

DECISION

IN THE MATTER OF THE APPEAL OF:

BOBBY ROGERS, Appellant,

vs.

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

I. INTRODUCTION

The Appellant, Bobby Rogers, appeals his dismissal from the Denver Sheriff's Department (Agency) on April 4, 2008, for alleged violations of specified Career Service Rules. For reasons stated below, the dismissal is affirmed.

A four-day hearing concerning this appeal was conducted by Bruce A. Plotkin, Hearing Officer, on October 16, and 23-24, 2008, and January 8, 2009. The Agency was represented by Robert A. Wolf, Esq., while the Appellant was represented by Donald Sisson, Esq., and Emily Berkeley, Esq. Agency exhibits 1-13, 16(1)-16(9) and 17-19 were admitted. Appellants' exhibits A-P were admitted. The following witnesses testified for the Agency: Sgt. Robert Petrie; Major Phil Deeds; Debra Zar, RN; Mary A. Malatesta; Dr. Amy Martin; Sgt. Kelly Bruning; Deputy Newcombe; Deputy Adams; Carmen Kassatly; Susan Crawford, RN. The Appellant testified on his own behalf, and presented the following additional witnesses: Dr. James A. Wilkerson, IV; Sgt. Delange; Deputy John Hamilton.

II. ISSUES

The following issues were presented for appeal:

- A. whether the Appellant violated any of the following Career Service Rules: 16-60 A., B., L., or Z.;
- B. if the Appellant violated any of the aforementioned Career Service Rules, whether the Agency's decision to dismiss him conformed to the purposes of discipline under CSR 16-10;

- C. whether the Agency's termination of the Appellant's employment violated the Appellant's due process rights.

III. FINDINGS

The Appellant was employed for eight years as a deputy sheriff at the Denver Sheriff's Department (Agency). He was assigned to the Denver County Jail. The primary duties of the deputy sheriff position are the care, custody and control of inmates in the Denver City Jail, and in the Denver County Jail. He received a verbal reprimand in 2004 for inappropriate conduct and a 45 day suspension in 2007 for inappropriate conduct. His performance evaluations for the last two years were rated "exceeds expectations." He was knowledgeable about department procedures, post orders and his job responsibilities.

The Appellant was assigned to Building 8 at the Denver County Jail, a maximum security unit housing felons [Exhibit H-3]. Part of his regular duties were to conduct two rounds per hour for a total of eight rounds per shift, between the hours of 2200 and 0600. Sometime during the Appellant's shift, on the morning of February 24, 2007, inmate Shimondi Gebreselassie, died in his cell by suicide or by accident during autoerotic asphyxia. His body was discovered by other inmates at approximately 6:15 a.m. on February 24. He was found seated on, or suspended in a seated position just above, a mattress in the rear of his cell with a homemade noose around his neck at one end. The other end was attached to the upper bunk bed. Sgt. Petrie entered the cell in response to the inmates' calls for help. After he cut the noose, Petrie observed Gebreselassie had a swollen tongue, no pulse, no respiration, was cold to the touch, and found the body was stiff to the point where he was unable to move the corpse out of a seated position. Petrie immediately summoned an ambulance, and called for jail nursing staff who arrived at 6:30 and made the same findings as Petrie. When paramedics arrived, they confirmed Gebreselassie's death and called the Medical Examiner. The Medical Examiner assigned the time of death to the time of the paramedics' telephone call, 6:47 a.m., and assessed the manner of death as suicide also based upon the paramedics' information. [Exhibit C].

The Internal Affairs division of the Agency opened an investigation into Gebreselassie's death. The Appellant was interviewed. Following the issuance of a report from the Internal Affairs division, the Agency convened a pre-disciplinary meeting on March 20, 2008. The Appellant attended with his attorneys-at law. Both he and his attorneys provided statements. On April 1, 2008, the Agency issued its notice of termination to the Appellant. This appeal followed timely on April 11, 2008.

IV. ANALYSIS

A. Jurisdiction and Review

Jurisdiction is proper under CSR §19-10 A. 1. a., as a direct appeal of a dismissal. I am required to conduct a *de novo* review, meaning to consider all the evidence as though no previous action had been taken. Turner v. Rossmiller, 532 P.2d 751 (Colo. App. 1975).

B. Burden and Standard of Proof

The Agency retains the burden of persuasion, throughout the case, to prove the Appellant violated one or more cited sections of the Career Service Rules, and to prove its decision to terminate the Appellant's employment complied with CSR 16-20. The standard by which the Agency must prove each alleged violation is a preponderance of the evidence.

C. Career Service Rule Violations

1. CSR 16-60 A. Neglect of duty.

To sustain a violation under CSR 16-60 A, the agency needs to establish each of the following by a preponderance of the evidence: 1) the Appellant had an important work duty; 2) the Appellant was heedless or unmindful of that duty; 3) no external cause prevented the Appellant's performance of that duty; 4) the Appellant's failure to execute his duty resulted in significant potential or actual harm. In re Martinez, CSA 30-06, 4-5 (Order 10/3/06). See also In re Simpleman, CSA 31-06 (Order 10/20/06). Equally important, the agency must communicate an employee's duties in such manner that a reasonably astute employee would be aware of them. In re Mestas et al, CSA 64-07, 24 (5/30/08).

a. duty of conducting rounds: number and manner

(1) important work duty/awareness of duty

Building 8 Post Orders required the Appellant to conduct two rounds per hour during his night shift. Rogers acknowledged he was required to conduct two random rounds per hour for a total of eight rounds. [10/24/08 Appellant testimony 1:04:51, 1:11:16]. The importance of conducting rounds is to check on inmate security (custody), health problems (care), and to provide inmates an opportunity to communicate any needs. [10/16/08 Deeds testimony 2:56:56]. There are other duties that arise during the course of a shift, as well. For example, inmates may need to be sent to the nurse for insulin shots, and deputies must supervise meals being brought in and organized for distribution, including special meals. During the night shift, tier lights must be extinguished and turned on at the end of the shift. In addition, unusual events may arise. Inmates may need to be separated to avoid potential or actual violence, or a medical emergency may require attention. Those duties must be accomplished in addition to checking each cell. [*Id.*; 10/24/08; 10/16/08 Deeds testimony 3:01:05; 10/24/08 Appellant testimony 1:11:16, 1:04:51, 1:20:43]. When an unusual event occurred, the Appellant noted the unusual event in his log. The Appellant made no notation of unusual activity on the morning of 2/24/07. The Appellant stated there was no incident that prevented him completing his rounds the morning of 2/24/07. [Exhibit L pp. 2-3; Ex. 8 cd @ 16:48] "I recall doing every round that evening." [10/24/08 Appellant testimony 1:20:43]. Until he filed this appeal, the Appellant never complained he was unable to accomplish all required tasks timely either before, or on 2/24/07.

Regarding the manner of conducting rounds, in order to accomplish the stated purpose of rounds, to ensure inmate care, then, at a minimum, deputies must make sure inmates are alive and not in distress, by casting at least a cursory glance at each inmate during each round. The Appellant acknowledged each inmate must be checked. [App 10/24/08 @ 1:11:16]. The first element of neglect, an important work duty, is established, as is the Appellant's awareness of that duty.

(2) heedless and unmindful

Number of rounds. The Agency claimed that, on the morning of Gebreselassie's suicide, the Appellant conducted, at most, five rounds, instead of eight as required by Building 8 Post Orders. This claim was based on the Appellant's habit of marking "appears OK" when he completes his rounds. [10/24/08 Appellant testimony 1:04:59; Exhibit 18 cd @ 7:33; 10/24/08 Delange 10:48:40]. On that basis, the Appellant conducted five rounds on the morning of 2/24/07, at 2:33, 3:15, 3:40, 4:00, and 5:25. [Exhibit L, pp.2-3]. Before hearing, the Appellant acknowledged that, at most he conducted seven rounds on 2/24/07. [Exhibit 8 CD @ 33:10]. In addition, the Appellant's own witness, his former supervisor, interpreted the Appellant's log as showing a maximum of seven rounds on 2/24/07. [10/24/08 Delange testimony 11:02:46]. The Appellant testified at hearing that he conducted at least eight, and probably nine rounds. His credibility was damaged by contradictions in the evidence he presented concerning the number of rounds he conducted. During his initial interview following the inmate's death, the Appellant insisted he marks "appears OK" for each completed round. However, at hearing, he testified that, although he had not noted "appears OK" for his 0500 round on 2/24/07, he did complete that round. [Exhibit L, p.3 and 10/24/08 Appellant @ 1:20:43]. He stated that for his 0500 round, he first made a public announcement, calling for those inmates who needed insulin shots ("finger sticks"), to identify themselves. Then he conducted his round, and finally, he let out and sent to the nurse's station, the inmates who required finger sticks; however, he also stated, with equal conviction, that he conducted a round at 0500 during the time the finger sticks were out. [10/24/08 Appellant testimony 3:03:54]. He first counted a round conducted by the duty sergeant as one of his rounds, then recanted. [10/24/08 Appellant testimony 1:20:43, 3:36:16]. Finally, during the Appellant's interview concerning inmate Gebreselassie's death, the Appellant stated "I usually do all my rounds, not all of them, but I do my rounds" and he admitted he was "pretty sure" there were occasions he failed to complete all the rounds he marked in the log book as completed. Following this statement, the Appellant took a break at the request of his attorney. After the break, the Appellant recanted these earlier statements, insisting he completed all rounds. [Exhibit 1-4].

The Appellant's testimony at hearing, that he completed all his rounds, was not supported by his previous statements nor those of his own witness. I find the Appellant failed to conduct the required number of rounds on 2/24/07, and was therefore heedless of his duty of the care of inmates.

Manner of conducting rounds. The Appellant protested that other duties and emergencies sometimes prevent him from viewing each inmate on his rounds, so that he

marks "appears OK" even when he does not check each inmate, as long as he performs some duty. However, he affirmed there were no issues preventing him from completing each round on 2/24/07. [10/24/08 Appellant testimony 1:20:43].

Major Deeds, whose credibility was not questioned, countered the Appellant's assertion that other duties prevent checking on each inmate. Deeds testified the requirements for the manner of conducting rounds have always included observing each inmate for signs of breathing, giving at least a cursory view of the cell for security issues, shining a flashlight into the cell if it is too dark to see, and fully illuminating the cell if anything appears out of the ordinary, such as signs of hiding. [10/16/08 Deeds testimony 3:01:05]. In short, the minimum requirement for a deputy's round is to make sure the inmate is alive, and the only way to fulfill that obligation is to look into each cell to verify the presence and breathing of each inmate. [*Id.* at 4:27:37]. Deeds stated "in my three years in internal affairs I've never heard an allegation from anyone working those buildings that they were unable to complete their rounds." [10/16/08 Deeds testimony 3:01:05]. This statement was not rebutted.

There are additional reasons to believe the Appellant did not regularly, and on the morning of 2/24/07, fulfill his duty to check each inmate. It was undisputed that the cell housing Gebreselassie is located in the darkest part of Building 8, and when the tier lights are out, deputies cannot see to the far end of that cell without supplementing the ambient light. [Appellant testimony; 10/23/08 Zar testimony 8:36:20; 10/16/08 Petrie testimony 2:01:33, 2:25:11; Exhibit B p.11 Torres interview]. The Appellant's rounds on 2/24/07 were conducted while tier lights were off for the night. Thus, it stands to reason a more careful check must be conducted of darkened cells where secretive, harmful activity could be occurring. Nonetheless, the Appellant insisted he did not shine a light into darkened cells at night in order to avoid disturbing inmates. Equally disturbing, the Appellant stated he relied on inmates to let him know if anything was amiss, rather than proactively checking for issues. [Exhibit 18 @ 7:31]. He counted his actions at 0545, when he turned on the tier lights, as a complete round, but his specific description of his activities during that "round" were "you walk in [to the tier], look up, look in, that's it." [Exhibit 18 cd @ 7:50]. Given these acknowledgments, it was probable, by a preponderance of the evidence, that the Appellant failed to check each inmate regularly and on 2/24/07. He was, therefore, heedless and unmindful of his duty to check the welfare of inmates during his rounds, including 2/24/07.

I found the Appellant's remaining arguments unpersuasive. The Appellant argued there was no requirement to log rounds. This argument is irrelevant to his duty to check each inmate's well-being during the mandatory two rounds per hour. The Appellant also argued his method of conducting rounds was never criticized before 2/24/07. Before 2/24/07 the Agency, perhaps wrongly, depended on the Appellant's word and his log entries, both of which have been shown here to be unreliable. However, the Agency's failure to "catch" the Appellant's heedless conduct of his rounds, does not mean he was not heedless.

(3). External cause.

The Appellant was not prevented from completing his rounds on 2/24/07. He testified "I recall doing every round that evening." [10/24/08 Appellant testimony 1:20:43].

(4). Significant potential or actual harm.

In considering whether the Appellant violated CSR 16-60 A., it is unnecessary to consider the Appellant's arguments concerning whether Gebreselassie died during the Appellant's shift. A violation of this rule is not restricted to "no harm no foul." The rule is violated by a finding of significant potential harm. For reasons stated above, the Appellant's failure to check on the welfare of inmates during his rounds previous to, and on the morning of 2/24/07, created a potential for great harm. Each element of neglect of duty having been established here, and above in paragraphs 1., 2., and 3., the Appellant violated CSR 16-60 A. by a preponderance of the evidence.

2. CSR 16-60 B. Carelessness in performance of duties and responsibilities.

While CSR 16-60 A) and CSR 16-60 B), share similar elements of proof, they are distinguished in that, under 16-60 B, it is the Appellant's acts (performance), rather than his omissions (neglect), which are reviewed. See In re Simpleman, CSA 31-06, 4-5 (10/20/06). Thus, a violation of this rule occurs for performing poorly, rather than neglecting to perform, an important duty.

a. manner of conducting rounds. The Appellant agreed he had an important duty to perform rounds in furtherance of the primary duty of care and custody of inmates. [10/24/08 Appellant testimony 1:11:16, 1:16:59]. Even assuming the Appellant had conducted the required number of rounds and made a cursory pass through the Building 8 tiers, his failure to make the most basic inspection of each inmate's welfare was a careless manner of conducting his rounds, in violation of CSR 16-60 B.

In addition, the Appellant stated he was aware of his obligations under Building 8 Post Orders. [Exhibit H]. Those orders required rounds to be conducted at unpredictable times. *Id.* The Appellant stated his normal practice for finger sticks was to make a loudspeaker announcement, [10/24/08 Appellant cross-exam 2:54:52], closely followed by making a round. This method provided predictability for inmates to hide illicit activity, in violation of Building 8 Post orders, and consequently was a careless performance of the Appellant's duty to avoid predictability in his rounds.

b. Full set of keys. The Agency also alleged the Appellant was careless in his duty of securing inmates pursuant to Building 8 procedures because he exchanged his limited set of building keys for a full set without obtaining the required supervisor's approval. [Exhibit 1-5; Exhibit H-2].

The Appellant agreed he tried to obtain a full set of keys whenever he could. [Exhibit 8 cd @ 26:25]. He recognized the importance of the requirement to keep only a "short"

set of keys when he conducts rounds. “[S]omebody could get out and they could get the big set [of keys], they could let somebody out of the cell, and then the inmates could get out.” [*Id.* at 28:21]. When asked “so are you doing rounds at 0430 with a full set of keys?” he answered “I have before, yes sir.” [*Id.* at 27:39]. The Appellant’s admission constitutes a careless method of conducting rounds, in violation of CSR 16-60 B.

c. Supervisor present for finger stick rounds. Deputies are required to have a supervisor present when letting out inmates for finger sticks. [Exhibit 1-5; Exhibit H, p. 2 @ f.]. The Agency failed to present evidence whether a supervisor was present at the time the Appellant release inmates for finger sticks, therefore no violation is found.

3. CSR 16-60 L. Failure to observe written departmental or agency regulations, policies or rules.

To prove a violation of this rule, the agency need only prove that there was a written policy, the employee was aware of the policy, and the employee failed to follow the policy. In re Mounjim, CSB 87-07 A., 6 (1/8/09). The Agency claimed the Appellant violated the following Departmental Rules and Regulations, Standards of Conduct, and Building 8 Post Orders.

a. 100.4 Deputy Sheriffs... shall not fail to be... performing their assigned duties at their scheduled times.

As stated above, the Appellant acknowledged the minimum duty for a deputy sheriff conducting a round, is to check the welfare of inmates. For reasons stated above in the discussion pertaining to CSR 16-60 A. and B., the Appellant failed, by a preponderance of the evidence, to perform the minimum welfare checks on inmates, in violation of this rule.

b. 200.16 Deputy Sheriffs... will not fail, either willfully or through negligence, incompetence or cowardice, to perform the required duties of their assignment.

The Appellant’s negligence was established under CSR 16-60 B., above. The Agency presented no evidence the Appellant was incompetent or failed to perform any duty due to cowardice.

c. 400.8 Deputy Sheriffs... shall be alert at all times to protect prisoners from harming themselves or attempting suicide.

A violation of this order does not require a finding of actual harm. The Appellant acknowledged the importance of checking on inmates during each round. [10/24/08 Appellant testimony 1:11:16, 1:16: 59]. The Appellant’s claim, that suicidal inmates should be housed in Building 4, does not abate his duty to be alert under this rule. The order to be alert “at all times” to prevent suicide and harm is not limited to the suicide watch facility at the County Jail, but applies everywhere, and particularly where Building 8 houses a high-risk, felon population. The Appellant’s failure to check on the welfare of

each inmate while he conducted rounds, as established above in the discussion of CSR 16-60 A. and B., was a violation of this rule.

d. Department Order 2440.1E Human Relations/Code of Ethics and Standard of Conduct...

3. Code of Ethics: Employees of the Denver Sheriff's Department should adhere to the following guiding principles while performing their duties...
 - Demonstrating skill, knowledge and competency in carrying out all assigned duties; striving for excellence and continued self-improvement.

While firm ethical standards may be enforced as orders, an ethical aspiration couched in an agency order does not convert aspirational guidance to an enforceable order. In re Norman-Curry, CSA 28-07, 50-8, 7 (2/27/09). For example, in this rule, it is infeasible to discipline an employee for insufficient striving for excellence. To permit enforcement of such vaguely worded "orders" would invite vague standards and selective enforcement based upon subjective standards. Consequently, I decline to find this Agency Order is enforceable as an order.

e. BUILDING 8 POST ORDERS

A. Officer Assignments...

10. Duties from 2130 to 0600 hours will include...

e. Make at least two rounds per hour from 2200 to 0600 hours. Officers should alternate rounds to prevent predictability.

[Exhibit H].

The Appellant's violation of this order was established above. The evidence shows, by a preponderance of the evidence, that he regularly, [Exhibit P], and on 2/24/07, failed to conduct two rounds per hour during his shift, in violation of this order, and consequently, in violation of CSR 16-60 L. Although the Appellant's witness, Deputy Hamilton, testified he believed the Appellant never skipped or failed to conduct rounds, Hamilton's credibility on this point was challenged by Adams who credibly testified, with great reluctance, that Hamilton is untruthful. [1/8/09 Adams cross-exam 9:39:41]. Adam's testimony was not rebutted.

4. CSR 16-60 Z. Conduct prejudicial to the good order and effectiveness of the department or agency, or conduct that brings disrepute on or compromises the integrity of the City.

To sustain this violation, the agency must prove the Appellant's conduct hindered the agency mission, or negatively affected the structure or means by which the agency achieves its mission. In re Simpleman, CSA 31-06, 10 (10/20/06).

As established above at CSR 16-60 A., and B., the Appellant failed to check the

well-being of all inmates on his rounds. He viewed his duty as, first, "counting bodies," then making himself available to address inmate needs only as they made their needs known to him. [Exhibit 18 @ 7:26-7:34]. The Appellant's failure to carry out a primary duty, proactive care of inmates, hindered the Agency's effectiveness in providing a core mission. Consequently, the Appellant violated CSR 16-60 Z. The Agency provided no evidence the Appellant violated the second part of this rule, which requires a showing of actual harm to the City. In re Strasser, CSA 44-07, 4 (10/16/07), *aff'd* CSB 2/29/08.

D. Appellant's Due Process Claim

The Appellant claims the Agency violated his due process rights in two ways: Malatesta, as the final decision maker for discipline in the Agency, also conducted an on-site inspection of Building 8. The Appellant also claims the Agency failed to provide all potentially exculpatory evidence prior to his pre-disciplinary meeting.

1. Separation of administrative functions. The Appellant cites Woodard v. Brown, 770 P.2d 1373 (Colo. App. 1989) for the proposition that a disciplinary decision maker may not also conduct an investigation into the same matter. "Due process of law requires an administrative agency to separate its investigative and advocative functions from its decision-making function in any given case." Woodard @ 1375.

First, Woodard does not apply here. In Woodard, the administrative function of investigation and the disciplinary function of an agency must be divided into two panels pursuant to statute. The court stated a member of the disciplinary panel may not also conduct investigatory functions. That is not the scheme under which Career Service agencies function.

Second, the underlying question in all due process claims is whether process was fair. Woodard @ 1376. Thus, the question here is whether Malatesta's visit to the county jail, to view the tier in Building 8 where Gebreselassie was housed, raises a significant question of inherent unfairness in the process. The answer is provided by the Woodard court. "The actions of an administrative agency are entitled presumptions of regularity, validity, and constitutionality. *Id.* "The existence of a relationship which suggests only a remote and tenuous possibility of unfairness is not sufficient to overcome those presumptions." [citations omitted]. *Id.* There is nothing in the record to suggest Malatesta was wrongfully influenced in her decision by viewing Building 8. The presumption of regularity, validity and constitutionality have not been overcome. Consequently this claim fails.

2. Pre-disciplinary notice. The Appellant claims he was deprived of due process also because the Agency failed to provide potentially "exculpatory evidence." Specifically he cites the Agency's failure to notify him, before his pre-disciplinary meeting, that Deeds and Malatesta viewed Building 8, [Appellant pre-hearing statement; closing statement]. The Appellant also claims the Agency failed to provide discovery concerning Malatesta's visit to Building 8.

Pre-termination rights are limited where a post-termination hearing is provided. Due process requires only notice of the charges, a recitation of the employer's evidence, and an opportunity to be heard. In re Mounjim, CSA 87-07, 8 (CSB 1/8/09), *citing Cleveland Board Education v. Loudermill*, 470 U.S. 532, 546 (1985). A voluminous recitation of facts which support each particular rule violation is not required in an agency's pre-disciplinary letter. In re Mounjim, CSA 87-07, 7 (CSB 1/8/09). The Agency's letter in contemplation of discipline provided notice of the rule violations, a summary of the basis for each violation, and the Appellant was provided a pre-disciplinary venue in which to be heard. No more is required. *Id.* The Agency's contemplation letter fully complied with the mandates of CSR 16-40. For these reasons, the Appellant's due process claim here also fails.

V. CONCLUSIONS

Despite the Appellants vigorous claims and invitation to the contrary, it is not the purpose of this Decision to assign comparative fault for the death of inmate Gebreselassie.¹ That determination must be made by a different authority authorized to make such determinations. The questions to resolve here have always been, and remain, whether the Appellant's conduct or omissions violated any Career Service Rule, and if so, whether the violation(s) were sufficiently egregious to merit termination.

VI. DEGREE OF DISCIPLINE

The purpose of discipline is to correct inappropriate behavior if possible. Appointing authorities must consider the severity of the offense, an employee's past record, and the penalty most likely to achieve compliance with the rules. CSR § 16-20.

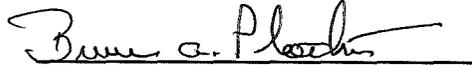
The Appellant's actions violated the very mission of the Agency, the safekeeping of inmates. Malatesta conducted a pre-termination hearing, considered the reports and information assembled during an extensive investigation, considered the statements of the Appellant and his counsel, considered the various penalty options and considered the Appellant's employment and disciplinary history. Her decision to dismiss the Appellant was within the range of reasonable alternatives available to her, and was not based upon considerations unsupported by a preponderance of the evidence, nor was the decision clearly excessive. The Appellant's continued failure to acknowledge wrongdoing indicates a lesser penalty would not have corrected the inappropriate behavior.

¹ "I'm gonna ask this court today to be bold. I'm gonna ask you to be bold, your honor. I'm gonna ask you not only to issue an order exonerating Deputy Rogers, and reinstating his job with back pay, but also I'm gonna ask this court to issue an order reprimanding or indicting the agency for its utter lack, its incompetence, in supervising these people, and let's call the Agency to correct this broken system." [Appellant closing argument].

VII. ORDER

The Agency's termination of the Appellant's employment on April 1, 2008 is AFFIRMED.

DONE March 13, 2009.


Bruce A. Plotkin
Career Service Hearing Officer

NOTICE OF RIGHT TO FILE PETITION FOR REVIEW

You may petition the Career Service Board for review of this decision, in accordance with CSR 19-60, within fifteen calendar days after the date of mailing of the Hearing Officer's decision, as stated in the certificate of mailing below. The Career Service Rules are available at [www.denvergov.org/csa/career service rules](http://www.denvergov.org/csa/career_service_rules).

All petitions for review must be filed by mail or by hand delivery to:

Career Service Board
c/o Employee Relations
201 W. Colfax Avenue, Dept. 412
Denver CO 80202