

COLD CASE TASK FORCE ANNUAL REPORT

To The Colorado House and Senate Judiciary Committees

(Section 24-22.5-109(8), C.R.

October 1, 2021

TASK FORCE 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).

CURRENT MEMBERS:

Laura Saxton, (Family Representative); appointed by Senate President (first term 2015-2018, second term 2019-2022)

Sean Gruno, (Family Representative); appointed by Senate President (first term 2019-2022)

Chief Douglas Stephens, (Littleton Police Department); appointed by Senate President (first term 2015-2018, second term 2019-2022)

Sheriff Steven Reams, (Weld County Sheriff); appointed by Senate President (first full term 2019-2022)

Stephany Booth, (Family Representative); Appointment by Speaker of the House (first term 2019 – 2022)

Rhonda Fields, (Family Representative); Appointment by Speaker of the House (first term 2015 – 2018, second term 2019-2022)

Sheriff Amy Reyes, (Lake County Sheriff); Appointment by Speaker of the House (first term 2019-2022)

Chief Dan McCasky, (Lakewood Police Department), appointed by Speaker of the House (first term 2019-2022)

Dr. Emily Russell, (Forensic Pathologist); appointed by Governor (first full term 2019-2021, second term 2021-2024)

John Kellner, Elected District Attorney, 18th Judicial District – (*Representing Urban District Attorneys, appointed by Exec. Dir, CDAC*) serving an unexpired first term 2016-2019, first full term 2019-2021, second term 2021-2024)

Ken Kupfner, Assistant District Attorney, 20th Judicial District – (*Representing Suburban District Attorneys – appointed by Exec. Dir. CDAC*) (first full term 2021 – 2024)

William Culver, District Attorney, 16th Judicial District (*Representing Rural District Attorneys, appointed by Exec. Dir. CDAC*) (first term 2021-2024)

Sarah Chaikin, (*Statewide Victim Organization*); appointed by the Governor (first full term 2019-2022)

Rob Wells, (*Statewide Victim Organization*) – (first full term 2016-2019; second term 2019 – 2022)

Janet Drake, Deputy Attorney General (*Statutory position*)

John Camper, Director CBI (*Statutory position*)

TO THE LIVING WE OWE
RESPECT, BUT TO THE
DEAD WE OWE ONLY
THE TRUTH.

~VOLTAIRE

QUARTERLY MEETING SCHEDULE

NOVEMBER 6, 2020

FEBRUARY 5, 2021

MAY 7, 2021

AUGUST 6, 2021

MEETINGS WERE HELD BOTH VIRTUALLY AND
IN-PERSON BASED ON THE SEVERITY OF THE
VIRUS IN OUR AREA.

COLD CASE DATABASE AND FORENSIC GENETIC GENEALOGY

The CBI continues to update the Cold Case Database. Each year, more cases become cold in Colorado. The CBI continues to consult with local law enforcement and a variety of open source and criminal justice databases to ensure all unresolved cases are included. To date the CBI database currently lists 1,854 cases (1,351 homicides; 408 Missing Persons, 88 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 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. This is the first year since the inception of the Cold Case Task Force that the number of cold cases in Colorado has reached more than 1800 cases. Even though we are solving cold cases faster than ever before we are still seeing the numbers of unresolved cases climb statewide.

The CBI continues to receive requests from local agencies for assistance. In some cases this is a direct result of a CODIS hit being received by the investigating agency. In other cases agencies are embracing new technologies and exploring the possibility of the use of forensic genetic genealogy. This is a new and exciting technology providing hope to both surviving family members and law enforcement agencies. However, this new technology comes with a cost. \$3500 – \$7000 is what it will cost agencies to complete this 3rd party testing of just one item of evidence in a case. Many local agencies do not have funds available to conduct this type of testing. Last year the CBI was able to purchase the equipment necessary to complete the testing now being outsourced to 3rd party vendors. It is the hope of the Bureau that in the future the CBI will be able to complete this testing in house making the technology more widely available.

The CBI has applied for two grants this year through the Bureau of Justice Assistance (BJA). If selected the grant awards should be made in January of 2022. These grants would provide the CBI with funds to pay overtime to analysts, scientists, and investigators working these cases. This grant would also provide the funds to cover the cost of the 3rd party vendor testing in many cold cases.

This year the CBI reviewed nearly 100 unidentified remains cases in Colorado. The hope was to determine if evidence still exists in these cases that could be used to conduct forensic genetic genealogy. This process included a case review to ensure each case had been entered into NAMUS and that a profile was searching in CODIS. This will become standard practice moving forward.

Last June, the CBI made a commitment to do more to further cold cases in Colorado. The CBI utilized existing resources and funds to conduct 3rd party testing in more than 10 cases. Cases were either brought to the attention of the CBI by a local investigator, by a scientist or by a member of investigations. In order to conduct forensic genetic genealogy in a case a handful of requirements must be met; at least 20 nanograms of DNA must be available, it must be a single source profile, no mixtures, an Unknown DNA profile must be searching in CODIS with no hits, can only be used in certain crimes; homicide, sexual assault, aggravated assault, robbery and unidentified remains cases, and the agency must be willing to follow-up on the results. If all of these are met, then the case can move forward with 3rd party testing, which is the first step in forensic genetic genealogy. This type of testing is done by about 10 private labs across the country and includes about 10 to 15 hours of genealogy. Hopefully, in the future the CBI will be able to conduct this type of testing in house. Upon completion of the testing and the initial genealogy work done by the 3rd party vendor a report will be forwarded to the investigating agency for follow-up. If the agency needs assistance following up on the findings the investigative analysts within the CBI have received limited training and can assist in this process.

In July 2020, the Colorado Department of Public Safety (CDPS) created a new initiative to increase the number of cold case homicides reviewed and/or investigated by proactively contacting agencies and inquiring about the case status and the available items of evidence. It is the hope of the CBI that through this process the Bureau can build on the existing partnerships with local law enforcement working together to identify unresolved cases that may benefit from the ever-changing technology in the form of DNA, fingerprints, and forensic genetic genealogy.

COVID 19 has had a dramatic human and financial impact in Colorado. The CBI continues to be innovative in its attempts to create additional resources for cold case investigation. There are now more than 1800 cold cases in the state of Colorado and more cases are added each year. These cases will continue to go unsolved until we can realize the intent of the 2007 legislation and create a Cold Case Team at the CBI.

COLD CASE BILLBOARDS

The CBI continues to seek new opportunities to raise awareness for cold cases in Colorado. Many years ago several agencies created billboards that featured unresolved homicide cases. During the month of April the CBI began to research the costs and availability associated with creating electronic billboards. The CBI identified 2 cases one in the metro area and one on the western slope that could benefit from some publicity. The Billboards were displayed in June/July 2021.

DALE DUANE WILLIAMS

The CBI featured the 1999 disappearance of Dale Williams in Nucla, CO. The CBI developed a billboard that featured Dale Williams and encouraged anyone with information to visit the cold case database. 2 billboards were selected in the area facing both directions of travel in hopes that a passerby might recognize the photograph of Dale Williams and call authorities.



JESSICA BEJARANO

The CBI featured the 2007 homicide of Jessica Bejarano in Frederick, CO. The CBI developed a billboard that featured Jessica's case and encouraged anyone with information to visit the cold case database. 1 billboard was selected in the metro area on I-25 in hopes that a passerby might recognize the photograph of Jessica Bejarano and call authorities.



COLD CASE REVIEW TEAM

The Cold Case Review Team continues to be a “best practice” providing a forum allowing experts to hear about the case and provide input. The participation of the team members who volunteer their time continues to be remarkable. The value of this effort comes from the knowledge and experience of the members. The experts include individuals from the CBI forensic laboratory and CBI investigations, the coroner’s association, detectives and investigators from police and sheriff departments, representatives from the attorney general’s office, Colorado Organization for Victim Assistance (COVA) as well as forensic pathologists and prosecutors. 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 pleased with the process. The Review Team met two times this year. The dates and presenting agencies are listed below:

October 20, 2020 – 2014 HOMICIDE OF JACQUELINE AMBER JONES, MONTE VISTA POLICE DEPARTMENT

August 11, 2021 – 1975 HOMICIDE OF JOHN BURNITE, LA PLATA COUNTY SHERIFF’S OFFICE

COLD CASE PLAYING CARDS – DECK 5

The Cold Case Playing Card Program has been active in Colorado since October 2014. Since 2014 the CBI has distributed nearly 30,000 decks of Playing Cards to our Colorado Department of Corrections facilities as well as to local detention facilities across the state. The CBI continues to receive tips through the tip line. Deck 5 was created and printed this year. The cards were received by the CBI in June and delivered to the Colorado Department of Corrections and local detention facilities in July. This deck features several high profile cases to include; Maggie Long, Krystal Reisinger, Charlene Voight, and Rita Gutierrez.



2020-2021 COMMUNITY OUTREACH EVENTS

COLORADO MISSING PERSON DAY - FEBRUARY 4, 2021

The Colorado Missing Person Day annual event was held virtually this year due to the impacts of COVID19 in Colorado. The CBI hopes to hold the event next year in person. To honor those missing in Colorado and their families a list of names of those missing in Colorado was displayed on the CBI website.

MISSING IN COLORADO EVENT – AUGUST 28, 2021

This annual event was held virtually this year due to the impacts of COVID 19 in Colorado. Although, we were unable to gather in person this year members of the planning committee took the time to outline the various resources for victims’ families and post those links to the CBI website explaining where to obtain more information. Additionally, anyone wishing to speak with a victim advocate regarding their missing loved one could submit a form requesting to be contacted or participate in a ZOOM meeting held on August 28, 2021 from 8:00 AM to 1:00 PM. Investigators, analysts, and victim advocates were on the call. It was important to create that same family luncheon environment so family members could share their stories and offer support to one another in a safe environment even though we did not meet in person this year. Paul and Ramona Blee whose daughter has been missing since 1979 along with several victim advocates facilitated a family support group meeting from 11:00 AM to 1:00 PM.

REQUEST FOR 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 a family members can request CBI investigative assistance with cold homicide cases. In the past year, the CBI has received 139 requests for assistance with the investigation, analysis, case organization and forensic evidence review of cold cases.

SUCCESS

The Combined DNA Index System (CODIS) continues to provide investigative leads. However, the new emerging technology of forensic genetic genealogy is changing the way we investigate cold cases. Through determination and tenacity by local investigators, forensic scientists, and genealogists these cases are being solved. Below are examples of some cases brought to trial this year with assistance from Forensic Services at the CBI.

JONELLE MATTHEWS

EVELYN KAY DAY

SYLVIA QUAYLE

THE BENNETT FAMILY; BRUCE, DEBRA AND MELISSA

BOBBIE JO OBERHOLTZER

ANNETTE KAY SCHNEE



MAY WE NEVER FORGET THESE VICTIMS