

ORDER ON APPELLANT'S DISCOVERY REQUESTS

IN THE MATTER OF THE APPEAL OF:

DEAN ALTMAN, Appellant,

vs.

DEPARTMENT OF SAFETY, DENVER SHERIFF'S DEPARTMENT
and the City and County of Denver, a municipal corporation, Agency.

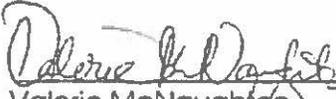
Appellant has moved for production of medical records for inmate witnesses, and for the blueprint for the kitchen where the incident occurred. The Agency objects to both requests.

Appellant was an Institutional Food Steward at the Denver Detention Center until his termination on May 8th for an alleged sexual assault in the jail kitchen against an inmate kitchen worker. This is his appeal of the termination action. Appellant seeks medical records for three inmate witnesses, alleging that he has learned there are medical records relating to the incident, and that they are clearly relevant. (Motion, p. 2.) Appellant does not explain how medical records of an eyewitness are likely to yield evidence about an assault on another inmate, and the evidence does not indicate why such confidential records may be relevant.

Second, Appellant requests a copy of the blueprints for the kitchen area for use as demonstrative evidence to supplement the video's view of narrow angles where the incident took place. The Agency objects to releasing the jail blueprints on the basis of security concerns. In response, Appellant offers a protective order covering the blueprints. While Appellant has stated a legitimate reason for the request, it appears that the need could be met in a manner that does not endanger security concerns. The parties may simply stipulate to the dimensions of the area at issue, and plot those dimensions on a demonstrative schematic for use at hearing. If the parties are not able to enter into such a stipulation, I will consider a discovery request for a drawing that redacts any information that may present security risks.

Based upon these facts and consideration of the motion, response and applicable law, it is ordered that the motion for discovery is DENIED.

DONE August 26, 2014.



Valerie McNaughton
Career Service Hearing Officer