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CLF Issues Declaration of Human Rights for Denver Public Safety Department Reform: Urges Mayor, City Leaders to Admit Systemic Failures and Rebuild Community Trust

DENVER, CO – The Colorado Latino Forum (CLF) Denver Chapter has issued 10 human rights recommendations as a road map for change based on national best practices to not only reform the Denver Sheriff’s Department, but also the entire Public Safety system in Denver. We join the national dialogue sparked by events in Ferguson, Missouri leading to the recent creation of President Obama’s taskforce to explore ways to build trust and confidence between police and minority communities nationwide and recommend ways the government can support accountability, transparency and trust in law enforcement.

CLF initiated its own reform commission in response to Mayor Michael Hancock’s numerous “top-to-bottom” review committees largely consisting of internal City staff and political insiders. CLF sought a more community-centered approach to addressing issues that impact incarcerated persons with regard to their rights and safe, humane and dignified treatment in Denver jails. This includes addressing quality of life issues with respect to housing, medical and mental health access, safety, and use of force protocols.

On September 24th 2014 CLF held a town hall at Barnum Recreation Center attended by over 100 community members and law enforcement officials to gather input about needed changes in Denver’s public safety departments. Denver District Attorney Mitch Morrissey declined CLF’s invitation to attend and hear community concerns about his repeated failures to prosecute use of force cases resulting in serious injury or death of civilians. Community members voiced their frustrations about the systemic failures of accountability by City leadership that go beyond any single department or administrator to an institutional culture where individual rights and lives continue to be treated as disposable through surveillance, detention, arrest and incarceration. The concerns raised to CLF through its fact finding process by various stakeholders included:

- Top City leaders should have been aware about the dangerous conditions created by DSD’s understaffing which posed an increased and unnecessary risk to inmates and deputies;
- The City repeatedly denied DSD Administrators requests for additional resources required to solve the staffing crisis;
- The lack of transparency with Denver voters who were promised a cost-savings with a newer jail and are now facing millions more dollars to pay multi-million dollar civil rights settlements, nearly $1 million to reform consultants, and nearly $7 million dollars in overtime pay for deputies in 2014 alone;
- The lack of leadership in the Denver Police Department to reform the culture of violence and halt the continual justification for excessive use of force as “within policy,” and the need to create a culture of accountability by ending the consistent blame of civilians and the media for reporting incidents of abuse;
- The failure of the District Attorney to prosecute officers and deputies for incidents of violence toward unarmed civilians who were seriously injured or killed;
• The lack of transparency and accountability of the City Attorney’s Office as it relates to their unwillingness to accept responsibility for the misconduct of sworn officers and their failure to provide closure to victims and their families;
• The continuing need of City Administrators to understand, empower and support the Office of the Independent Monitor as the City’s independent civilian oversight agency with financial and legal resources to help the DPD and DSD police themselves and improve their service to Denver residents.

The reform recommendations are divided into 5 sections addressing the systemic and structural changes that are required in the following institutions: 1) Mayor’s Office, the Department of Safety and other Government Leadership 2) Denver Sheriff Department 3) Denver Police Department 4) Denver District Attorney’s Office 5) and Denver City Attorney’s Office.

CLF’s 21-page report provides a comprehensive roadmap to create systemic change and categorizes the reform issues under the following 10 recommendations: (1) Afford Inalienable Human Dignity to All; (2) Model Consistent, Responsive and Transformational Leadership; (3) Implement Effective Responses to Vulnerable Populations; (4) Promote Transparency in Decision-making; (5) Incorporate Gender Responsive Approaches; (6) Prevent Misconduct and Abuse of Authority; (7) Reduce Racial Disparity; (8) Strengthen Civilian Oversight; (9) Increase Cultural Responsiveness; and (10) Emphasize Service to the Public and Community Accountability.

For the full report visit: www.coloradolatinoforum.org - click on “Issues” then “Criminal Justice.”

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The mission of the Colorado Latino Forum (CLF) is to increase the political, social, educational and economic strength of Latinas and Latinos. CLF is a nonpartisan, statewide advocacy organization committed to increasing Latino participation and awareness in the electoral process, mobilizing the community on important and vital issues and ensuring our elected officials are responsive to the needs of the Latino community in Colorado.
Declaration of Human Rights for Denver Public Safety Departments

"Attorneys in three different mayoral administrations and five separate agencies looked at the policies and procedures of the sheriffs that day and determined they did nothing outside of policies and procedures. We all arrived at the same conclusion."
- Denver Mayor Michael Hancock response to $4.65 million Marvin Booker verdict (Oct. 2014)

“I would agree with St. Augustine that ‘an unjust law is no law at all.’”
- Rev. Dr. Martin Luther King Jr., “Letter from a Birmingham Jail” (Apr. 1963)

“We shouldn’t have to go to court to get justice.”
- Dennis Parker ACLU's Racial Justice Program (Oct. 2014)

Preamble - In remembrance of the senseless and unprosecuted killings by Denver law enforcement of Paul Childs, Ismael Mena, Emily Rice, Marvin Booker and Ryan Ronquillo; and in solidarity with the countless survivors of law enforcement violence including those whose victimization is captured by the media as well as those whose stories are never heard, we issue the People’s Reform Commission Declaration of Human Rights for Denver Public Safety Departments to assert the humanity of the People of Denver who have the universal right to be free from violations of their person; the expectation of returning to their families and communities alive, unbeaten and with their dignity intact following their encounters with Denver deputies and police; and the expectation for redress by government leaders, particularly by the Denver District Attorney and City Attorney to do justice when their rights are violated by City actors. We, therefore, issue these recommendations to the Mayor so that they may be incorporated into the reform effort to systemically and culturally transform Denver’s public safety departments in order to fulfill the vision and our collective expectation that Denver is “our great city, [where] everyone matters” (Mayor Hancock, 2014 State Of The City Address).

On September 24th 2014 CLF assembled the People’s Reform Commission (PRC), a group of community leaders, educators, service providers, researchers and activists who met with over 100 community and law enforcement officials. The result is the development of the following human rights recommendations. Additional input was gathered from inmates in the Denver County Jail, and from officers and deputies of the Denver Police Department and Denver Sheriff’s Department. The views, opinions and positions expressed in this document do not necessarily reflect those of all participants. However, CLF leaders identified common themes based on national best practices to promote principles of fairness and justice.
Denver Chapter

Declaration of Human Rights for Denver Public Safety Departments

Highlights:

**Mayor’s Office, Department of Safety and Government Leadership**

1) Admit that City leaders knew years ago about DSD’s significant systemic and institutional challenges, including inadequate resources for training, investigations, and maintaining adequate staffing levels—a fatally flawed system inherited by the current DSD Administration without the full authority and resources to fix it.

2) Develop a comprehensive and consistent plan to truthfully inform voters about the actual and increasing jail costs for the expanding jail population, including an explanation regarding the City’s Peak Performance’s “strategic resource alignment” and why it did not identify or curtail rising jail costs even though it was intended to “save $10 million annually by working to make each and every department operate at Peak Performance.”

3) Heed the community’s input opposing bringing DSD under the authority of DPD. Although much of the recent public outrage for officer misconduct has been rightly directed at DSD, DPD is not considered a model agency worthy of replication and expansion of its authority.

4) Before considering a shift of DSD’s hiring process to the Civil Service Authority, resolve the problems in the CSA that has resulted in a lack of race and gender diversity in DPD to maintain DSD’s racial/ethnic diversity.

5) Include grassroots community members in the DSD “top-to-bottom” review committees including in the hiring committee for the new Sheriff.

6) Create an inmate committee to give them input into DSD reform efforts. They are the most vulnerable to changes and some of the most knowledgeable regarding issues in the jails.

7) Revise policies to demilitarize weaponry used by law enforcement so that the residents of Denver are assured that exercising their constitutional rights won’t be met with military warfare tactics by officers sworn to protect them.

8) Afford people the resources and prioritize funding to access substance abuse and mental health treatment, as well as safe and sustainable housing options rather than criminalizing homelessness and poverty.

9) Standardize CIT training across all public safety departments including DPD, DSD, Fire and 911 dispatch by implementing relevant and uniform best practice methods and materials for consistency.

10) Comply with the February 21, 2014 COB Resolution advocating for an amendment to Article XVIII Office of the Independent Monitor Ordinance (Ord. No. 730-01 § 1,10-4-04) to require the DPD and DSD to provide OIM with complete and timely access to all Police and Sheriff Department records and information.

11) Put independent civilian oversight on equal legal footing with Denver’s Safety agencies by enshrining the role and powers of the OIM and the COB into Denver’s City Charter.

12) Create a prosecutorial review board to increase accountability regarding misconduct, racial disparity or excessive force cases where serious bodily injury and the killing of unarmed civilians occurs.

13) Recognize that Latinos comprise 32% of Denver’s population but are underrepresented in City leadership positions.
14) Increase funding and service partnerships with primarily Latino serving organizations.

15) Implement the Cultural Responsiveness Training developed by Denver’s Crime Prevention and Control Commission’s Racial and Gender Disparity Committee across all City agencies.

16) Ensure that women are afforded an equal opportunity to promote in public safety leadership positions as men in law enforcement by examining policies and practices that may impede their breaking through the gender barrier.

17) Ensure that criminalized women are treated equitably in the facilities, affording them amenities and services equal to what men in the system are afforded.

**Highlights:**

**Denver Sheriff Department**

1) Eliminate the hierarchy of who deserves safety. Like a deputy, an inmate expects to leave Denver’s jails and return to their community alive and without injury. Both lives are equally valuable.

2) Maintain DSD’s diverse workforce but incorporate leadership coaching and accountability measures for those who have less of a history managing power in a responsible and fair manner.

3) Promote service to the public by modeling a culture of respect.

4) Rather than using “policy” as a justification for excessive force, apply policy plus a reasonableness standard.

5) Allow service providers to meet with pre-trial detainees during the booking process to assist with resources.

6) Increase deputy pod staffing from 1 to 2 per shift to make rounds, regularly check on inmates and deescalate tensions.

7) Finalize the reversal of the ICE detainer policy and incorporate immigrant inmates into supportive jail programs.

8) Provide comprehensive training to deputies by community victimization experts on the Prison Rape Elimination Act (PREA).

9) Update the Critical Incident Training (CIT) to reflect best practice approaches, including Trauma Informed Care, Gender Responsiveness, Cultural Responsiveness and faith-based counseling services.

10) Increase emphasis and training on de-escalation tactics, and decrease emphasis on use of force to achieve compliance.

11) Implement the Office of the Independent Monitor’s recommendation to improve training for deputies and sergeants on use of force with mentally ill inmates.

12) Transform the public face of jail deputies to public servants working to protect the public.

13) Invite the public to give input after significant incidents occur to provide recommendations for improvement.

14) Develop an “inmate good behavior” program allowing visits that promote meaningful parent-child interactions.
15) Work closely with OIM to provide swift, fair and consistent resolution of cases involving accusation of deputy misconduct by revamping the Internal Affairs Bureau and the Disciplinary Matrix.

**Highlights:**

**Denver Police Department**

1) Stop excusing brutal attacks on civilians by police by disparaging witnesses, blaming the media, discounting the perspectives of persons with criminal records and attempting to make violence by law enforcement seem like a normal part of the job rather than a barbaric brutalizing activity accepted by DPD and City leadership.

2) Stop intimidating social media witnesses who record incidents but are not interfering with police activities.

3) Stop the militarization of weaponry which conveys the message that DPD is at war with Denver’s residents.

4) Recognize that when Denver police officers mistreat people in their custody, those dynamics carry over and can result in escalated interactions with Denver Sheriff Department deputies upon booking and while incarcerated.

5) Change the male dominated culture to be more receptive to female leadership and a strength-based model.

6) Change training practices from an urban-combat focus to improving de-escalation techniques.

7) Implement a data collection system to collect data on all stops by race, ethnicity, age, location and reason for all contact and traffic stops and share with a national justice database for analysis and public access.

8) Provide persons stopped by police with written information regarding their rights and the process for filing complaints.

9) Ensure that officers wear their name badges and provide business cards on every stop.

10) Eliminate racial profiling under the guise of defective vehicle, obstructed view, seat belt violations and other pretextual reasons that mainly serve to search Black and Brown drivers resulting in humiliating traffic stops, fear and lack of community participation with public safety needs.

11) Reduce the number of discourtesy complaints by speaking to all members of the public in a respectful, approachable and friendly matter.

12) Encourage community and faith-based organizations to develop restorative justice programs that may be used as alternatives to arrest and incarceration.

13) Integrate culturally responsive practices into methods of testing, assessment instruments, protocols for interacting with the public, developing outcome measures and reducing implicit bias.

14) Increase the number of CIT trained officers and specialists who are proficient in applying their skills to de-escalate crisis situations experienced by people with mental illness. Require annual certification testing of proficiency skills and public reporting on progress.
15) Update the Critical Incident Training to reflect best practice approaches, including Trauma Informed Care, Gender Responsiveness, Cultural Responsiveness & faith-based counseling services.

16) Diversify the ranks from a White male dominated police force to one that is reflective of the community.

**Highlights:**

**Denver District Attorney’s Office**

1) Meet with the Latino community to discuss the repeated failures not to prosecute law enforcement officers in cases where unarmed civilians, including unconvicted persons, inmates, and defendants were unnecessarily injured or killed.

2) Participate in the Colorado’s Best Practice Committee formed by the Colorado District Attorney’s Council and the Colorado Attorney General’s Office to stay informed of key issues, developing legal trends and technology advances.

3) Rather than issuing a memo clearing officers and deputies of excessive force, hold public forums to inform the community of decisions, especially when there is no prosecution of officers in the killing of unarmed civilians.

4) Acknowledge that racial disparity exists in cases prosecuted, diverted or dismissed.

5) Collect, analyze and report demographic data on race and ethnicity to identify racial disparity in order to reduce it.

6) Assess the impact of racially disparate outcomes on communities of color resulting from biased prosecutorial decisions.

7) Identify factors influencing decisions resulting in intentional or unintentional bias by prosecutors.

8) Using data and best practice analysis, determine whether disparity is occurring during the pretrial stage and develop policies that reduce pretrial detainees that constitute 60% of Denver’s jail population resulting in the loss of employment opportunities, housing, family unification connected to poverty issues, as well as an unnecessary burden on tax payers.

**Highlights:**

**Denver City Attorney’s Office**

1) Strengthen civilian oversight by expanding the zone of cooperation between the Citizen Oversight Board (COB), DSD and DPD to strengthen the citizen complaint continuum.

2) Demonstrate that DSD and DPD are fully cooperating with OIM in fulfillment of the expectations of the citizens of Denver who fought for the creation of OIM after the police killing of Paul Childs, a Black mentally disabled teenager.

3) Remove obstacles that impede the COB and OIM from engaging in systemic policy review and recommendations, including obstacles that prevent the OIM from gaining access to documents and information in DPD and DSD.

4) Provide periodic and thorough updates to the public about the City’s compliance with the settlement agreement between Jamal Hunter and the City, including the status of the third party review of the City Attorney’s Office that resulted from the case.

5) Use data to determine whether disparity is occurring during the pretrial stage of cases.
6) Develop policies that reduce the number of non-violent pretrial detainees that constitute 60% of Denver’s jail population resulting in the detrimental loss of opportunities for employment and housing, to family unification and increasing the disparity related to people in poverty.

7) Provide clear direction to DSD deputies about their scope of authority to prevent abuse under Department Order 2001.1 (“Exercise of Authority as a Peace Officer to Stop or Arrest Suspects”).

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Declaration of Human Rights for Denver Public Safety Departments

CLF PRINCIPLES AND RECOMMENDATIONS

Mayor’s Office, Department of Safety and Government Leadership

1. Afford Inalienable Human Dignity to All
   a) PRINCIPLE 1: Criminalization implies that people are being inappropriately processed through the criminal justice system rather than through the mental health system (Sentencing Project – Mentally Ill Offenders in the CJS).
      i. Recommendation 1: Afford people the resources and prioritize funding to access substance abuse and mental health treatment, as well as safe and sustainable housing options rather than criminalizing homelessness and poverty.
      ii. Recommendation 2: Standardize CIT training across all public safety departments including DPD, DSD, Fire and 911 dispatch by implementing up-to-date and uniform best practice methods and materials so as to have consistency across the board and require annual certification proficiency testing.

2. Model Consistent, Responsive and Transformational Leadership
   a) PRINCIPLE 1: Governmental authorities should provide sufficient resources to implement reforms. (ABA)
      i. Recommendation 1: Develop a comprehensive and consistent plan to truthfully inform voters about the actual and increasing jail costs for the expanding jail population, as well as the costs of keeping people out of jail through interventions and supportive services. (See Denver Post “Denver Failed To Deliver On Promised Cost Savings When It Persuaded Voters to Approve a Modern Downtown Jail in 2005.”). Explain to voters why the City’s Peak Performance’s “strategic resource alignment” didn’t identify or curtail rising jail costs even though it was intended to “save $10 million annually by working to make each and every department operate at Peak Performance.” (City website Mayor’s Office Program Initiatives)

1 The 10 reform recommendations were based on frameworks from the following: American Bar Association’s Standards for Criminal Justice for the Treatment of Inmates; The Justice Project’s Improving Prosecutorial Accountability; The Sentencing Project’s Reducing Racial Disparity in the Criminal Justice System: A Manual for Practitioners and Policymakers; the U.S. Department of Justice’s Office of Community Oriented Policing Services (COPS): Building Trust Between the Police and the Citizens They Serve; SAMHSA’s Cultural Competence Standards in Managed Care Mental Health Services: Four Underserved/Underrepresented Racial/Ethnic Groups; Office of the Independent Monitor’s 2013 SemiAnnual Report and 2014 Memo to the City Council Safety and Wellbeing Committee; and Gender-Responsive Treatment and Services in Correctional Settings (Cavington and Bloom); Department of Corrections Office of Justice Programs: Limited English Proficient (LEP) Corrections Planning Tool; Nat’l Assoc. of the Deaf: Rights of Deaf and Hard of Hearing Inmates; National Institute of Corrections, Communications in Corrections Supplement (Thigpin, Hunter, Russell).
ii. **Recommendation 2**: City leaders should invest funds in structural improvements; services; and recruiting, retaining, and training city employees. Those investments lead to a cohesive and ethical workforce, a safe community, and enhance public trust in the community leadership. (COPS)

iii. **Recommendation 3**: Municipal executives should demonstrate to the public their support of the law enforcement management by: adequately funding the agency; voicing support for the agency’s mission, policies, and procedures; endorsing laws that assist the department in increasing public safety; and speaking with police union representatives to ensure honest and fair negotiations. (COPS)

iv. **Recommendation 4**: Funding should include money for continuing officer training and education, hiring legal staff, and purchasing data management systems, thereby further ensuring accountability in the department. (COPS)

3. **Promote Transparency in Decisionmaking**
   a) **Principle 1**: Include community members in accountability committees at all levels of City government.
      i. **Recommendation 1**: Include grassroots community in the DSD reform “top-to-bottom” review committees including the hiring committee for the new Sheriff.
      ii. **Recommendation 2**: Create an inmate committee to give input into DSD reform efforts.
      iii. **Recommendation 2**: Create a prosecutorial review board to increase accountability regarding misconduct, racial disparity or excessive force cases where serious bodily injury & the killing of unarmed civilians occurs.
      iv. **Recommendation 3**: Draft openfile discovery statutes and clear ethical guidelines requiring prosecutors to actively gather all relevant evidence in a criminal case, especially if it leads to the exoneration of defendant.

4. **Increase Cultural Responsiveness**
   a) **Principle 1**: Recognize that Latinos comprise 32% of Denver’s population but are underrepresented in City leadership positions.
      i. **Recommendation 1**: Increase funding and service partnerships with primarily Latino serving organizations.
      ii. **Recommendation 2**: Implement across City agencies the Cultural Responsiveness Training developed by Denver’s Crime Prevention and Control Commission’s Racial and Gender Disparity Committee.

5. **Incorporate Gender Responsive Approaches** -
   a) **PRINCIPLE 1**: Promote gender-responsive policies and practices in law enforcement.
      i. **Recommendation 1**: Ensure that women are afforded the equal opportunity to succeed in leadership positions as men in law enforcement professions by examining policies and practices that may impede their breaking through the gender barrier of the male-dominated public safety profession.
      ii. **Recommendation 2**: Ensure that criminalized women are treated equitably in the facilities, amenities and services in comparison to what men in the system are afforded. (Covington)

6. **Prevent Misconduct and Abuse of Authority**
   a) **PRINCIPLE 1**: The Mayor and the Executive Director of the Department of Safety should feel equally as accountable as the Chief and Sheriff for ensuring an ethical law enforcement agency. (COPS)
      i. **Recommendation 1**: City leaders should admit that they knew years ago about DSD’s significant systemic and institutional challenges, including inadequate resources for training, investigations, and maintaining adequate staffing levels– a fatally flawed system inherited by current DSD Administrators.
      ii. **Recommendation 2**: The Mayor and the Executive Director of Safety should immediately show an interest in police accountability measures and support the Chief and Sheriff in promoting their ethics, policies and procedures, including the development or enhancement of Internal Affairs procedures within the agency. (COPS)
iii. **Recommendation 3:** Comply with the February 21, 2014 COB Resolution advocating for an amendment to Article XVIII Office of the Independent Monitor Ordinance (Ord. No. 730-01§ 1, 10-4-04) to require the DPD and DSD to provide the OIM with complete and timely access to all Police and Sheriff Department records and information, including paper and electronic documents, files, reports, evidence, databases or other information the Monitor’s Office deems necessary (without the payment of any fees or charges) except those that must not be disclosed to the Monitor’s Office by federal, state or local law; and recognizing that the lack of access has been a hindrance to the OIM in carrying out its functions, particularly its policy recommendation function which is of concern to the COB and the community as a whole.

iv. **Recommendation 4:** Put independent civilian oversight on equal legal footing with Denver’s Safety agencies. Just as the DPD, the DSD, and the Office of the Manager of Safety are enshrined in Denver’s City Charter, the role and powers of the OIM and the COB should also be put into the Charter.

7. **Emphasize Service to the Public and Community Accountability**
   a) **PRINCIPLE 1:** All city leaders are beholden to the citizens they serve, and meeting the needs and expectations of those citizens should be the mission of any city. (COPS)
   i. **Recommendation 1:** Revise policies to demilitarize weaponry used by law enforcement so that the residents of Denver are assured that their constitutional rights including freedom of speech, freedom of assembly, and freedom from unreasonable searches and seizures won’t be met with military warfare tactics by officers who have sworn to protect and serve them.
   ii. **Recommendation 2:** Heed the community’s input opposing bringing DSD under the authority of DPD. Although much of the public outrage of late for misconduct has been rightly directed at DSD, DPD has a long way to go before being considered a model agency worthy of replication and expansion of its authority.
   iii. **Recommendation 3:** Before shifting DSD’s hiring process to the Civil Service Authority, fix the problems in the CSA that has resulted in a lack of race and gender diversity in DPD so that DSD doesn’t lose its racial/ethnic diversity.

**PRINCIPLES AND RECOMMENDATIONS**

*Denver Sheriff Department*

"The degree of civilization in a society is revealed by entering its prisons." Dostoyevsky

1. **Afford Inalienable Human Dignity to All** (ABA)
   a) **PRINCIPLE 1:** No inmate should be subjected to cruel, inhuman, or degrading treatment or conditions.
      i. **Recommendation 1:** Treat everyone who enters the doors of Denver’s jails with courtesy and respect including inmates, family members, and providers who are all a reflection of Denver’s community.
      ii. **Recommendation 2:** Provide meaningful opportunities to hear from inmates in a safe environment where they can freely provide input into the DSD reform efforts.
      iii. **Recommendation 3:** Incorporate a review of the Inmate Handbook to clarify areas of vagueness particularly pertaining to the grievance process and include inmates in the review process.
      iv. **Recommendation 7:** Rather than falling back on “policy” as the justification for excessive force, require a standard of “policy plus” by applying policy plus a reasonableness standard in the use of force.

   b) **PRINCIPLE 2:** For a convicted inmate, loss of liberty and separation from society should be the sole punishments imposed by imprisonment. (ABA)
      i. **Recommendation 1:** Increase the safety for everyone by not adding to the trauma of incarceration through punitive or retaliatory actions intended to exert authority and control.
c) **PRINCIPLE 3**: For a pre-trial detainee not serving a sentence for a crime, the purpose of imprisonment should be to assure appearance of the inmate at trial and to safeguard the public, not to punish. (ABA)
   i. **Recommendation 1**: Treat the pre-trial detainees who comprise 60% of Denver’s jail population as people with rights and who are innocent until proven guilty.
   ii. **Recommendation 2**: Allow service providers to meet with pre-trial detainees during the booking process to assist with resources, questions and calming anxieties.

d) **PRINCIPLE 4**: The success of a jail system is based, in part, on its ability to reduce recidivism, and prepare those in custody for life outside the detention facility. Jail service providers are essential to that mission, and are deserving of fair and dignified treatment by rank-and-file and command staff.
   i. **Recommendation 1**: Include training to sworn staff on the importance, roles and respectful treatment of outside service providers, and commit to regular meetings between the Sheriff and providers.

2. **Model Consistent, Responsive and Transformational Leadership (COPS)**

   “The only thing consistent about the jail is its inconsistency.” Denver County Jail Inmate

   a) **PRINCIPLE 1**: A correctional facility should be safe, orderly and run in a fair and lawful manner (ABA).
      i. **Recommendation 1**: Deputies should be provided training and supervision to run pods from shift-to-shift in a manner that provides consistency for inmates reducing confusion, anxiety and tension.

   b) **PRINCIPLE 2**: A correctional facility should be appropriately staffed. (ABA)
      i. **Recommendation 1**: Implement an effective direct supervision model that requires the structure and staffing to maintain safety and security for inmates and personnel.
      ii. **Recommendation 2**: At a minimum there should be two deputies, rather than one, assigned to a pod to make timely rounds, regularly check on the safety and welfare of inmates and intervene in potential problems before they escalate.
      iii. **Recommendation 3**: Reevaluate times inmate programs are offered to ensure an optimal scheduling flow.

3. **Implement Effective Responses to Vulnerable Populations**

   a) **PRINCIPLE 1**: Imprisonment should prepare inmates to live law-abiding lives upon release. (ABA)
      i. **Recommendation 1**: Expand and remove barriers for community reentry programming in Denver’s jails in accordance with DSD’s mission of providing “safety and security for the community by ensuring care, custody, transportation and reentry services for detainees by operating safe, secure, efficient and humane facilities that adhere to federal, state, and local laws.” (2013 DSD Annual Report)
      ii. **Recommendation 2**: Facilitate and expand collaborations with community providers with expertise serving vulnerable populations including the LGBTQ, disabilities, immigrant and mental health communities.
      iii. **Recommendation 3**: Finalize the reversal of the ICE detainer policy and incorporate immigrant inmates into jail programming and reentry services.
      iv. **Recommendation 4**: Ensure language access by translating vital written materials into languages of frequently encountered Limited English Proficiency (LEP) groups in accordance with federal law. (LEP.gov)
      v. **Recommendation 5**: Implement policies to increase the participation of LEP groups in programs.(LEP.gov)
      vi. **Recommendation 6**: Ensure that programs and activities are accessible to disabled persons including providing the availability of qualified interpreters to enable hearing-impaired inmates to participate on an equal basis with non-disabled inmates in rehabilitation programs. (Nat’l Assoc. of the Deaf)

   b) **PRINCIPLE 2**: A correctional facility should maintain order and should protect inmates from harm from other inmates and staff. (ABA)
      i. **Recommendation 1**: Provide multiple opportunities for reporting abuses in confidential settings.
ii. **Recommendation 2**: Provide comprehensive training by community victimization experts to all sworn and civilian staff on the Prison Rape Elimination Act (PREA) that includes clear reporting protocols.

iii. **Recommendation 3**: Provide informational PREA brochure to every inmate along with Inmate Handbook.

iv. **Recommendation 4**: Provide confidential counseling and victim services by community & faith providers.

c) **PRINCIPLE 3.** Provide appropriate and individualized mental health care treatment and rehabilitation services to inmates with mental illness, mental retardation, or other cognitive impairments. (ABA)

i. **Recommendation 1**: Increase the number of deputies and staff who are annually certified proficient in applying Crisis Intervention Training (“CIT”) techniques due to OIM’s estimates that 1 in 7 male jail inmates and 1 in 3 female jail inmates have a serious mental illness, a rate 6 times higher than for the general population; and that inmates with mental illnesses are likely to stay in jail for 2x as long as inmates with no mental health issues.

ii. **Recommendation 2**: Update the CIT class and related policies to reflect best practice approaches, including Trauma Informed Care, Gender Responsiveness, Cultural Responsiveness & faith-based counseling services.

iii. **Recommendation 3**: Increase emphasis on de-escalation tactics to foster cooperation, and decrease emphasis on use of force methods to achieve compliance.

iv. **Recommendation 4**: Implement OIM’s recommendation to examine, manage and care for inmates with mental illness by improving training for deputies and sergeants on use of force with mentally ill inmates.

v. **Recommendation 5**: Review compliance with the Americans with Disabilities Act in collaboration with disabilities rights advocates together with medical and jail mental health staff.

4. **Promote Transparency in Decisionmaking** (NIC - Communications in Corrections)

   a) **PRINCIPLE 1**: Effective supervisory and rank and file communications management can help minimize problems, improve morale and performance, promote the mission and improve community relations.

   i. **Recommendation 1**: Improve both internal and external communications practices in order to improve the quality and impact of communications activities.

   ii. **Recommendation 2**: Develop a strategic communications plan that includes three basic steps in a communications audit process:

      1) Review current communications practices through interviews and documentary research, including sources both within and outside the department;

      2) Develop a communications goal statement and a set of strategic messages addressing key communications objectives; and

      3) Translate the strategic messages into a set of communications improvement tasks with responsibility for implementation assigned.

   iii. **Recommendations 3**: Transform the face of jail deputies from victimized antagonists to public servants.

   iv. **Recommendation 4**: Recognize that correctional communications must also incorporate language of the behavioral health delivery system to be inclusive of inmates, service providers, civilian staff & the public.

   v. **Recommendation 5**: Recognize that the reactive dissemination of information magnifies problems; therefore, increase proactive messaging to avoid responding to problems only after they have occurred.

   vi. **Recommendation 6**: Invite the public to reflect on the causes of significant incidents after they occur and provide recommendations for improvement in community meetings and through DSD website surveys.

5. **Incorporate Gender Responsive Approaches** - (Covington and Bloom)

   a) **PRINCIPLE 1: Acknowledge That Gender Makes a Difference**
i. **Recommendation 1**: Equal treatment doesn’t necessarily mean exact same treatment for men & women. Create services, programming and jail environments that are developed for women’s specific needs.

ii. **Recommendation 2**: Recognize that women have different pathways into the system; respond to supervision and custody differently; have differences with substance abuse, trauma, mental illness, parenting, and employment histories; and represent different levels of risk within both the institution and the community.

b) **PRINCIPLE 2: Create an Environment Based on Safety, Respect, and Dignity**

i. **Recommendation 1**: Recognize that safety, respect, and dignity are fundamental to behavioral change.

ii. **Recommendation 2**: Provide a safe, consistent, and supportive setting for all services.

iii. **Recommendation 3**: Be aware of the emotional, physical, and sexual abuse many women experienced.

iv. **Recommendation 4**: Avoid recreating abusive environment that many women have experienced.

v. **Recommendation 5**: Because of their lower levels of violent crime and low risk to public safety, women should be supervised and provided services with the minimal restriction to meet public safety interests.

c) **PRINCIPLE 3: Develop Policies, Practices, and Programs that are Relational and Promote Healthy Connections to Children, Family, Significant Others, and the Community**

i. **Recommendation 1**: Incorporate the theme of connections and relationships into policies, practices, and programs including: reasons why women commit crimes, interpersonal violence, child-rearing, female relationships, psychological growth and development, environmental settings, and reentry challenges.

ii. **Recommendation 2**: Develop an “inmate good behavior” program that allows personal visits with significant others and particularly with children. Video visits don’t provide meaningful parent-child interactions.

d) **PRINCIPLE 4: Address Substance Abuse, Trauma, and Mental Health Issues Through Comprehensive, Integrated, and Culturally Relevant Services and Appropriate Supervision**

i. **Recommendation 1**: Recognize that substance abuse, trauma, and mental health are three critical, interrelated issues for women and have a major impact on programming needs and successful reentry.

ii. **Recommendation 2**: Recognize that a substantial proportion of women have histories of serious traumatic experiences which play a vital role in the evolution of a woman’s physical and mental health problems.

e) **PRINCIPLE 5: Provide Women with Opportunities to Improve Their Socioeconomic Conditions**

i. **Recommendation 1**: Recognize that the female offender’s life is shaped by her socioeconomic status; her experience with trauma and substance abuse; and her relationships with partners, children, and family.

ii. **Recommendation 2**: Implement programming to improve socioeconomic outcomes for women requires providing opportunities through education and training so they can support themselves and their children.

f) **PRINCIPLE 6: Establish System of Community Supervision and Reentry with Comprehensive, Collaborative Services**

i. **Recommendation 1**: Develop resources to address female offender stigma and additional burdens such as: single motherhood, decreased economic potential, lack of services and programs targeted for women, responsibilities to multiple agencies, and a general lack of community support.

ii. **Recommendation 2**: Streamline The Reintegration Process - Streamline fragmented services and conflicting requirements that can interfere with reintegration.

iii. **Recommendation 3**: Provide Wraparound Services - a holistic and culturally sensitive plan for each woman.

6. **Prevent Misconduct and Abuse of Authority**
**PRINCIPLE 1:** A lack of resources should not excuse treatment or conditions that violate inmates’ constitutional civil rights or statutory rights. (ABA)

i. **Recommendation 1:** Work closely with OIM to provide swift, fair and consistent resolution of cases involving accusation of deputy misconduct by revamping the Internal Affairs Bureau and the Disciplinary Matrix.

ii. **Recommendation 2:** Rectify the four systemic issues impeding the inmate grievance process in Denver’s jails identified in the OIM 2013 Semiannual Report that compromised accountability, and incorporate the eleven actionable recommendations.

iii. **Recommendation 3:** Remedy the five areas of DSD organizational policy and practice identified by OIM that contributed to patterns of misconduct, ensuring that sergeants provide more direct supervision to deputies:
   1) Address significant supervisory gaps at the Downtown Detention Center
   2) Correct deficiencies in DSD use of force reports and the use of force database
   3) Extend the retention of video and other evidence documenting uses of force
   4) Improve the deputy rounds tracker system to provide jail supervisors and administrators with easily accessible information about whether any deputies have failed to perform required rounds, and when; and the comprehensiveness of checks on inmate safety.
   5) Correct weaknesses in the DSD’s early intervention system.

iv. **Recommendation 4:** Implement OIM’s recommendations to address misconduct and increase accountability:
   1) Free sergeants from the administrative burdens that hinder their supervision of deputies;
   2) Conduct a staffing assessment to examine supervisory and staffing gaps;
   3) Improve training for sergeants, including on-going supervisory preparedness in-service training;
   4) Evaluate training provided to deputies to fully prepare them for supervising inmates;
   5) Require deputies and supervisors to submit comprehensive use of force descriptions;
   6) Revise use of force reporting framework to capture pattern and trend analysis;
   7) Require supervisors to interview all parties on video, and review all evidence prior to making a use of force determination;
   8) Send all use of force packets to the DSD Internal Affairs Bureau for an evaluation;
   9) Provide ongoing training to all DSD deputies and supervisors about the new use of force standards;
   10) Require that all video footage of all uses of force be automatically preserved indefinitely;
   11) Assess costs for lengthening the retention period for all footage from cameras in DSD jails;
   12) Determine whether the DDC rounds tracker software system can capture missed rounds;
   13) Give sergeants greater responsibility and accountability for monitoring deputy rounds;
   14) Add additional performance indicators to evaluation system EPARTS, including inmate complaints and grievances, and civil lawsuits alleging deputy misconduct.

7. **Reduce Racial Disparity** (See Denver Police Department, City Attorney and District Attorney sections)

8. **Strengthen Civilian Oversight** (See Denver City Attorney section)

9. **Increase Cultural Responsiveness** (SAMHSA)
   a) **Principle 1:** Culture is broader than ethnicity...Culture also involves the historical circumstances leading to a group’s economic, social, and political status in the social structure.
   i. **Recommendation 1:** Increase awareness among personnel that socioeconomic and political factors have a significant impact on a group’s or its members’ psychological well-being.
ii. **Recommendation 2**: Recognize that offering culturally responsive services increases the likelihood that people of color will access and follow-through with treatment.

**b) Principle 2: Cultural competence is an important component in providing effective mental health services.**

i. **Recommendation 1**: Collaborate with culturally responsive providers to develop new service delivery approaches to address cultural differences among consumers in response to their life circumstances.

**c) Principle 3: Cultural competence results from a specialized practice development and not from having been born in, or having spent significant amounts of time in a culture.**

i. **Recommendations 1**: Culturally responsive approaches should be integrated into methods of testing, assessment instruments, protocols for interacting with the public, and developing outcome measures.

### 10. Emphasize Service to the Public and Community Accountability

**a) PRINCIPLE 1: Promote service to the public, not violence against the incarcerated community.**

i. **Recommendation 1**: Rather than reinforcing messaging to deputies that “we have to use force as we uphold our charge to protect others, ourselves and maintain order in our facilities and additional places when we are on duty” DSD leadership should shift its language and practices from an over-reliance on use of force to gain compliance to utilizing best practices that facilitate the dignified cooperation of inmates through alternative and nonviolent means. (Interim Sheriff Elias Diggins Support for The Use of Force Memo, October 1, 2014).

**b) PRINCIPLE 2: There is no hierarchy of who deserves safety; an inmate’s life is just as valuable as a deputy’s.**

i. **Recommendation 1**: While there is understandably emphasis on the value of a deputy being able to go home at the end of their shift, so too should equal consideration be given to inmates who reasonably expect to be released from Denver’s jails alive and without injury and ready to return to their community.

**c) PRINCIPLE 3: A workforce should be reflective of the community that it serves.**

i. **Recommendation 1**: Recruit and hire individuals who have a service orientation and the character necessary to uphold high standards of integrity, as well as the ability to withstand the temptation to deviate from these standards. (COPS)

ii. **Recommendation 2**: Although recruiting and hiring a diverse workforce has been a strength of DSD that should continue, the effort is for naught if those in power abuse their authority and deny that power differentials inherently exist in a correctional setting. Therefore, incorporate coaching and accountability measures for those who have less of a history managing power in a responsible manner.

iii. **Recommendation 3**: Do not combine the Sheriff Department and the Police Department. The Denver Police Department is not yet a model that should be emulated or replicated due to lack of racial/ethnic diversity among its officers, paltry number of women in leadership and front-line positions, lack of annually certified proficiency of CIT trained officers, ongoing racial profiling concerns, continuing displays of discourtesy, lack of community engagement in its policy development decisions, and unresolved use of force complaints.

### PRINCIPLES AND RECOMMENDATIONS

**Denver Police Department**

1. **Afford Inalienable Human Dignity to All**

   Racial profiling punishes innocent individuals for the past actions of those who look and sound like them. It misdirects crucial resources and undercuts the trust needed between law enforcement and the communities they serve. It has no place in our national discourse, and no place in our nation’s police departments.

   ~ Benjamin Todd Jealous, former President and CEO, NAACP

   **a) PRINCIPLE 1**: Racial profiling undermines the relationship between the police and community they serve.
i. **Recommendation 1**: Stop justifying police brutality by disparaging witnesses, blaming the media, discounting the perspectives of persons with criminal records and attempting to make violence by law enforcement seem like a normal part of the job rather than a barbaric brutalizing activity that no civilized society should ever get used to.

ii. **Recommendation 2**: Stop intimidating social media witnesses who record but are not interfering with police activities. (See [KDVR Denver Police Accused of Ignoring Cell Phone Search Laws](#))

iii. **Recommendation 2**: Eliminate racial profiling under the guise of defective vehicle, obstructed view, seat belt violations and other pretextual reasons that mainly serve to search Black and Brown drivers resulting in humiliating traffic stops. (Sentencing Project)

iv. **Recommendation 3**: Reduce the number of discourtesy complaints by speaking to all members of the public in a respectful, approachable and friendly matter.

2. **Model Consistent, Responsive and Transformational Leadership**
   a) **PRINCIPLE 1**: The Chief must create and maintain an ethical work environment. (COPS)
      i. **Recommendation 1**: Change the male dominated culture to be more receptive to female leadership.
      ii. **Recommendation 2**: The Chief should model the values and behaviors inherent in a culture of integrity, both internally (hiring, training, and evaluation) and externally (community outreach and dialogue).
      iii. **Recommendation 3**: The Chief must foster an environment in which ethical behavior is expected.
      iv. **Recommendation 4**: The Chief must be transparent (i.e., clear, concise, and open about their department’s Internal Affairs process).
      v. **Recommendation 5**: The Chief must establish, model, and support a culture that “promotes openness, ensures internal and external fairness, promotes and rewards ethical behavior, and establishes a foundation that calls for mandating the highest quality service to the public.”
      vi. **Recommendation 6**: The Chief should implement best practices evaluation methods to assess and address organizational cultures to determine to what extent issues of morale are impacted by necessary accountability measures to restore public trust, failings of leadership, or those who resist change.

3. **Reduce Racial Disparity**
   a) **PRINCIPLE 1**: A justice system which tolerates injustice is doomed to collapse. (Sentencing Project)
      i. **Recommendation 1**: Eliminate pretextual stops that result in people of color being overrepresented among those who are stopped, cited, searched, and arrested.
      ii. **Recommendation 2**: Recognize that most studies of traffic stops find that discovery of contraband is no more likely to be found among African American or Latino drivers than among White drivers.
      iii. **Recommendation 3**: Implement five steps to reduce racial disparities:
          1) Determine whether the rate of minorities involved at any stage of the criminal justice system is disproportionate;
          2) Assess the decision points where racial and ethnic disparities occur;
          3) Identify plausible reasons for any disparity identified and the extent to which it is related to legitimate public safety objectives;
          4) Design and implement strategies to reduce disparities; and
          5) Monitor the effectiveness of strategies to reduce disparities.
      iv. **Recommendation 3**: Implement a system to collect data on all stops by race, ethnicity, age, location and reason for all contact and traffic stops and share with a national justice database for analysis and public access.
      v. **Recommendation 4**: Provide all persons who are stopped by police with written information regarding their individual rights and process for filing complaints.
      vi. **Recommendation 5**: Ensure that officers wear their name badges and provide business cards on every stop.
vii. **Recommendation 6:** Expand alternatives to arrest in instances where arrest is inappropriate but often used, such as status offenses for juveniles, or encounters with mentally ill or homeless persons.

viii. **Recommendation 7:** Encourage community and faith-based organizations, especially in minority communities, to develop programs that may be used as alternatives to arrest in cases where police have discretion.

ix. **Recommendation 8:** Engage members of the community and Community Cultural Experts in developing non-criminalizing problem-solving responses to local crime problems, particularly in regard to drug use and selling.

4. **Increase Cultural Responsiveness (SAMHSA)**

   a) **PRINCIPLE 1:** Understand that people of color consumers have less access to and under-utilize mental health resources, and are more likely to enter the system at a later stage in their illness.

      i. **Recommendation 1:** Early assessment and treatment are needed to curtail the significantly higher drop out of services rate than White populations.

      ii. **Recommendation 2:** Recognize that people of color with mental illness often face more punitive responses to their behaviors, over-consume inpatient psychiatric care in state hospitals at twice the rate of corresponding White populations; are more often misdiagnosed by mental health practitioners than White populations; and are more often diagnosed as having a severe mental illness than Whites.

      iii. **Recommendation 3:** Train mental health and CIT trained staff in applying culturally responsive practices and contract with culturally competent trainers.

      iv. **Recommendation 4:** Increase the number of CIT trained officers and specialists who are certified annually as proficient in applying the skills of serving people with illness to better deescalate situations.

   b) **PRINCIPLE 2:** Cultural competence results from a specialized practice development and not from having been born in, or having spent significant amounts of time in, a culture.

      i. **Recommendation 1:** Require ongoing cultural competency training. Officers often work in areas that are culturally different from their own, yet most police training programs offer only minimal training.

      ii. **Recommendations 2:** Culturally responsive approaches should be integrated into methods of testing, assessment instruments, protocols for interacting with the public, and developing outcome measures.

5. **Prevent Misconduct and Abuse of Authority (COPS)**

   a) **PRINCIPLE 1:** Training in ethics, implicit bias, legitimacy and discretion should begin in the police academy and continue on a regular basis until the officer retires.

      i. **Recommendation 1:** Change training practices from an urban-combat focus to de-escalation. (See KDVR’s Denver Police Accused of Abusing Academy Recruits)

   b) **PRINCIPLE 2:** Early Intervention Systems (EIS) and Risk Management Systems are effective in identifying, addressing, and preventing problem behavior before it escalates to Internal Affairs.

      i. **Recommendation 1:** Provide annual reports to the public regarding data-driven mechanisms of accountability using a broad array of performance indicators, including use-of-force incidents, citizen complaints, department and community commendations/awards, court appearances, & arrest reports.

      ii. **Recommendation 2:** Ensure that supervisors are adequately prepared to review the data and conduct appropriate interventions and follow-up with the employee.

      iii. **Recommendation 3:** Evaluate how supervisors are incorporating complaint tracking to assess the types of offenses that are the most frequent subject of complaints and also identify patterns of behavior related to specific officers. Collect, analyze and monitor race and ethnicity information on all stops.

      iv. **Recommendation 4:** Recognize that if Denver police officers mistreat people in their custody, those dynamics can result in escalated interactions with Denver Sheriff Department deputies upon booking.
6. **Emphasize Service to the Public and Community Accountability (COPS)**

a) **PRINCIPLE 1:** Develop and sustain trust between police department and the communities they serve.

i. **Recommendation 1:** Develop authentic ongoing community partnerships and dialogue to help department leaders gauge the communities’ perception of the police department and help foster trust between the community and the police.

ii. **Recommendation 2:** Consistently practice community oriented policing involving organizational transformation, problem-solving, and community partnerships to address the causes and reduce the fear of crime without privileging certain communities or demographic groups over others.

iii. **Recommendation 3:** Implement and sustain five consistent key elements of an effective community oriented policing program (Protecting Civil Rights, 2006):

1) Adopt community service as the overarching philosophy of the organization.
2) Make an institutional commitment to community policing that is internalized throughout the command structure that is not compartmentalized in the department.
3) Emphasize geographically decentralized models of policing that stress services tailored to the needs of individual communities rather than a one-size-fits-all approach for the entire jurisdiction.
4) Empower citizens to act in partnership with the police on issues of crime and more broadly defined social problems.
5) Use problem-oriented or problem-solving approaches involving police personnel working with community members.

iv. **Recommendation 4:** Incorporate & expand successful strategies supported by Chief including:

1) Convene monthly meetings with community members
2) Increase bicycle and foot patrols on community streets
3) Engage specific sectors of the community particularly those who previously have felt disenfranchised and include and faith-based organizations
4) Establish programs that solicit involvement from residents

v. **Recommendation 6:** Do not combine the sheriff department and the police departments. The Denver Police Department is not yet a model that should be emulated or replicated due to lack of racial/ethnic diversity among its officers, paltry number of women in leadership and front-line positions, lack of demonstrated proficiency of CIT trained officers, ongoing racial profiling concerns, continuing displays of discourtesy, lack of community engagement in its policy development decisions, and unresolved use of force complaints.

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**PRINCIPLES AND RECOMMENDATIONS**

**Denver District Attorney’s Office**

*Prosecutors—unlike defense attorneys— do not advocate for a single individual; they advocate for a just outcome.*

~ The Justice Project: Improving Prosecutorial Accountability

1. **Afford Inalienable Human Dignity to All**

   a) **PRINCIPLE 1:** The role of the prosecutor is not just one of an advocate, but rather an “administrator of justice” whose ultimate goal is to protect the innocent, convict the guilty, and guard the rights of the accused. (The Justice Project)
1. Recommendation: Meet with the Latino community to discuss the repeated decisions to not prosecute law enforcement officers in cases where unarmed civilians including unconvicted persons, inmates, and defendants were unnecessarily injured or killed.

2. Model Consistent, Responsive and Transformational Leadership
   a) PRINCIPLE 1: Educating prosecutors on how their decisions can lead to wrongful convictions and impede the fairness and accuracy of criminal trials can prevent abuses of power, and ensure that prosecutors perform their duties with a high degree of professionalism. *(The Justice Project)*
      i. Recommendation 1: Participate in the Colorado's Best Practice Committee formed by the Colorado District Attorney's Council and the Colorado Attorney General’s Office in order to stay informed of key issues, developing legal trends and technology advances.

3. Promote Transparency in Decisionmaking
   a) PRINCIPLE 1: It is imperative that prosecutors’ offices provide guidelines and tools to help prosecutors make decisions fairly, ethically, equitably, and effectively. *(The Justice Project)*
      i. Recommendation 1: Rather than issuing a memo clearing officers and deputies of excessive force, discuss with the community why siding with law enforcement 100% of the time in the killing of unarmed civilians is a fair and equitable result.
      ii. Recommendation 2: Show up to community forums and explain to the public what guidelines and tools prosecutors use when determining not to prosecute violence by law enforcement officers.

4. Reduce Racial Disparity *(Sentencing Project)*
   a) PRINCIPLE: So long as racism exists within society at large, it will be found within the criminal justice system.
      i. Recommendation 1: Acknowledge that racial disparity exists in cases prosecuted, diverted or dismissed.
      ii. Recommendation 2: Collect, analyze & report demographic data on race & ethnicity to identify disparity
      iii. Recommendation 3: Assess the impact of racially disparate outcomes impact on communities of color.
      iv. Recommendation 4: Identify factors influencing decisions resulting in intentional or unintentional bias.
      v. Recommendation 5: Using a data driven approach, determine whether disparity is occurring during the pretrial stage for reasons including:
          1) Denied release on own recognizance or supervised release;
          2) Subjected to bail amounts which they cannot post;
          3) Denied admission to diversion programs; or
          4) Denied consideration for deferred prosecution, or alternative sanction programs.
      vi. Recommendation 6: Engage in pre-trial reform by developing policies that reduce pretrial detainees that constitute 60% of Denver’s jail population resulting in loss of opportunities employment, housing, family unification connected to poverty issues, as well as an unnecessary burden on tax payers.

5. Prevent Misconduct and Abuse of Authority
   a) PRINCIPLE 1: Cognitive science research suggests that unavoidable psychological biases often negatively affect decision-making which can lead prosecutors to make serious judgment errors.
      i. Recommendation 1: Reduce implicit bias, confirmation bias and belief perseverance by acknowledging these phenomena exists and reduce the occurrence through proper training and education programs.
b) **PRINCIPLE 2**: Prosecutors’ offices must create an environment that values the fair and efficient administration of justice.
   
i. **Recommendation 1**: Develop explicit office manuals or written policies and procedures that guide the use of prosecutorial discretion.
   
ii. **Recommendation 2**: Implement sound policies on how to avoid abuses of power, and how to make ethical decisions.

6. **Emphasize Service to the Public and Community Accountability**
   
a) **PRINCIPLE 1**: Develop and sustain trust between District Attorney’s Office and the communities it serves.
   
i. **Recommendation 1**: Develop authentic ongoing community partnerships and dialogue to help department leaders gauge the communities’ perception of the DA’s Office and help foster trust between the community and prosecutors.
   
ii. **Recommendation 2**: Show up to community forums and explain to the public what guidelines and tools prosecutors use when determining not to prosecute violence by law enforcement officers. *(DA Mitch Morrissey’s Letter 9-22-14 declining to attend CLF community forum)*

**PRINCIPLES AND RECOMMENDATIONS**

Denver City Attorney’s Office

1. **Strengthen Civilian Oversight**
   
a) **PRINCIPLE 1**: Independent civilian oversight is an essential part of community accountability of the police and sheriff departments.
   
b) **PRINCIPLE 2**: Policy review and recommendation by independent civilian oversight agencies, in partnership with the community, is critical to achieving long-term systemic change in law enforcement departments.
   
i. **Recommendation 1**: Expand the zone of cooperation between the Citizen Oversight Board (COB), DSD and DPD to strengthen the citizen complaint continuum.
   
ii. **Recommendation 2**: Demonstrate that DSD and DPD are fully cooperating with the Office of the Independent Monitor in fulfillment of the expectations of the Citizens of Denver who pushed for OIM’s creation after police killing of Paul Childs, a mentally disabled teenager, in his home.
   
iii. **Recommendation 3**: Recognize that although law enforcement departments handle every aspect of the complaint continuum, civilian oversight serves as an auditor to review the process for effectiveness and accuracy, making recommendations to improve the process as necessary. *(COPS)*
   
iv. **Recommendation 4**: Remove obstacles that impede the COB and OIM from engaging in systemic policy review and recommendation, including obstacles that prevent the OIM from gaining access to documents and information in the DPD and DSD.
   
v. **Recommendation 5**: Do nothing to weaken the ordinance enabling OIM’s work.

2. **Promote Transparency in Decisionmaking**
   
a) **PRINCIPLE 1**: Develop and sustain trust between the City Attorney’s Office and the communities it serves.
   
i. Provide periodic and thorough updates to the public about the City’s compliance with the settlement agreement between Jamal Hunter and the City regarding: 1) inmate classification, 2) screening and recruitment of deputies, 3) disciplinary best practices, and 4) best practices related to Internal Affairs.

3. **Reduce Racial Disparity** *(Sentencing Project)*
a) **PRINCIPLE 1:** So long as racism exists within society at large, it will be found within the criminal justice system.

i. **Recommendation 1:** Dismiss cases that are a product of racial profiling under the guise of defective vehicle, obstructed view, seat belt violations and other pretextual reasons that mainly serve to stop and search Black and Brown drivers that result in humiliating and expensive court appearances.

ii. **Recommendation 2:** Acknowledge that racial disparity exists in cases prosecuted, diverted or dismissed.

iii. **Recommendation 3:** Collect and analyze demographic data on race and ethnicity to identify disparity.

iv. **Recommendation 4:** Assess the impact of racially disparate outcomes impact communities of color.

v. **Recommendation 5:** Identify factors influencing decisions that lead to intentional or unintentional bias.

vi. **Recommendation 5:** Using a data driven approach, determine whether disparity is occurring during the pretrial stage for reasons including: (1) Denied release on recognizance or supervised release; (2) Subjected to bail amounts which they cannot post; (3) Denied admission to diversion programs; or (4) Denied consideration for deferred prosecution, or alternative sanction programs.

vii. **Recommendation 6:** Engage in pre-trial reform to develop policies that reduce pretrial detainees that constitute 60% of Denver’s jail population resulting in the loss of employment opportunities, housing, family unification connected to poverty issues.

4. **Prevent Misconduct and Abuse of Authority**

   a) **PRINCIPLE 1:** Provide clear direction to DSD deputies about their scope of authority to prevent abuse.

   i. **Recommendation 1:** Per OIM’s recommendation, clarify for the public and for DSD’s deputies Department Order 2001.1 (“Exercise of Authority as a Peace Officer to Stop or Arrest Suspects”) in order to: 1) determine the circumstances, if any, under which DSD deputies should have the authority to stop or arrest suspects; 2) clarify and simplify the policy; and 3) provide additional training to deputies on the scope of their authority under the policy.