

# Annual Report – Cold Case Task Force

To the Colorado House and Senate Judiciary Committees (Section 24-33.5-109(8), C.R.S.)

October 1, 2018

## CURRENT MEMBERSHIP

There are sixteen members of the Cold Case Task Force. The Senate President and the Speaker of the House each appoint two family representatives, as well as one chief of police and one sheriff. The Executive Director of the Colorado District Attorneys' Council (CDAC) appoints three district attorneys (representing rural, suburban and urban offices). The Governor appoints two representatives of statewide victim advocacy organizations and a forensic pathologist. The appointees to these positions are limited to serving two consecutive terms. Two positions are filled by statutory designation (Executive Director of the Department of Public Safety, or his/her designee; and the Attorney General, or his/her designee).

As you look at the list of current members you will notice several vacancies. We are in the process of filling these positions at this time and plan to have them filled before our next meeting scheduled November 2, 2018. Current members:

**Laura Saxton** (Family Representative); appointed by Senate President (first term 2015-2018, second term 2018-2021)

**Vacant** (Family Representative); reappointed by Senate President (second term 2015-2018)

**Chief Douglas Stephens** (Littleton Police Department); appointed by Senate President (first term 2015-2018, second term 2018-2021)

**Vacant** (Sheriff appointment); appointed by Senate President (first term 2015-2018)

**Vacant** (Family Representative); reappointed by Speaker of the House (second term 2015-2018)

**Vacant** (Family Representative); appointed by Speaker of the House (first term 2015-2018)

**Sheriff Bill Masters** (San Miguel County); appointed by Speaker of the House (first term 2015-2018, second term 2018 - 2021)

**Vacant** (Chief appointment), appointed by Speaker of the House (first term 2015-2018)

**Vacant** (Forensic Pathologist); appointed by Governor (first full term 2015-2018)

**John Kellner**, Assistant District Attorney, 18<sup>th</sup> Judicial District – (*Representing Urban District Attorneys, 2013-2016, 2016-2019 appointed by Exec. Dir, CDAC) serving an unexpired first term 2016-2019*)

**Vacant Position**, (*Representing Suburban District Attorneys – appointed by Exec. Dir. CDAC*)

**Jim Bullock**, District Attorney, 16<sup>th</sup> Judicial District (*Representing Rural District Attorneys, 2013-2016, 2016-2019 appointed by Exec. Dir. CDAC*)

**Dora Lee Larson**, (*Colorado Victim Organization COVA*) - appointed by Governor (serving an unexpired first term 2013-2016, first full term 2016-2019)

**Rob Wells** (*Statewide Victim Organization*) - appointed by Governor (serving an unexpired first term 2013-2016, first full term 2016 – 2019)

To the living we owe respect, but to  
the dead we owe only the truth.”

~Voltaire

## COLD CASE TASK FORCE MEETINGS

10 am-Noon

690 Kipling St. Lakewood

November 3, 2017

May 4, 2018

February 2, 2018

August 3, 2018

All are welcome to attend!!



### **2017-2018 EFFORTS AND OUTREACH**

- Colorado Missing Persons Day Event held February 2, 2018 at the state capitol. CBI coordinated the event along with Task Force member Laura Saxton.
- The Cold Case Task Force (members and attendees), along with other CBI staff and law enforcement officers from across the state, attended the Annual FOHVAMP Conference held Saturday, October 1, 2017 at The Wells Fargo Building in downtown Denver. The CBI provided an overview of the information addressed at the task force meetings.
- In September, members of the CBI participated in an event with Kohl's stores and the National Center for Missing and Exploited Children (NCMEC) to raise awareness and supply child ID kits to shoppers.



- Attendance at the National Day of Remembrance ceremony on September 25, 2018 to remember those victims lost to homicide and support their surviving family members.
- The Cold Case Task Force (Members and attendees), along with other CBI staff and law enforcement officers from across the state, plan to participate in the Annual FOHVAMP Conference, Saturday, October 12, 2018 at The Wells Fargo Building in Denver.

#### **TRAINING UPDATE P.O.S.T. Board Grants**

This fiscal year CBI continued to offer specialized Cold Case Investigation Training with funding obtained through the POST Board Grant. Next fiscal year the training will be funded with general CBI dollars. The CBI Cold Case Analyst along with the instructors continue to review and update the curriculum as needed to ensure the course aligns with the best practices and the constant changes in technology regarding the testing of crime scene evidence. With the funds obtained from P.O.S.T. in 2017-2018, the CBI provided the following Cold Case Homicide Investigation Best Practices classes:

NAMUS Training, Pueblo, CO – January 23-24, 2018

Cold Case Training, March 14-15, 2018

Cold Case Training, Lakewood, CO – May 1 – 2 , 2018

### **COLD CASE REVIEW TEAM**

The Cold Case Review Team continues to be a “best practices” effort. The participation of the team members (who volunteer their time) continues to be remarkable. The value of this effort comes from the breadth of knowledge and experience of the members. The experts include individuals from the CBI Forensic Laboratory and CBI Investigations, the Coroners’ Association, detectives and investigators from police and sheriffs’ departments, representatives from the Attorney General’s office, Colorado Organization for Victim Assistance (COVA) and the FBI, as well as forensic pathologists and prosecutors. The team meets 2-4 times per year. When cases are presented for review by the investigating jurisdiction, it is important that both current and past investigators, the DAs, and any laboratory personnel attend. If the case has ties to more than one jurisdiction, investigators and prosecutors from each jurisdiction are encouraged to participate. The foundation of success for this review process is the generous sharing of knowledge and expertise by the members who represent the various disciplines. The Review Team members and their agencies are contributing many hours to these efforts. CBI and the Cold Case Task Force members continue to encourage agencies to take full advantage of this resource available to cold case investigations. Agencies that have presented to the team have been very pleased with the process

The Review Team met three times this year. The dates and presenting agencies are listed below:

**December 14, 2017**

Lakewood Police Department – Eric Pracht

Aurora Police Department – Lashaya Stein

**June 5, 2018**

Chaffee County Sheriff’s Office - Beverly England



### **COLD CASE PLAYING CARDS**

The Cold Case Playing Card Program has been active in Colorado since October 2014. In 2017-2018, the CBI again was able to distribute another 10,000 decks of playing cards to replenish the existing playing card program. There are currently four different decks of Cold Case Playing Cards in circulation. We have secured funding and in the coming year we plan to create and distribute Deck 5.

The additional decks of playing cards were distributed to both the Colorado Department of Corrections (DOC) and nearly all local detention facilities across the state. The CBI continues to receive tips through the tip-line on a weekly basis. We are hopeful that as these cards continue to circulate through state and local detention facilities information will be obtained to aid in resolving these cases.

### CBI DATABASE UPDATE

Updating the Cold Case database has been a priority. Each year, more cases fall into the “at least three years old” criteria. The CBI has created a procedure that provides calendar year-end contact with all Colorado law enforcement agencies, requesting the submission of additional cases that have aged to three years. Just as it is critical that cases are added, agencies have also notified the CBI when cases have been solved and arrests have been made.

The CBI database currently lists 1,704 cases (1,347 Homicides; 325 Missing Persons; 29 Unidentified Remains, and 3 “Other” [pending determination by the law enforcement agency as to whether the case is a missing or a homicide victim]). Because of the possibility that individuals who are listed as “missing persons or “unidentified remains” may be victims of homicide, the Cold Case Task Force supported the addition of these categories to the CBI database. While Families of Homicide Victims and Missing Persons (FOHVAMP) also maintains a database, there will always be a disparity between the two as CBI does not include out of state cases or ones that have been determined to be suicide by the coroner.

### SUCCESSSES

Over the last year several investigative leads have been provided by the Combined DNA Index System (CODIS). Several of these cases are more than 30 years old. These cases would still be unresolved today if it were not for the hard work and dedication of both investigators and forensic scientist from across the country.

1984

Debra Bennett  
Bruce Bennett  
Melissa Bennett  
Patricia Smith

1988

Mary Lynn Vialpando

### REQUESTS FOR CBI ASSISTANCE

The statute (Section 24-33.5-425(3) (a) and (b), CRS), provides that local law enforcement agencies (on their own initiative or at the request of family members) can request CBI investigative assistance with cold homicide cases. In the past year, the CBI has received 56 requests for assistance with the investigation, analysis, case organization, and forensic evidence review of cold cases.

### SUNSET REVIEW

A significant amount of collaboration has taken place over the last 10 years where both members of law enforcement and co-victims have met to share issues, concerns and ideas regarding cold case investigations. The Task Force meetings have provided the setting for this exchange of information and ideas. Over the last year members of both the Task Force and the CBI have participated in the Sunset Review process. A report is currently being drafted by the state auditor which will discuss the program in more detail and suggest the continuation of the Cold Case Task Force.

Fully funding the “Cold Case Unit” at CBI that was authorized in the 2007 legislation has never come to fruition. Since then we have seen a dramatic change in the allocation of resources dedicated to cold case efforts in our state. The Task Force will continue to examine best investigative practices, as well as successes in other states, so the Task Force or its individual participants might provide information and recommendations to legislators regarding the need for additional resources at the state level.