



MEDIA CONTACT:

Tom Mustin
Media Relations Director
23rd Judicial District
Cell: 303-358-9375
tmustin@coda23.gov

**For Immediate Release:
March 16, 2026**

Elbert County Man Sentenced to Twenty Years in Prison After Brutal Attack on His Wife

Elbert County, CO –A 43-year-old Bennett man will spend 20 years in prison after being found guilty of 1st degree felony assault following a brutal attack on his wife.

The sentence was handed down by judge Theresa Slade against Joseph Rivera. It stems from a violent assault that occurred in July of 2025 at the couple's Bennett home.

Elbert County deputies responded to a domestic violence call placed by the victim. During the 9-1-1 call, dispatchers heard the phone drop and a struggle begin. The couple's two children were inside the home during the attack.

When officers arrived, they found the victim outside the house with swollen eyes and blood covering her face. She also had scratch marks and bruises on her neck, and her clothes were covered in dirt. The victim told deputies Rivera had choked her and struck her in the face, causing her to "see stars" while being strangled.

The victim and Rivera own a restaurant together. According to the victim, Rivera had called earlier upset over what he described as her "lack of support." When he arrived home, she told him she was leaving the house. As she grabbed her keys, Rivera pushed her against the dryer and started yelling at her.

The victim called 9-1-1 and attempted to run out of the house, but he tackled her outside. Investigators say he pulled her hair, strangled her, and jumped on top of her, while kneeling her in the back, as she begged him to stop.

When Rivera heard a car approaching, he went inside the house. He later came back outside and was taken into custody by responding officers.

The victim was transported to a hospital where medical personnel determined she had suffered serious bodily injury due to strangulation and had faced a substantial risk of death. Rivera later admitted he had “a mental breakdown and snapped.”

Deputy District Attorney Joe Ratner, who prosecuted the case, praised the judge’s sentence and said the victim’s quick thinking during the assault may have saved her life.

“In the middle of the attack, the victim managed to call 9-1-1 and report the emergency,” said Ratner. “That call likely saved her life. The evidence showed she was strangled and faced a substantial risk of death. The twenty-year sentence imposed today reflects the seriousness of that violence.”

Rivera has an extensive criminal history including several previous domestic violence convictions. He will not be eligible for parole for 17 years, under a new Colorado law designed to punish violent offenders.

“In 2024, Colorado voters overwhelmingly approved Proposition 128- by a nearly 2 to 1 margin- denying parole to violent offenders like Rivera until they have served at least 85 per cent of their earned sentences,” said District Attorney George Brauchler. “If it had not been for the efforts of Advance Colorado in getting this common sense, pro-justice measure onto the ballot, the offender-friendly legislature would have allowed Rivera to be paroled in 50 per cent of his sentence. Instead of being released back into the community in 10 years, this convicted abuser will spend a minimum of 17 years in prison thinking about the perils of beating his wife. Our office continues to take a dim view of those who engage in domestic violence.”

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