



Board Summary Report

File #: 25-222

Agenda Date: 4/15/2025

Agenda #:

To: Board of County Commissioners

Through: N/A

Prepared By:

Amy Padden, District Attorney, 18th Judicial District

Presenter:

Amy Padden, District Attorney, 18th Judicial District

Subject:

9:30 AM *DA Transition Update and Supplemental Budget Requests

Purpose and Request:

The purpose of the study session is to give the BOCC an update on various transition items. The District Attorney will also present an analysis and supplemental budget requests on the following issues:

1. The transition of Domestic Violence cases from Aurora municipal court to the 18th Judicial District
2. Results of HR's equity and market analysis of DA Office's employees and the District Attorney's request to create career progression opportunities for non-supervisory Deputy District Attorneys
3. The addition of an FTE for another Victim Compensation Specialist.
4. The conversion of a grant funded paralegal in the Organized Crime Unit to a permanent FTE upon expiration of the grant funding in October.

Background and Discussion:

1. Transition of Domestic Violence Cases:

Aurora City Council adopted a resolution in September 2024 to stop prosecuting domestic violence cases currently handled by the Aurora Municipal Court on January 1, 2025, which was extended until July 1, 2025.

The 18th Judicial District currently manages an average of 859 domestic violence cases per year. The transition of cases from Aurora means overall DV caseloads will more than double.

Original estimates from the prior administration were for 18 FTEs to handle this caseload: 10 attorneys and 8 staff. We have reviewed that proposal in detail, along with existing and anticipated workloads, and are revising that proposal downward to be 16 FTEs, to be phased in through the end of the year: 8 attorneys and 8 staff. Details of our proposal are set forth in the slides submitted herewith.

2. HR equity and market analysis and career progression:

In November, then DA-elect Padden informed BOCC that she wanted to have different designations within the DDA job description - e.g., DDA I, II, III, IV, and/or "Senior Counsel" designations - to recruit and retain attorneys with more experience. As discussed during prior meetings, we have limited numbers of DDAs with 10 or more years of experience who are able to try our most difficult cases. During discussions with HR on this topic, Compensation also stated it would conduct a DA Office-wide pay analysis to ensure employees were

right-sized based on experience/skills and equity. This analysis was not able to be completed before the transition took place in January; instead, the salaries of DA office employees were kept at 2024 levels, with the 2.7% increase effective January 1, plus a few limited market adjustments that were made at the time of the transition.

That analysis has been largely completed, including a proposal establishing career progression levels I to IV for DDAs as requested by DA Padden. Compensation staff made a number of recommendations to adjust the pay for various attorney and non-attorney employees by looking at market data, including the annual salary survey distributed by the Colorado District Attorney's Council. Compensation presented four options for prosecutor pay, but only one option would bring the starting DDA pay for County Court and District Court up to market levels. We are therefore requesting approval of that option and the other recommended adjustments to ensure that our attorneys and staff are fairly compensated. Details of our proposal are set forth in the slides submitted herewith.

3. Additional victim compensation ("VC") specialist

We are requesting a budget supplement and an additional FTE for an additional victim compensation ("VC") specialist. This specialist would assist in administering our programs that provide compensation directly to crime victims and their families. This is critically important work that goes to the heart of what we do - supporting victims.

The 18th Judicial District Attorney's Crime Victim Compensation Program (CVC) is recognized both locally and nationally. It is a statutorily mandated program under C.R.S. 24-4.1-108 and designed to assist victims of violent crime with eligible expenses. Due to the program's structure, as well as confidentiality laws and other considerations, the Victim Compensation program operates autonomously.

In 2023, nearly 2,000 new claims were filed, and the program distributed approximately \$2 million to support victims in the 18th Judicial District. Colorado ranks 5th in the nation for victim payouts, with the 18th JD's CVC Program distributing more funds than many states.

VALE (Victim Assistance and Law Enforcement Program) is a program mandated by law under C.R.S. 24-4.2-101, aimed at providing grant funding to agencies that support crime victims. For the 2023-2024 VALE Grant cycle, the program allocated \$1.8 million to 33 victim service agencies within the Judicial District.

The Office previously had four VC specialists. Post-split, we have three VC specialists, although the 23rd Judicial District took only about 12-13% of the cases, not 25%, and the specialists were already overworked at that point. This section is extremely overworked at the moment, with the Director regularly working weekends and more than 89 hours a day during the week.

4. Conversion of grant-funded paralegal:

We currently have a paralegal in OCU that is funded via a grant through the City of Aurora. That funding ends in October. OCU handles some of our most complex cases with huge effect on community safety-COCoA, gangs (including TdA), drug trafficking, and organized theft and burglary. Our existing paralegal staff are only assigned to homicides and are unable to take on the OCU cases if this position is not converted into a FTE.

Fiscal Impact 2025:

1. Domestic Violence transition: \$ 1,712,541
2. HR equity audit/progression: \$ 612,232
3. Victim Compensation \$79,950 (salary plus benefits)

4. Paralegal: \$76,880 (salary plus benefits)

Alternatives:

1. For DV cases: There are no real alternatives given our obligations to prosecute these cases over which we have concurrent jurisdiction, other than to enter an IGA with Aurora to keep the cases in municipal court and pay for those services. We recommend against that option.
2. HR equity analysis / DDA career progression.
 - a. Leave pay scales as is, with no progression.
 - b. Add attorney progression but keep attorney and staff salaries below market.

Either of these options would adversely affect DA employee morale and leave us in a non-competitive market position, making it difficult to recruit and retain talented attorneys and staff. Taking no action would be contrary County policy to pay consistent with the market and would leave DA office employees underpaid as compared to their peers who are employed by the County or other DA offices.

3. VC Specialist: Continue to operate at low staff level, which will result in continued overtime requests and delays in payments to victims. Delays in payments could have several adverse impacts, such as a victim being unable to receive necessary physical and mental health treatment in a timely manner; a victim being sent to collections for unpaid medical bills; family members of deceased victims paying for funerals out-of-pocket funds, which most of our families do not have the funds to cover; and/or victims losing their car, house/apartment, and other property due to delayed lost wage payments.
4. OCU paralegal: Separate the existing employee when grant funding ends, leaving OCU without a paralegal to assist on the important cases it handles.

Alignment with Strategic Plan:

- ☒ Be fiscally sustainable
- ☒ Provide essential and mandated service
- ☒ Be community focused

Staff Recommendation: N/A

Concurrence: The DA's Office has worked with HR to develop the progression recommendation.