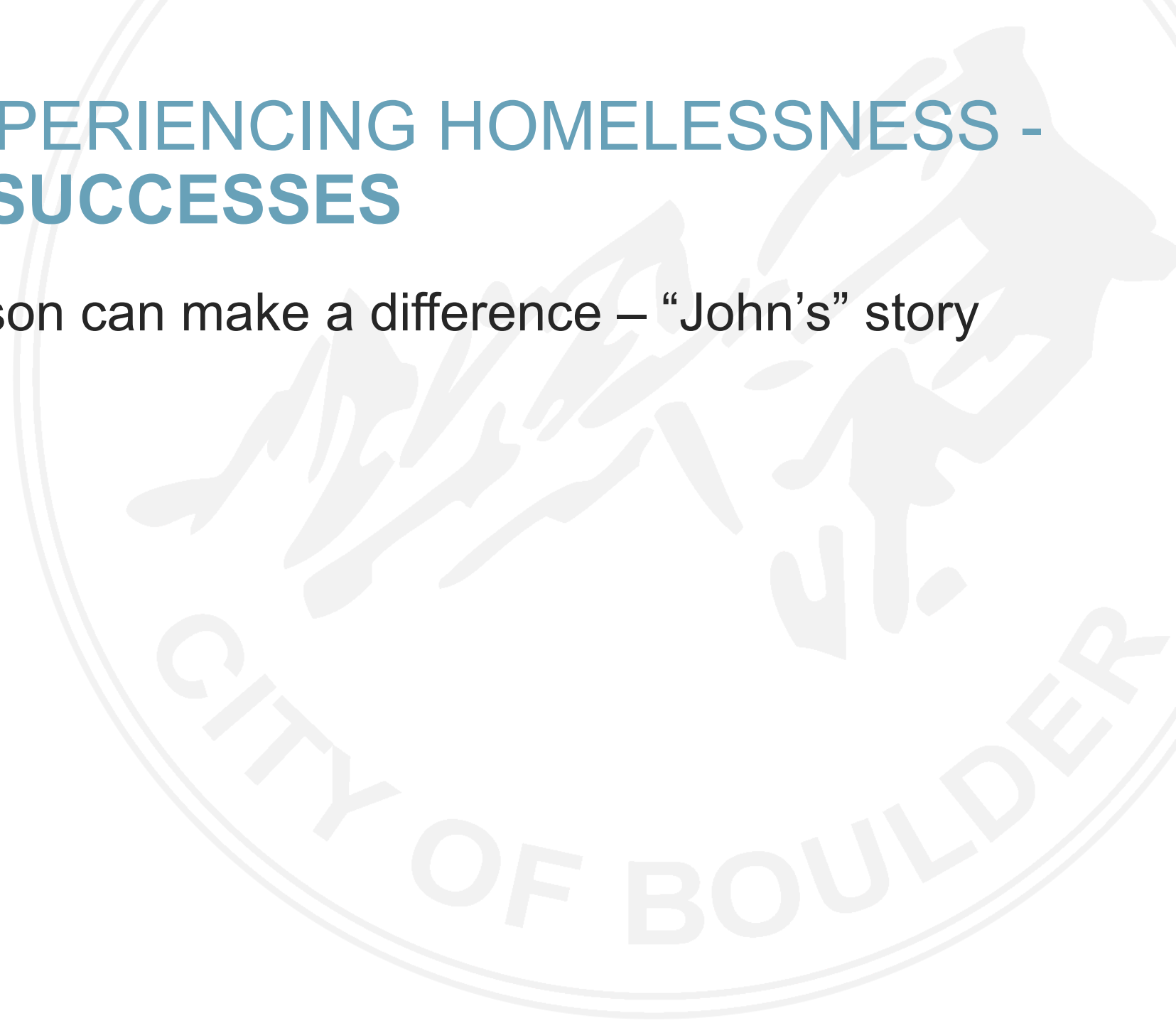
- Developing relationships and collaborating with key stakeholders to address specific problems
- Using the power of plea bargaining to compliment existing efforts to house high-utilizers
- Adapting to criminal justice reforms through innovations such as warrant clustering

Effect on Crime of Housing 40 High Utilizers



OFFENDERS EXPERIENCING HOMELESSNESS - PROSECUTION SUCCESSES

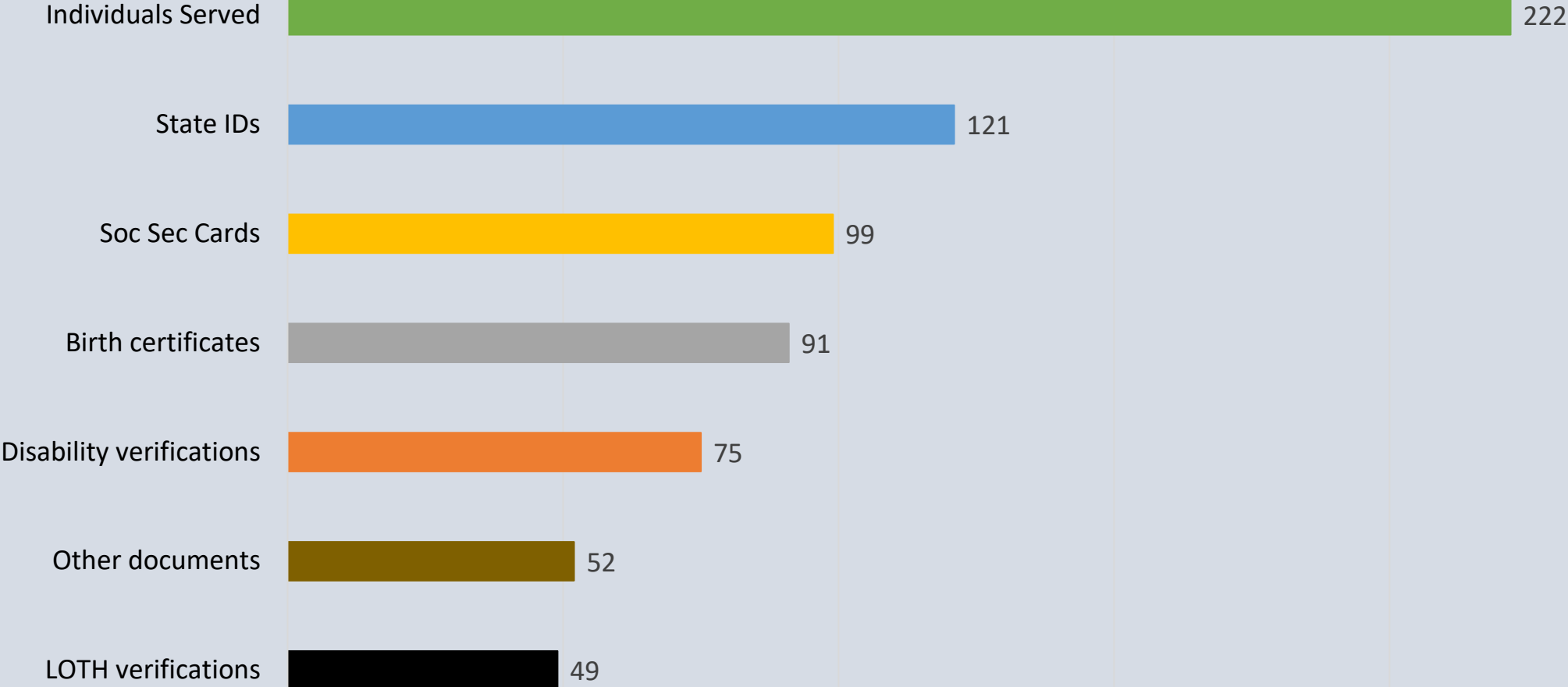
Even housing one person can make a difference – “John’s” story



OFFENDERS EXPERIENCING HOMELESSNESS - PROSECUTION RESULTS

- People experiencing homelessness had 131 criminal cases diverted (dismissed) because of positive steps towards housing within the last year
- Dozens of referrals to mental health and substance abuse professionals
- Seven high-utilizers housed within the last year
- Established working partnerships with agencies across the county

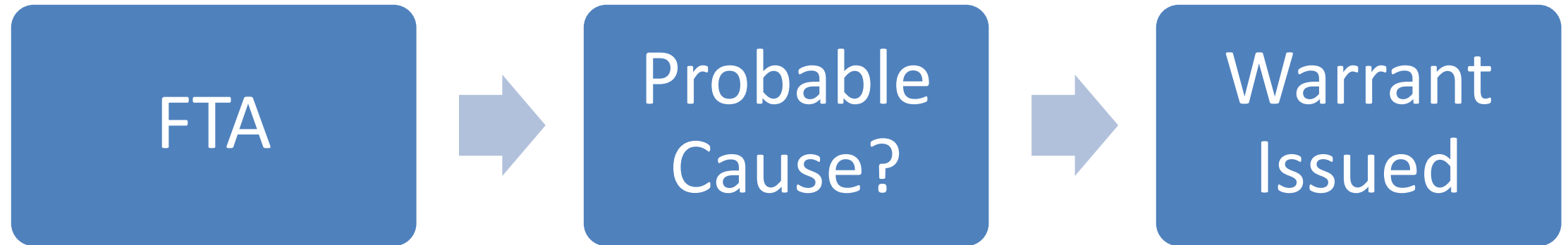
Homeless Navigator Outcomes



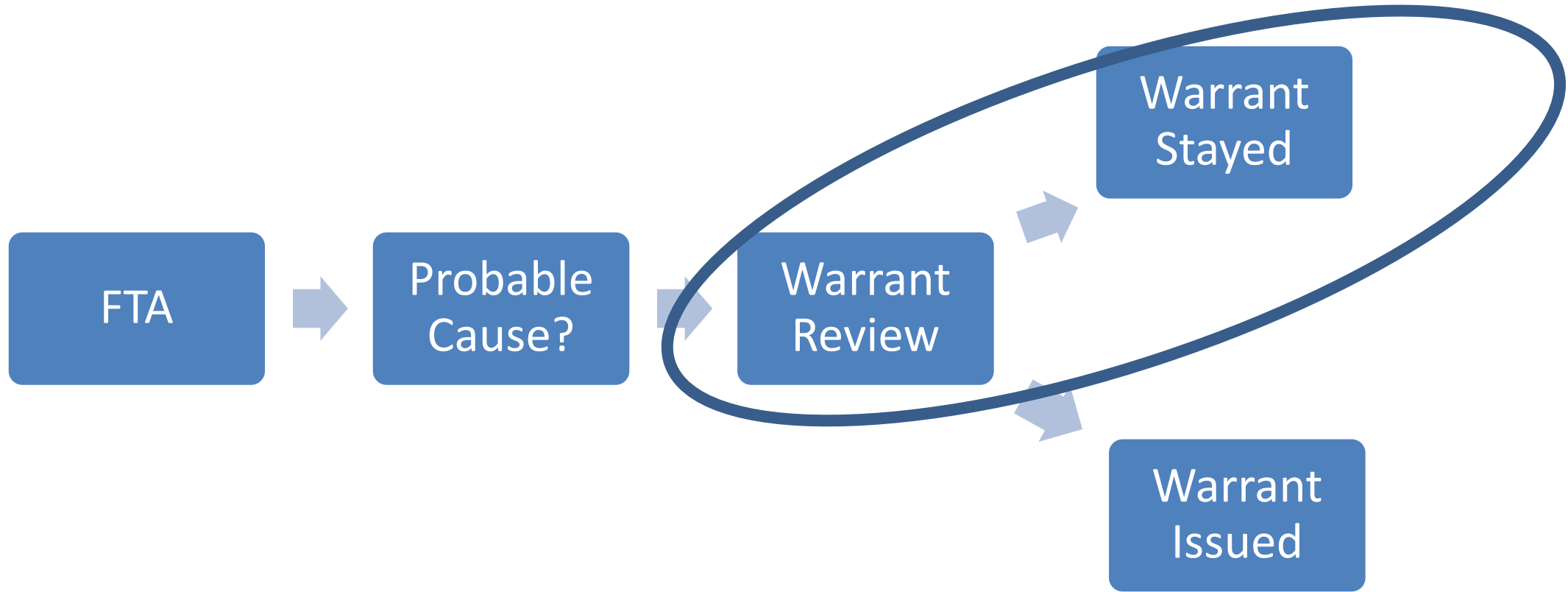
WARRANT CLUSTERING PILOT - DIVERSION PROGRAM

- Designed in response to criminal justice reform legislation and “revolving door” problem
- Uses existing legal framework to make smarter decisions about when to use the jail for municipal cases

HOW FTA WARRANT USE TO WORK



HOW FTA WARRANTS WORK NOW



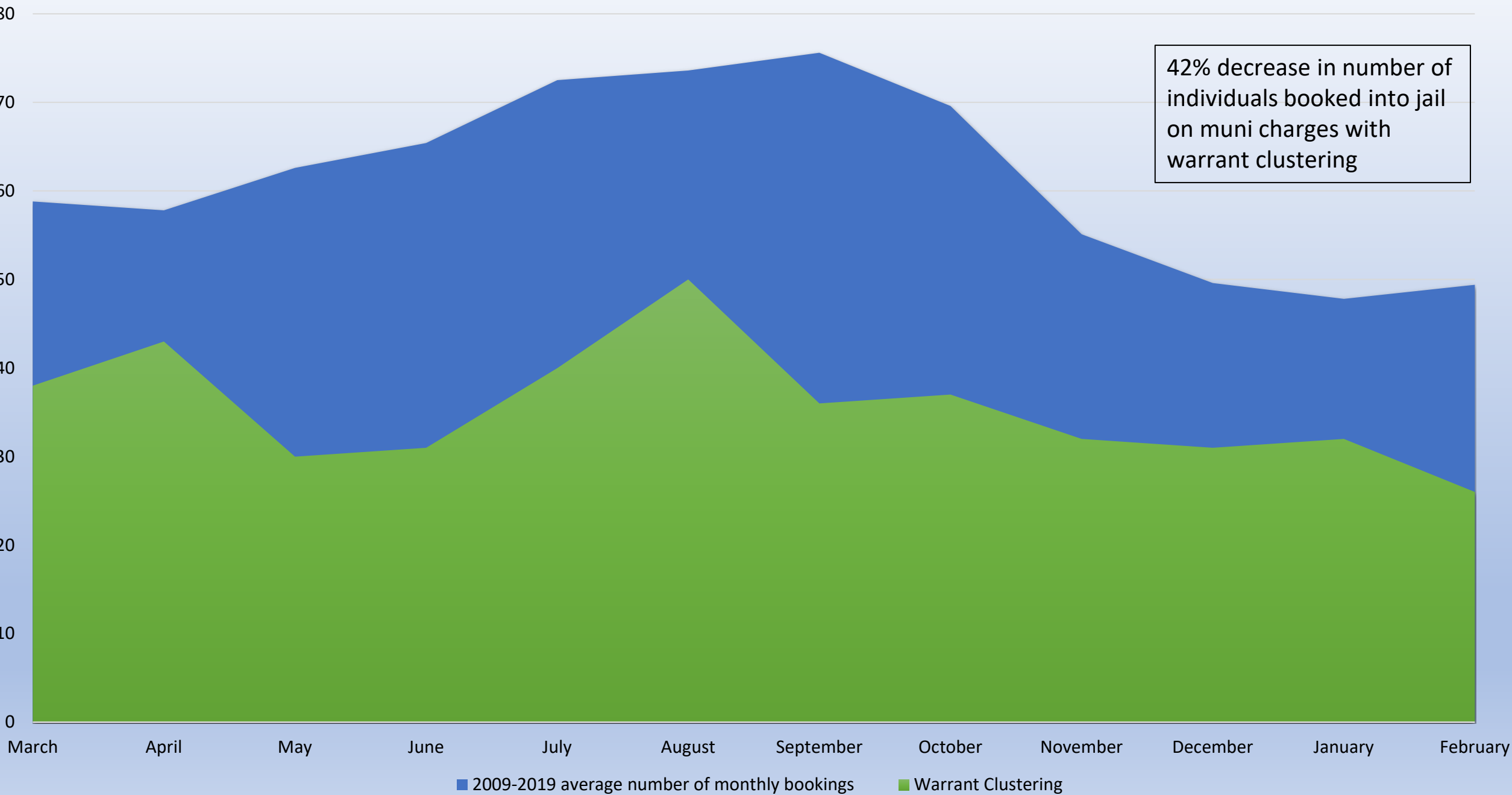
WARRANT CLUSTERING PILOT - DIVERSION PROGRAM

Preliminary Results:

- People experiencing homelessness had 308 criminal cases diverted (dismissed) because they did not receive a new violation after six months
- 42% reduction in jail bookings with municipal charges
- \$280,000 estimated in cost savings to law enforcement and courts
- 624 extra hours of police on streets instead of booking people into jail on warrants

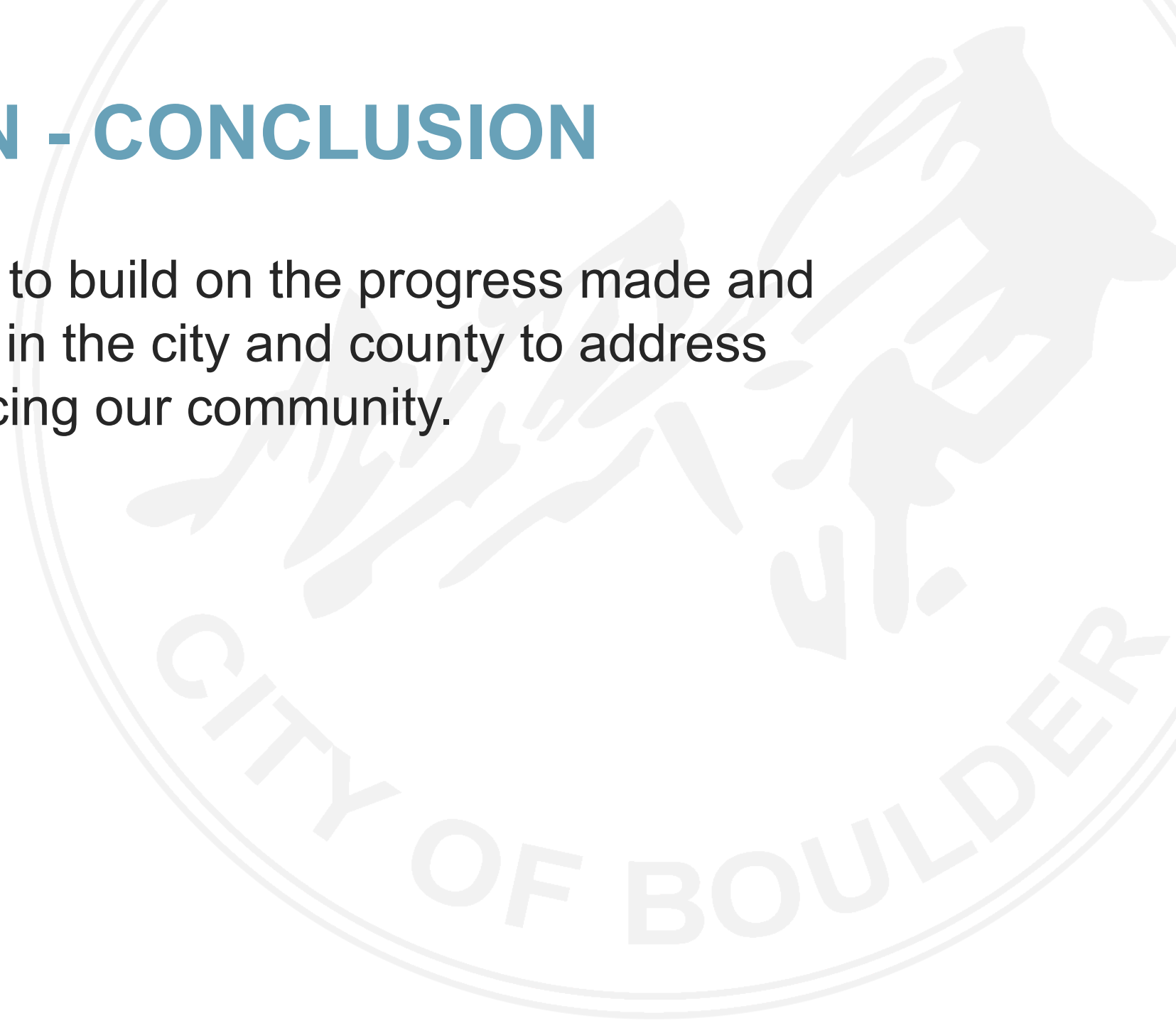
Muni Bookings at Jail: 03/2009-02/2019 vs. 03/2019-02/2020 (warrant clustering)

42% decrease in number of individuals booked into jail on muni charges with warrant clustering



PROSECUTION - CONCLUSION

Our team will continue to build on the progress made and work with our partners in the city and county to address important problems facing our community.



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Council Questions?

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