



Office of the
**Alternate
Defense
Counsel**

Annual Report to the Joint Judiciary Committee

Pursuant to
HB 13-1299 (SMART Act) and
HB 14-1032 (Juvenile Defense)

Lindy Frolich, Director

December 19th, 2017

OPERATION TOKER POKER



Lady Dal Molinetti John Oro Jon Oquendo Simon Phanthavong Minyoung Phanthavong Phanthavong



Austin Bass Lucas Belmont Cameron Binkley Scott Brooks Ryan Campbell Bradley Gates Gregory Shandaker Mitchell Rabinowitz Mitchell Rabinowitz Jeremy Rabinowich Justin Rice Raymond Ruiz



Michael Garner Gregory Creta Nelson Czapka Timothy Dowdell Matthew Egan Todd Garcia John Foxworth John Haysler Adam Samokhlych Minsik Samokhlych Melissa Samokhlych William Samokhlych



Nicholas Gyert Justin Hanson Daren Hochman Cameron Henson James Higgins Huston Hulse Santiago Samieri Edward Vito Terry Shyong Justin Shyong Peter Steel Thomas Stocken



Brian Hauli Matthew Hyska Jared Jacobsen Ilwan Jang Zhan Zhen Jang Christian Jones Michael Maynard Jeffrey Tardif Rod Vazir Jin Tian Wu Sheng Quan Wu Wan Wan Wu



Christina Kozec Jonathan Lee Richard Liller Kevin Marquez Gregory McBride Xian Maunoy Hina Yang Jeremy Youngers





COLORADO'S NEWS LEADER
A TEGNA Company

CRIME

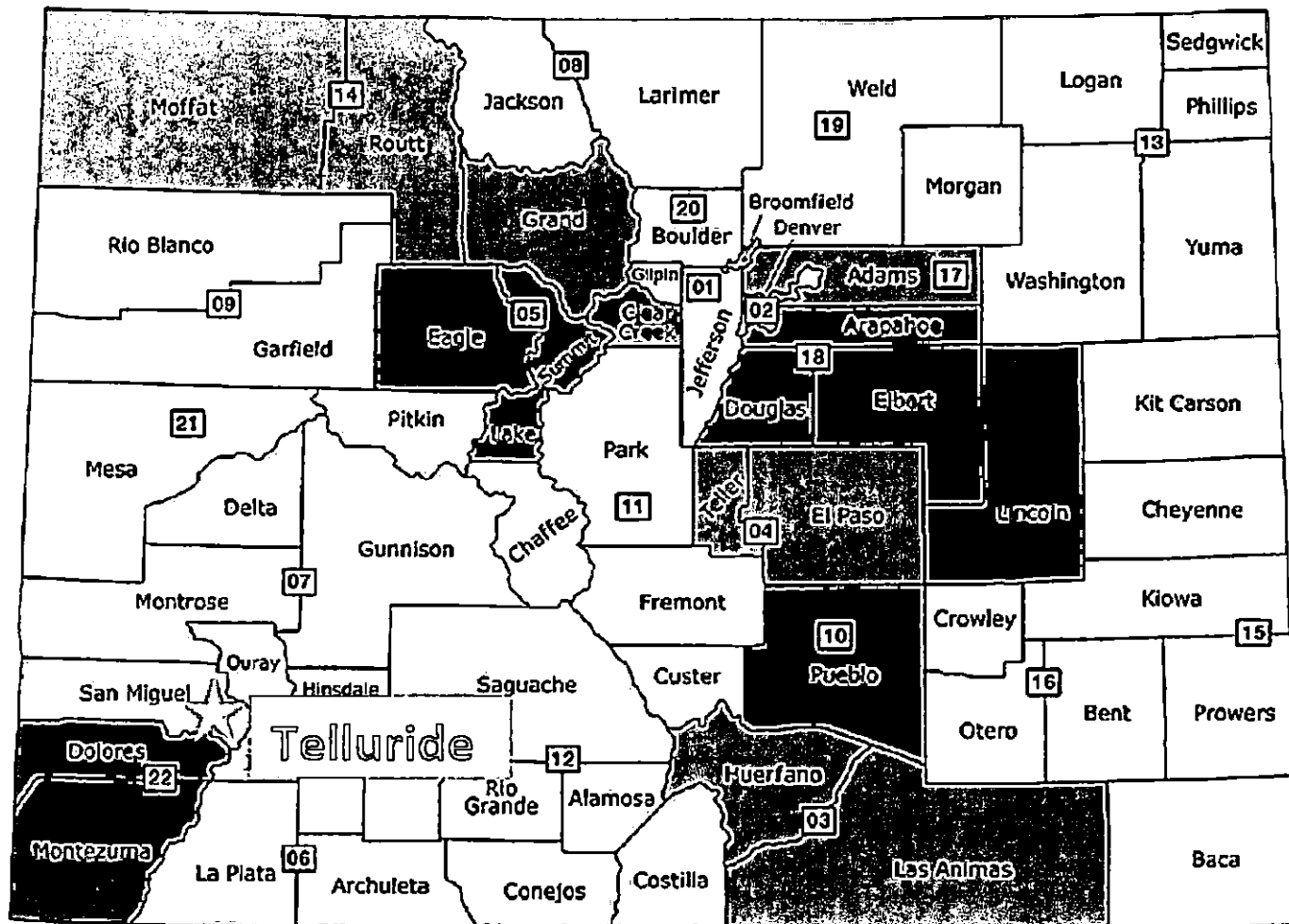
74 indictments in 'Operation Toker Poker,' AG says it's largest pot bust since legalization

KUSA - The illegal marijuana ring that has been indicted in the biggest pot bust since the drug became legal in Colorado began as a group of people who played poker together in high school.

Dubbed "Operation Toker Poker," the multi-year effort to break up this group has netted 74 indictments, 2,600 illegal pot plants and 4,000 pounds of marijuana – barely scratching the surface of what has been produced by this drug trafficking organization, state Attorney General Cynthia Coffman said during a news conference Wednesday morning.

The suspects are believed to have presented themselves as legitimate medical marijuana caregivers, consultants and small business owners – even as they defrauded wealthy investors and trafficked drugs across the country.

Two of the victims of the alleged money-laundering scheme were former Denver Broncos players who believed they were investing in legitimate, state-licensed marijuana businesses...



Telluride, CO - (Population 2,444)

District 07 - 443 cases in FY17

THE DENVER POST

COLORADO NEWS

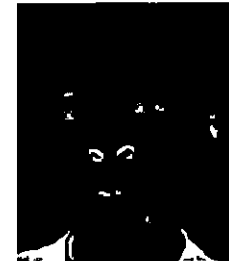
“Spiritual leader” punished kids found dead on farm outside Telluride, records show

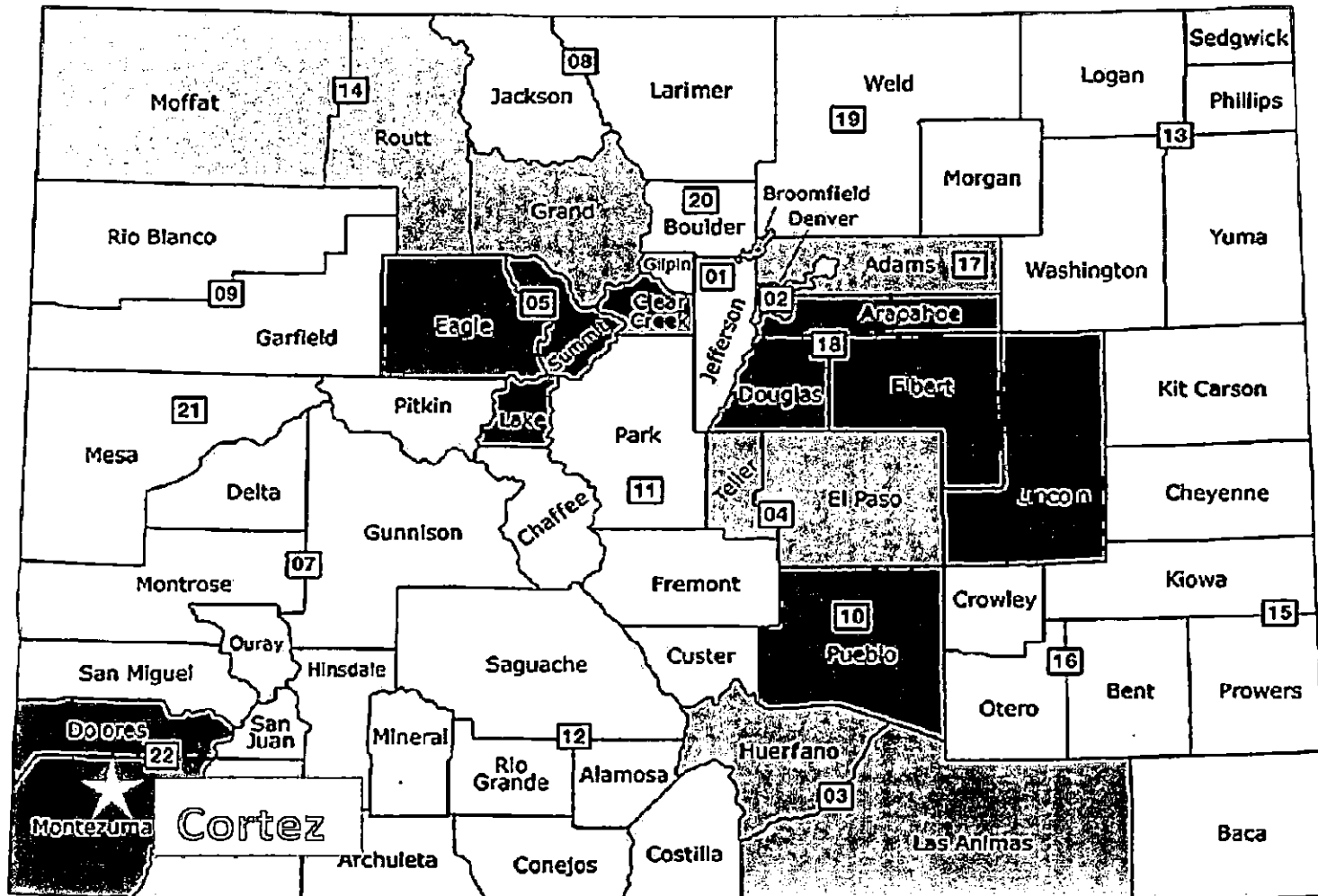
Police have said the girls were 8 and 10 years old

A woman acting as a “spiritual leader” to a small group of people living on a Colorado farm ordered two girls kept in a car without food or water weeks before their bodies were found, according to one member of the group.

Madani Ceus faces murder charges along with Nashika Bramble, the girls’ mother, for the death of 10-year-old Makayla Roberts and 8-year-old Hannah Marshall. Three other adults also face charges of fatal child abuse.

Officials investigating the case have been tight-lipped about how the girls died and how they came to the farm. Court records unsealed by a judge at the request of KOTO Community Radio and the Telluride Daily Planet revealed the group members’ belief that Ceus was a spiritual leader and allegations that she ordered the girls punished while the group was living on the property outside Norwood, about 30 miles (48.2 kilometers) west of the ski resort town of Telluride.





Cortez, CO (Population 9,007)
 District 22 – 288 cases in FY17

News

Local Four Corners Business & Agriculture Education Nation & World

Update: Nine adults, child face charges in Cortez T-ball fight

Grand slam! Shocking video shows unruly parents on opposing teams viciously fighting during their children's tee-ball game

- Footage from the game in Cortez, Colorado, on June 19 shows a brawl erupting
- Two women are seen trading hits as several adults try to pull them apart
- The fight is eventually broken up as the parents warn each other to 'get back'

By DAILYMAIL.COM REPORTER

PUBLISHED: 10:25 EST, 5 July 2017 | UPDATED: 10:37 EST, 5 July 2017

<http://video.dailymail.co.uk/video/mol/2017/07/05/3911751080882226723/640x360 MP4 3911751080882226723.mp4>

Sent: Thursday, October 12, 2017 10:37 AM
To: Darren Cantor <darren@coloradoadc.com>
Subject: ADC Needed Montezuma County

Hi Darren,

I believe you are aware that we have several co-defendants here in Montezuma County that need ADC. I have reached out to the ones on our list, and obtained the ones available with no conflicts. Here is a list of the others I still need ADC for:

Quincey Brito 17M361

Kristella Yapelli 17M368

Tisha Crooks 17M363

Sandra Smith 17M367

Kathy Gomez 17M365 (is still in process of applying)

These are codefendants who already have representation:

Ricky Espinoza 17M364

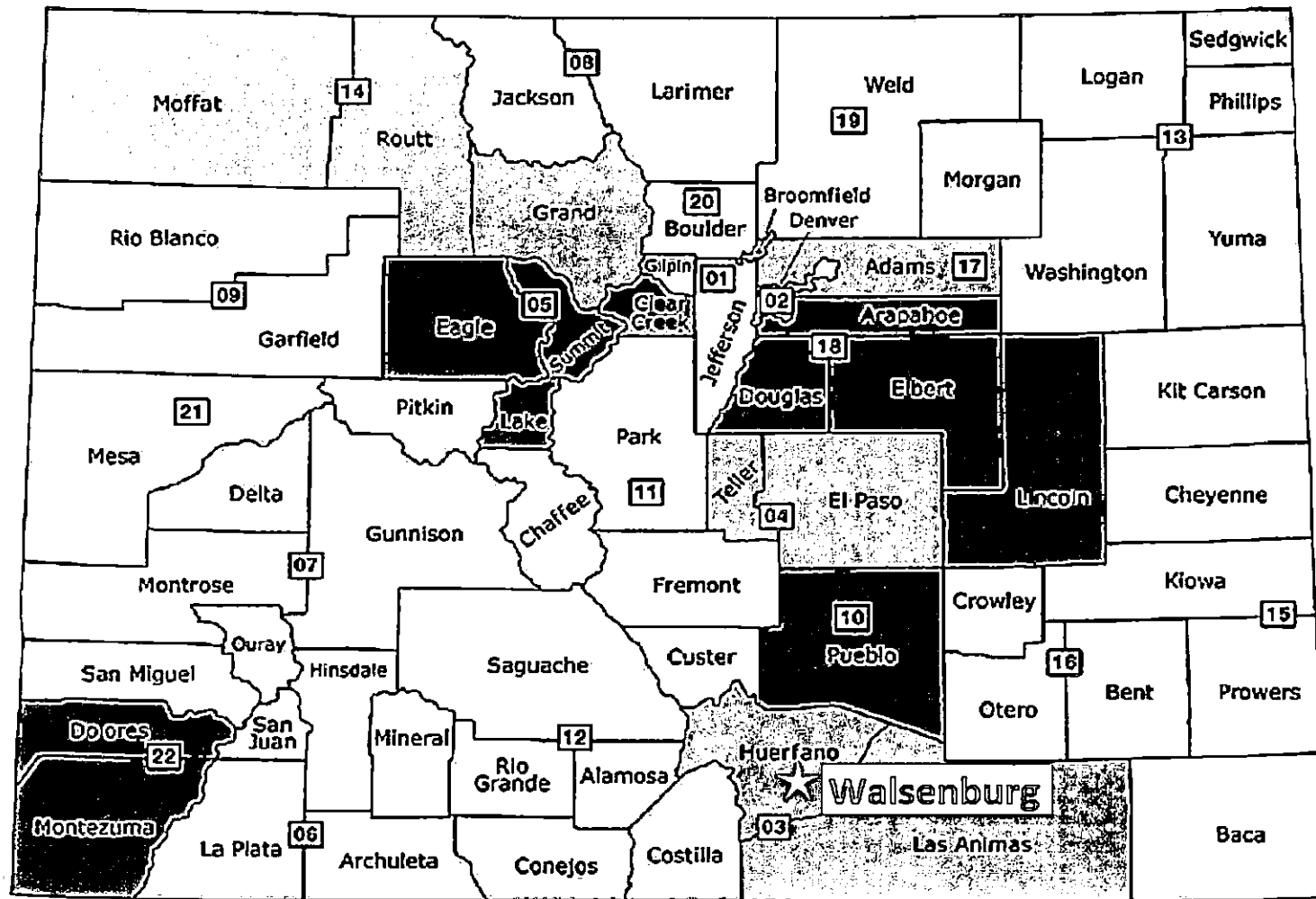
I.G. 17JDXXX

George Brito 17M362

Christina Schulte 17M366

And victim is K.M.

Erin McGinn
Court Judicial Assistant
Montezuma County Court



Walsenburg, CO (Population 3,068)
 District 03 – 246 cases in FY17

To: Darren Cantor <darren@coloradoadc.com>; Lindy <lindy@coloradoadc.com>

Cc: cisneros, lorraine <lorraine.cisneros@judicial.state.co.us>; garcia, debbie
<debbie.garcia@judicial.state.co.us>

Subject: A great big THANK YOU!

I wanted to thank you so much for helping with this situation. We now have ADC counsel for all 11 cases. I really appreciate the professionalism and hard work given to us during this situation. Here is the final list of clients and attorneys. Thanks again. ☺

Celedonio Abarca – 2017CR126, - ADC 1

Araesley Amaro – 2017CR128 – ADC 2

Ulisis Delossantos-Garibay 2017CR130 – ADC 3

Leon Fernandez 17CR123 – ADC 4

Amber Gallegos – 2017CR125 – ADC 5

Mayra Gallègos – 2017CR132 – ADC 6

Lazaro Garibay-Onofre – 2017CR122 – ADC 7

Gaudencio Gutierrez-Nieto – 2017CR131 – ADC 8

Damian Olaguez-Villalba – 2017CR129 – ADC 9

Isreal Jimenez – 2017CR124 – ADC 10

Jose Luis Jimenez – 2017CR127 – ADC 11

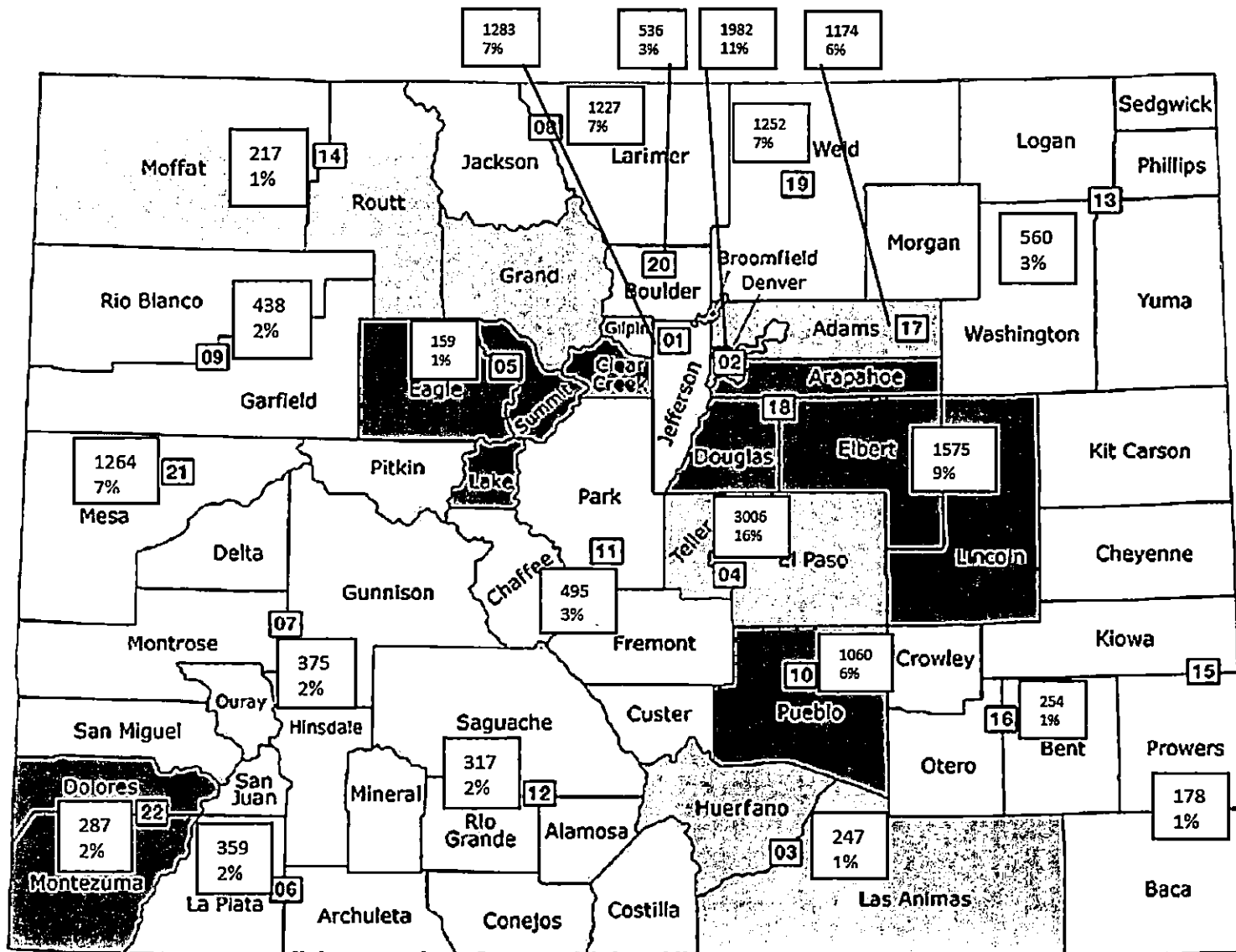
Esther Hibpshman

Jury Commissioner/Judicial Specialist

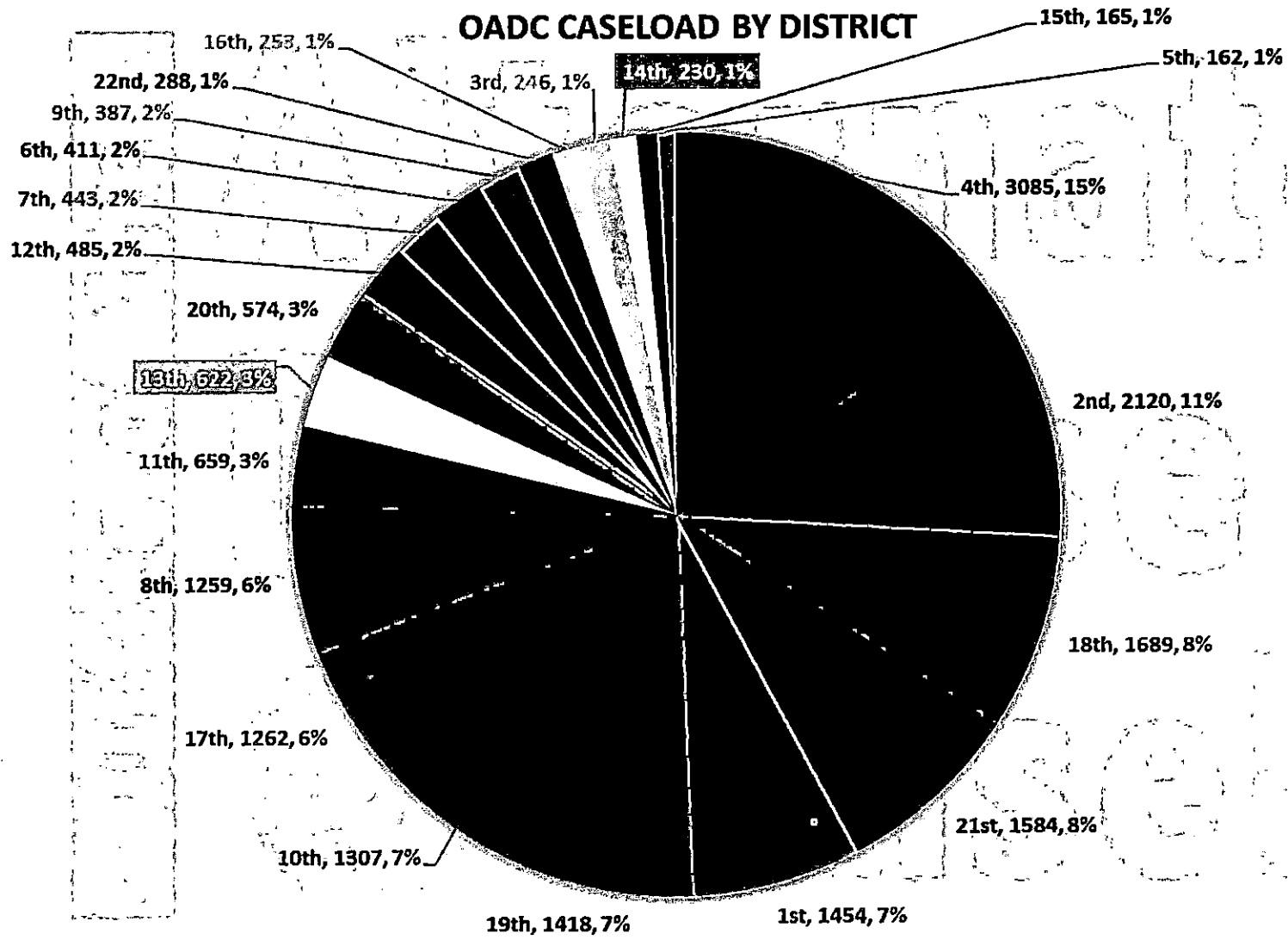
401 Main Street, Suite 304

Walsenburg, CO 81089

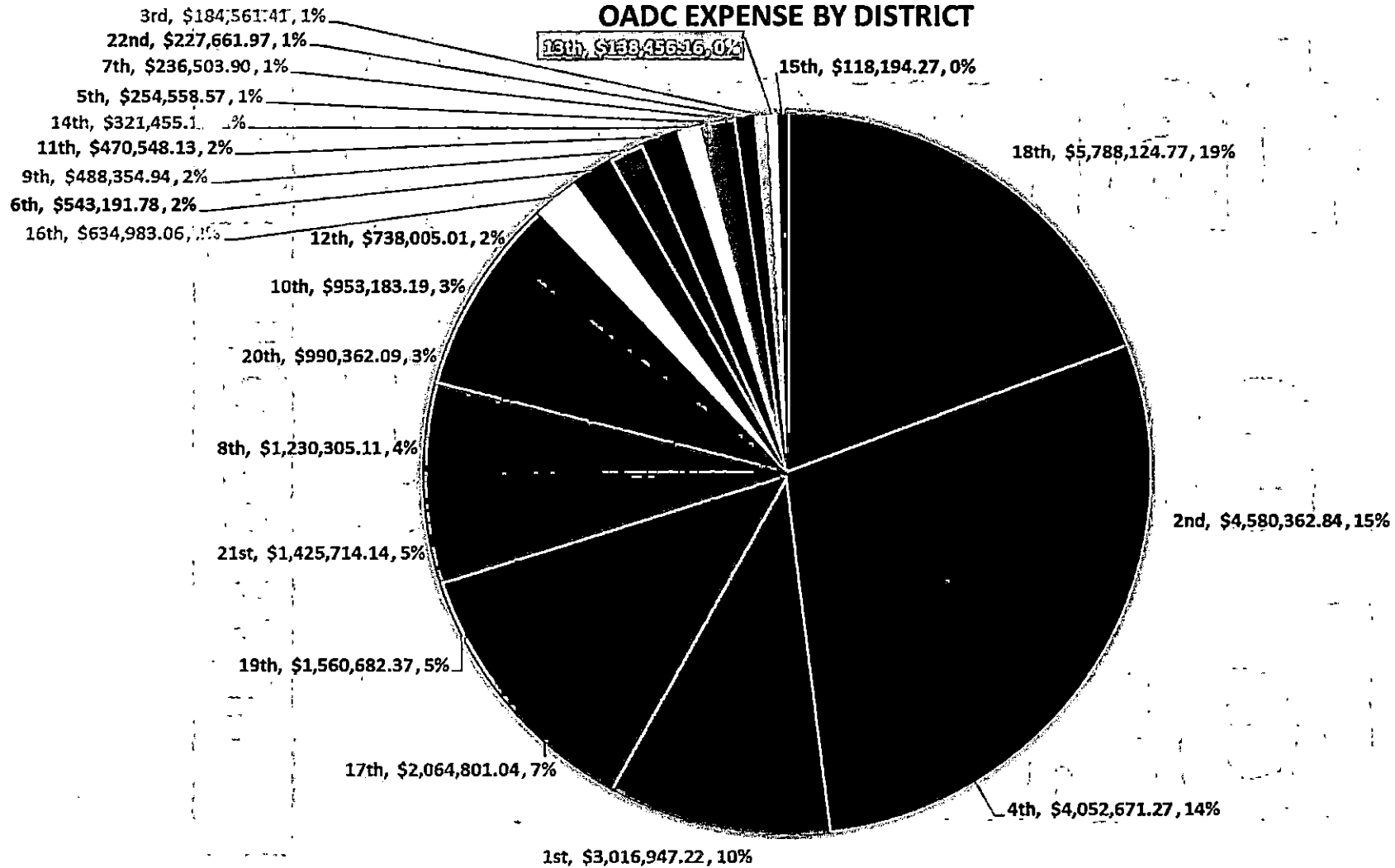
719-695-6506



OADC CASELOAD BY DISTRICT



OADC EXPENSE BY DISTRICT



Administrative

- FY2017-2018 Annual Budget of \$31,738,129

- 12 FTE

OPERATIONAL

Contain Case Costs		FY10 Actual	FY11 Actual	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Budget	FY19 Request	FY10 to FY17 % change
Average Cost per Case	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$ 1,581	\$ 1,581	\$ 1,581	-13.89%
	Actual	\$ 1,769	\$ 1,620	\$ 1,641	\$ 1,593	\$ 1,596	\$ 1,722	\$ 1,581	\$ 1,523			
	% Change	n/a	-8.4%	1.3%	-2.9%	0.2%	7.9%	-8.2%	-3.7%			

$$(1,769-1,523) = 246 \times 20,103 = \$4,945,338$$

OADC FY2018-2019 Budget Request

- **DI # R-2 – Administrative Support : \$79,981 (1.0 FTE)**

	FY11 Actual	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Budget	FY18 Estimate	FY19 Request	FY11 to FY17 % change
Caseload	11,878	12,585	13,290	15,085	16,680	18,244	20,103	18,244	22,151	24,410	69.25%
Caseload % change	<i>na</i>	5.95%	5.60%	13.51%	10.57%	9.38%	10.19%				
Transactions	39,794	43,327	46,144	52,900	58,911	64,997	72,753	64,997	81,432	91,147	82.82%
Transactions % change	<i>na</i>	8.88%	6.50%	14.64%	11.36%	10.33%	11.93%				

OADC FY2018-2019 Budget Request

- DI # R-3 – COLA Based Contractor Hourly Rate Increase :
\$2,306,291

FY	COLA Increase State Employees
FY 15	1.00%
FY 16	1.00%
FY 17	0.00%
FY 18	1.75%
FY 19	3.00%
	6.75%

FY	COLA Increase State Employees
FY 15	2.50%
FY 16	1.00%
FY 17	0.00%
FY 18	1.75%
FY 19	3.00%
	8.25%

SMART Act (HB 13-1299)

Agency Objectives and Performance Measures

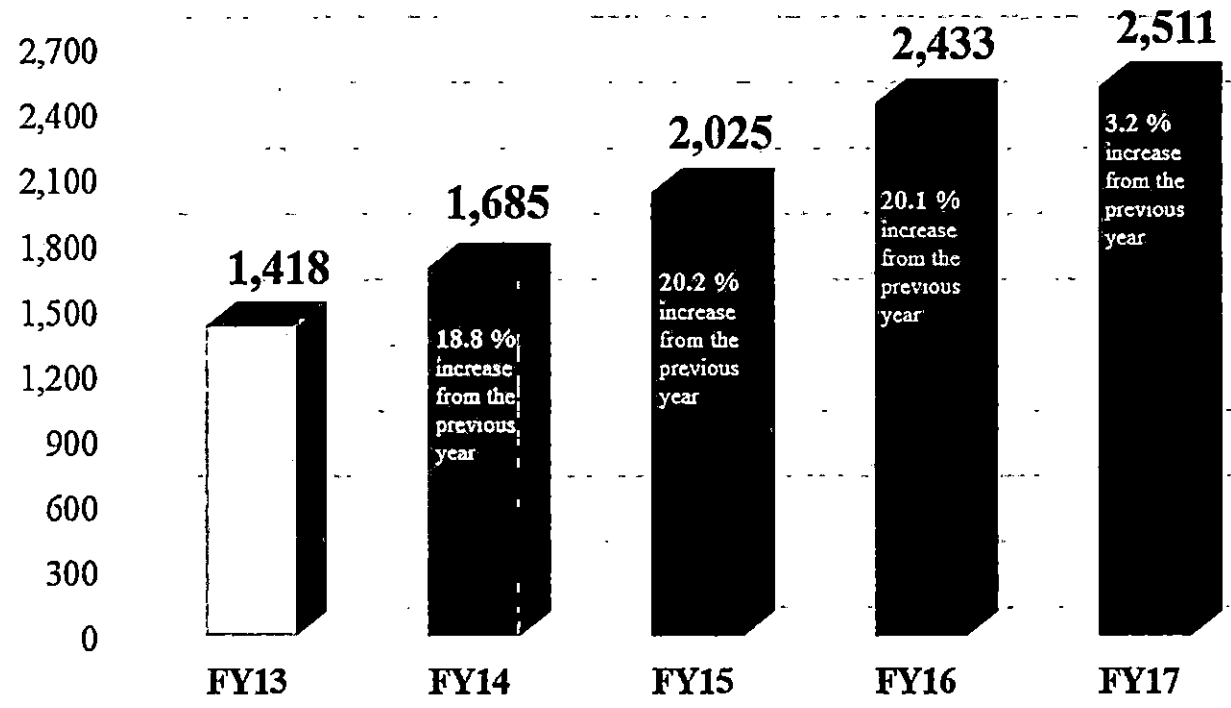
- A. Ensure Adequate Contractors Rates
- B. Contain Case Costs
- C. Provide High Quality Trainings
- D. Provide Cost-effective Research Tools and Assistance
- E. Monitor and Evaluate Contractors
- F. Support the use of Evidence Based Practices
- G. Strengthen OADC's Juvenile Division

For historical and projected data please see **Appendix A: Agency Objectives and Performance Measures.**

**21-2-104. Duties of alternate defense counsel
and contract attorneys.**

**(3) PURSUANT TO SECTION 2-7-203, C.R.S., THE OFFICE OF
ALTERNATE DEFENSE COUNSEL SHALL REPORT ANNUALLY TO
THE JUDICIARY COMMITTEES OF THE HOUSE OF
REPRESENTATIVES AND SENATE, OR TO ANY SUCCESSOR
COMMITTEES, INFORMATION CONCERNING:**

Juvenile Cases FY13 - FY17

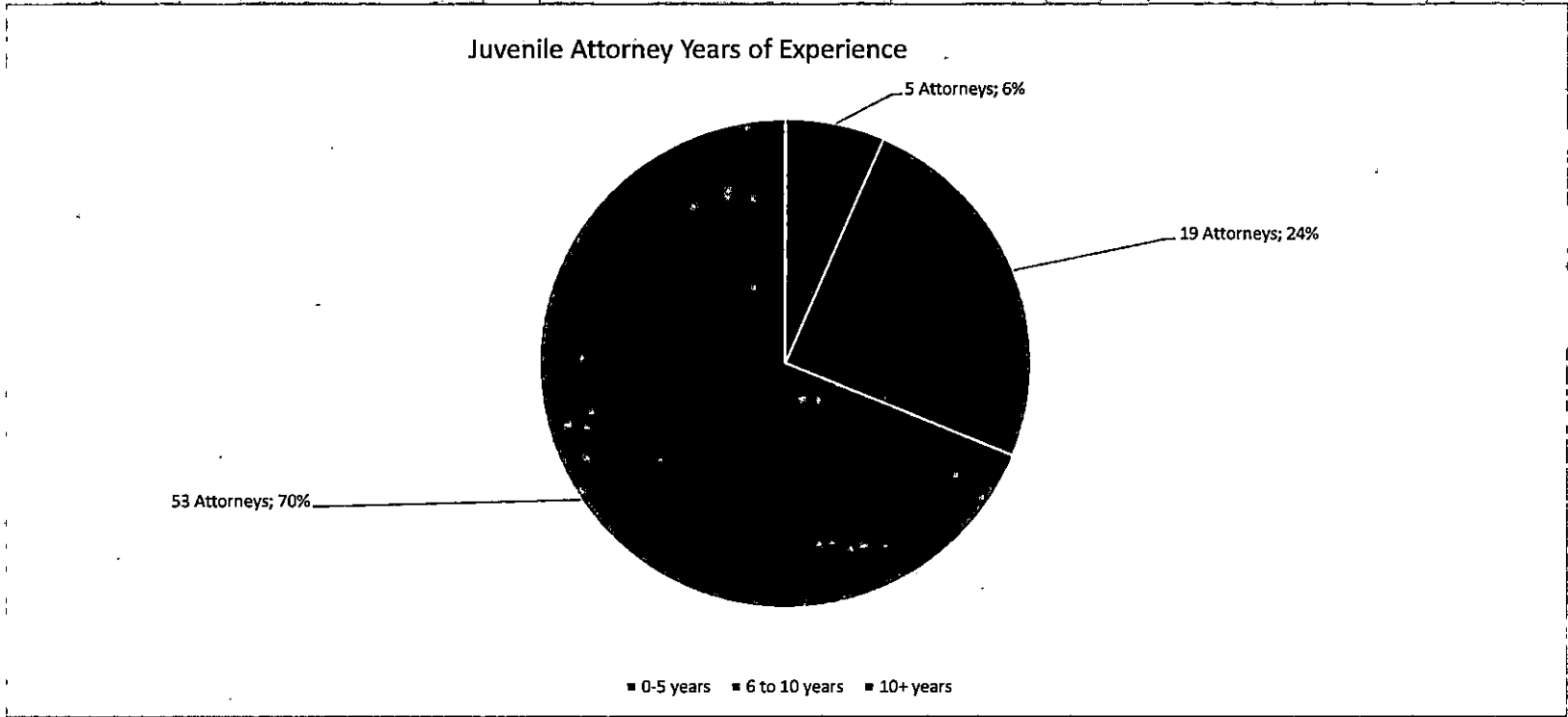


Questions ?

- **Contact Information**

- **Lindy Frolich – Director - (303) 515-6925**
lindy@coloradoadc.com
- **Darren Cantor – Deputy Director - (303) 515-6935**
darren@coloradoadc.com
- **Daniel R. Nuñez – Controller/Budget Manager – (303) 515-6924**
daniel@coloradoadc.com

JUVENILE ATTORNEYS



2009-2010 ATTORNEY ROSTER

Office of the

**Alternate
Defenses
Counsel**

	FY11 Actual	FY12 Actual	FY13 Actual	FY14 Actual	FY15* Actual	FY16 Actual	FY17 Actual	FY11 to FY17 % change
Caseload	11,878	12,585	13,290	15,085	16,680	18,244	20,103	69.25%
Change from previous FY	-5.70%	6.00%	5.60%	13.50%	10.60%	9.40%	10.00%	
Expenditures	\$ 20,496,774	\$ 22,187,179	\$ 22,660,445	\$ 25,453,717	\$ 29,694,094	\$ 31,551,612	\$ 32,935,253	60.69%
Change from previous FY	-11.58%	8.25%	2.13%	12.33%	16.66%	6.26%	4.39%	

**In FY15 there was an 8% rate increase for attorney contractors, a 14% increase for Investigators, and a 20% increase for Paralegals, resulting in a disproportionate increase in expenditures for that year.*

OADC FY2018-2019 Budget Request

- DI # R-1 – OADC Caseload Increase (FY18) : \$3,119,104
- DI # R-1 – OADC Caseload Increase (FY19) : \$3,438,934