

ARPA Complex Case Attorney Update

Gordon McLaughlin – District Attorney

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Complex Case Attorney / Major Cases Prosecutor - Introduction

- The grant-funded position includes major cases within in four areas:
 - Domestic Violence
 - Economic Crimes
 - Violent Crimes
 - Northern Colorado Drug Task Force & Fentanyl Distribution
- Fluctuating case load of approximately 55 – 65 cases

Domestic Violence

- Currently prosecuting 1 domestic violence case
 - Attempted First Degree Murder (F2)
- Resolved cases: 2
- Case highlight
 - The defendant used the retaining wall in the garden of his estranged wife's apartment complex to access her apartment's balcony, and then forcibly broke into her apartment via the balcony door. Once inside, the defendant, who'd brought a handgun with him, found the victim asleep in her bed, and began striking her in the head the handgun. During the assault, he ultimately also fired one bullet from the gun; the bullet struck the headboard, narrowly missing the victim's head.
 - **Outcome:** Defendant pleaded guilty to Second Degree Assault – Causing Injury with a Deadly Weapon, as an act of Domestic Violence
 - Sentenced to 16 years DOC, concurrent with other cases

Economic Crimes

- Assisting the Colorado Attorney General's Office with a large-scale statewide investigation, which has been actively moving forward since January 2022
- Overall, the investigation has an estimated total loss of approximately \$3M, of which an estimated \$2M occurred in Larimer County

Violent Crimes

- Currently prosecuting approximately 10 violent crimes cases:
 - 5 Attempted First Degree Murder (F2) cases
 - 2 Second Degree Kidnapping (F2) & Aggravated Robbery (F3) cases (co-defendants)
 - 1 gang related firearms case
- Resolved cases: 5
- Other responsibilities include:
 - Overseeing the the Larimer County Criminal Impact Team
 - Collaborating with the Larimer County Sheriff's Office Strategic Enforcement Unit
 - Collaborating with Fort Collins Police Services Criminal Impact Unit
 - Participating as a member of the Larimer County Threat Assessment Group
 - Warrant review, case screenings, felony filings

Violent Crimes

- Case highlight:
 - Defendant was contacted for driving a stolen car bearing stolen license plates. When deputies used a “pinch” maneuver to block the car and try to prevent the defendant from fleeing, the defendant accelerated quickly backwards, towards the occupied patrol car, nearly striking the deputy, and began aggressively ramming the patrol cars. The defendant was able to create enough room to escape and eluded deputies by speeding through red lights and driving on the wrong side of the road, head on with other vehicles, crashing a through gate, and driving through the grassy area of a public park, before ultimately colliding with another deputy. It was later determined that the defendant had multiple passengers in the car with him while eluding deputies.
 - **Outcome:** Defendant pleaded guilty to Vehicular Eluding (F5), Aggravated MVT (F5), and Criminal Mischief (F5)
 - Sentenced to a total of 13 years DOC

NCDTF & Fentanyl Distribution

- The amount of fentanyl seizures in Larimer County continues to increase
 - 2021: 155,738 pills
 - 2022: 303,159 pills
 - As of March 16, 2023: 174,177 pills and 98.14 grams powder
- Currently prosecuting 27 cases
 - 22 fentanyl cases
 - 1 wire tap case
- Resolved cases: 2
- Other responsibilities include:
 - Collaborating with NCDTF to provide trainings regarding fentanyl and fentanyl prosecution to other stakeholders, including to Community Corrections staff and Community Corrections Board

NCDTF & Fentanyl Distribution

- Case highlight:
 - Defendant was driving a car containing multiple passengers when he fled from a traffic stop and was pursued by the Larimer County Sheriff's Office. During the pursuit, the defendant crashed his car into a cement barrier and was taken into custody by deputies. Inside the car, deputies found 295g of methamphetamine, 107g of fentanyl (1000+ pills), and 29g of cocaine.
 - **Outcome:** Defendant pleaded guilty to Possession with Intent to Distribute Controlled Substance (DF1) & Vehicular Eluding (F5)
 - Sentenced to 12 years DOC on the DF1 and 5 yrs DOC on the F5, concurrent

Distribution Resulting in Death

- Larimer County Overdose Deaths:
 - In 2021, 13 out of 48 overdose deaths involved suspected fentanyl
 - In 2022, 35 out of 51 overdose deaths involved suspected fentanyl
- In July 2022, new legislation went into effect making Distribution of Fentanyl Resulting in an Overdose Death a class 1 Drug Felony
 - Legislation is different than federal legislation, and there is no existing framework for prosecution of these types of cases
 - Collaborated extensively with NCDTF, LCSO, FCPS, LPD, Coroner's Office, USAO, and many others, including multiple agencies and offices from across the state, to build our own investigative and prosecutorial framework from the ground up
 - This collaboration is ongoing and continues to be extensive
- As of February 2023, Larimer County had filed half of the cases in the state under the new law
 - Additional cases are being actively investigated and additional charges are anticipated