



**Denver Board of Ethics**

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**DENVER BOARD OF ETHICS  
MINUTES  
MEETING OF MARCH 11, 2020**

Chair Joseph Michaels called the meeting of the Denver Board of Ethics to order at 8:04 a.m. in Hearing Room 2.H.14 of the Wellington Webb Municipal Office Building. Present were Board members Joseph G. Michaels, Dianne Criswell, Sylvia S. Smith and Jane T. Feldman. Also in attendance were Jordan Humphreys, Senior Assistant City Attorney, and Executive Director Lori Weiser.

1. Introductions.
2. The Minutes of the Board's February 4, 2020 meeting were moved, seconded and approved unanimously without amendment.
3. The Board considered the request for advisory opinion by Captain Eric Rubin in case 20-6. It was moved, seconded and approved to find that donation by the Denver Police Department of used police bicycles to the non-profit organization, Bikes Together, would not violate the Denver Code of Ethics.
4. Those present discussed the recommendations from the recent Audit Report and considered prior efforts to modify the Code of Ethics with respect to anonymous complaints. Members volunteered to draft language related to the other issues raised in the recommendations.
5. Prior to discussing case 20-10, Board Member Dianne Criswell disclosed that she knew the requestor, Steve Ellington, through previous task force and committee work. The Board, after conferring with Mr. Ellington, unanimously agreed that this posed no conflict of interest requiring recusal. Thereafter, the Board considered the request for advisory opinion / waiver. Following a discussion with Mr. Ellington, it was moved, seconded and unanimously approved to find that hiring the proposed candidate when a family member of the candidate was already employed by the division would not violate the Code of Ethics because there were more than two levels of supervision between the candidate and his family member. Therefore, the Board concluded it was unnecessary to consider a waiver. The Board did ask that

**Executive Director**  
Lori Weiser

**Board Members**  
Joseph G. Michaels – Chair  
Dianne Criswell – Vice Chair  
Andrew S. Armatas  
Sylvia S. Smith  
Jane T. Feldman

the candidate, if hired, not take personnel or administrative action with respect to his family member.

6. Prior to discussing case 20-7, Board member Sylvia S. Smith disclosed that she knew the parties referenced in the case as passing acquaintances, however, she was clear that her ability to be impartial would not be impacted such that recusal would not be necessary. Thereafter, the Board considered the request for advisory opinion and waiver submitted by John Martinez. The Board conversed with Thomas Herndon, and determined that because there was only one supervisory level between family members, there would be a violation of the Code of Ethics unless a waiver was granted. Following discussion, it was moved, seconded and unanimously agreed to grant a waiver with the condition that the supervisor abstain from personnel and administrative decision with respect to his family member.
7. The Board considered the draft decision for case 19-32 and agreed upon necessary edits.
8. A brief recess was taken.
9. A motion was seconded and approved to move into executive session at 9:46 a.m. to deliberate on cases 20-8 and 20-9.
10. At 10:05 a.m., a motion was seconded and unanimously approved to move from executive session back into the public session.
11. It was moved, seconded and unanimously approved to find that in cases 20-8 and 20-9, the alleged conduct did not violate the Code of Ethics, and to therefore dismiss the complaints with no further action.
12. At 10:24 a.m. a motion was made, seconded and approved unanimously and the meeting was adjourned.

APPROVED BY THE BOARD: May 13, 2020

NOTE: Copies of decisions in the cases mentioned above or any other cases may be obtained by contacting the Board's Executive Director, Lori Weiser—[lori.weiser@denvergov.org](mailto:lori.weiser@denvergov.org).