Citizen Oversight Board
2020 Annual Report
Greetings,

It is my privilege to present this annual report of the Denver Citizen Oversight Board (COB). The report is a compilation of the ordinance-mandated information the Board is obliged to provide annually and covers the period from January 1, 2020, to December 31, 2020. It includes: (i) a summation of the significant activities of the Board in 2020; (ii) a description of concerns expressed by the citizens of Denver; (iii) recommendations for changes to certain policies of the Denver Police and Denver Sheriff Departments; and (iv) a review of the work of the Office of the Independent Monitor and former Independent Monitor Nicholas Mitchell.

The Board is grateful, particularly in light of the unique challenges faced in 2020, for the diligence and effectiveness of the OIM in actively monitoring investigations of misconduct by uniformed personnel, augmenting the disciplinary process, and providing recommendations aimed at improving policies and training at the Denver Police Department and Denver Sheriff Department.

In 2020, the Board saw a good deal of transition. We said goodbye to Dr. Mary Davis, Francisco Gallardo, and Mark Brown, and warmly thank them for over two decades of combined service to the COB. In their stead, the Board welcomed Terrance Carroll, Dr. Apryl Alexander, Karen Collier, and Julia Richman—new members with strong records of serving Denver and Colorado. In addition, the Board saw the re-appointment of Katina Banks. In February 2021, the COB welcomed the ninth member of the board, Stefan Stein—who also has a strong record of community service.

Rarely has Denver seen a time when the right to freedom of speech and expression, the need for cogent and measured law enforcement, and the unending struggle for inalienable human rights have been at such odds. The year 2020 brought to light the many challenges facing Denver and other cities across America. The need for the COB has never been greater, and we continue to face these challenges head on.

Working within the COVID-19 pandemic protocols as set forth by Mayor Hancock, the COB continued to address issues of concern for the community. After nearly two decades of work on behalf of the people of Denver, the Board looks forward to the future—working with the new Independent Monitor, the city’s safety departments, and the community to advance law enforcement reform in Denver for all citizens.

Sincerely,
Al Gardner, Chair
Citizen Oversight Board
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The Citizen Oversight Board

The Citizen Oversight Board (COB) consists of nine community members appointed alternately by the Mayor and the City Council, with one joint appointee. The COB is required by ordinance to report on its activities, concerns, and recommendations on an annual basis.¹

Citizen Oversight Board Members

Al Gardner, Chair is the Vice President of Information Technology for Denver based Inspirato. Mr. Gardner specializes in strategic IT leadership and overall network, systems, and cybersecurity operations management. He has served as Denver African American Commissioner and in various roles with the Denver Police Department Chief’s Advisory Board, Denver Public Schools Equity Task Force, and Denver Sheriff Advisory Board. He holds both a Bachelor’s Degree and a Master’s Degree in Business Administration.

Nikki Braziel, Vice Chair, is the co-founder of Octa, a Denver-based product design and manufacturing company focused on mounting solutions for mobile technology. Previously she worked at the Space Science Institute in Boulder, where she assisted in the development and distribution of museum exhibits and displays. Before leaving her native Chicago, she worked in both legal marketing and professional development at Jenner & Block LLP. In her free time, she writes historical fiction.

Katina Banks is a knowledge management attorney at Gibson, Dunn & Crutcher, LLP. She served eight years on the Colorado Civil Rights Commission, helping enforce the state’s anti-discrimination laws. Ms. Banks was a member of the Colorado Lawyers Trust Account Foundation (COLTAF), which helps provide legal services statewide to underserved members of the community. She graduated summa cum laude from Capital University Law School after earning her Bachelor of Arts degree at the University of Pennsylvania. She lives in Denver’s Park Hill Neighborhood.

Terrance Carroll was the 54th Speaker of the Colorado House of Representatives. The only African-American to have served as Speaker of the Colorado House, Terrance served in the legislature from 2003 until being term-limited 2011. Currently, Terrance is the Colorado State Director for Unite America. He also serves as a reserve police officer with Colorado’s statewide shared law enforcement reserve. A graduate of the University of Denver’s Sturm College of Law, Morehouse College in Atlanta, Georgia, he holds a Master of Divinity degree from the Iliff School of Theology in Denver.

Karen Collier retired from public service in 2009, having worked in the Denver District Court as a court stenographer for 30 years. Ms. Collier’s commitment to social justice work in Colorado includes working with the Chinook Fund; Out4Life Colorado, delivering HIV prevention services to the African-American

¹ Denver Revised Municipal Code §2-378(b) and §2-384
communities in the Denver Metro area; The Center, volunteering with Rainbow Alley, its LGBTQ youth outreach program; and One Colorado as a co-chair for the People of Color Caucus. In addition, she sits on the Board of The Center for Trauma and Resilience and is a co-chair of Park Hill Congregational UCC's partnership with the Women's Homelessness Initiative.

Molly Gallegos began her career as a community organizer in West Denver, cultivating community leaders and advocating for the needs of Denver's working families. More recently, she has been working with Denver's high school students, providing them the support and encouragement they need to access their post high school goals. Molly holds a Bachelor’s degree in Ethnic Studies from Colorado State University and a Master's of Social Sciences/Women and Gender Studies from CU Denver.

Julia Richman currently serves as the Chief Strategy Officer at the Governor’s Office of Information Technology. Previously, she was the Innovation and Technology Officer for the City of Boulder, serving the city as Chief Innovation and Analytics Officer. Born and raised in Colorado, Ms. Richman is a Colorado Governors Fellow, a graduate of Leadership Denver and the Colorado Institute for Leadership Training, as well as a mentor for Greenhouse Scholars since 2012. She received her MPP from the University of Chicago and AB from Dartmouth College.

Dr. Apryl Alexander is an Associate Professor in the Graduate School of Professional Psychology at the University of Denver (DU). She received her doctorate in clinical psychology from the Florida Institute of Technology with concentrations in forensic psychology and child and family therapy. Dr. Alexander primarily teaches in the master’s in forensic psychology program and serves as Director of the Forensic Institute of Research, Service, and Training (Denver FIRST) Outpatient Competency Restoration Program, which provides outpatient competency education and restoration for low-risk, court-ordered adult defendants and juveniles. In 2020, she was awarded a 3-year grant from the DOJ’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) to develop a gender sensitive, culturally competent, and evidence-based trauma treatment program for juvenile justice involved girls in the Denver metro area.

Stefan Stein is an attorney at Sherman & Howard, Denver’s oldest law firm. He served as a federal prosecutor in Los Angeles for seven years where he was the Deputy Chief of the Public Corruption & Government Fraud unit. Stefan is currently a Board member and Vice Chair of the Colorado Nonprofit Development Center. Stefan was previously a Board member and Chair of the Governance Committee of the Jewish Community Center of Denver. He was also a longtime Board member and the Interim CEO and Board Chair of Urban Peak. Stefan holds a Bachelor’s degree in Economics from Stanford University and a law degree from the University of Michigan.
Duties and Authority of the COB

The COB was created by ordinance in 2004. As set forth, the functions of the Board shall be to:

1. Assess the effectiveness of the OIM;
2. Make policy-level recommendations regarding Denver Police Department (DPD) and Denver Sheriff Department (DSD) discipline, use of force, and other policies, rules, hiring, training; community relations; and the complaint process;
3. Address any other issues of concern to the community, members of the COB, the Monitor, the Manager of Safety, the Chief of Police, the Undersheriff, or the Fire Chief;
4. Make recommendations as to specific cases closed by the DPD or DSD Internal Affairs Bureau (IAB), the Department of Safety’s Public Integrity Division; and
5. Perform other duties as set forth in the ordinance.

The COB has no command responsibilities with respect to DPD and DSD. It carries out its advisory duties in frequent meetings with the Independent Monitor and Department of Safety (DOS) personnel, including the Sheriff, Chief of Police, and the Executive Director (EDOS). These meetings allow COB members to monitor confidential internal investigations and to make recommendations on discipline for individual Internal Affairs Bureau (IAB) cases as well as policy recommendations.

In November of 2016, Denver voters overwhelmingly approved Referred Measure 2B, which placed the OIM and the COB into the city charter. In February of 2019, the Denver City Council voted to approve a change, by ordinance, to the appointment process of the COB members, while adding an eighth and ninth member to the Board and provisions to stagger members’ terms. Prior to the ordinance changes, the Mayor was solely responsible for all appointments to the COB. With the changes, those duties are now split between the City Council and the Mayor.

Other notable changes include clarifications that the Independent Monitor has authority to monitor investigations into claims of misconduct against the Sheriff or the Chief of Police, and prohibitions against retaliation for reporting misconduct to or cooperating with the OIM.

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3 Denver Revised Municipal Code §2-377
4 Denver Revised Municipal Code §2-378(b)
Complaints and Commendations
The COB receives complaints against and commendations of sworn staff of the Denver Police and Denver Sheriff Departments. Complaints may be submitted by email, mail, over the phone, through an online complaint and commendation form, or through the Office of the Independent Monitor. Complaints and commendations received by the COB are forwarded to the Office of the Independent Monitor, which works with the DPD and DSD Internal Affairs Bureau, making recommendations about the handling, investigation, and any associated discipline. The COB has no investigative authority.

Assessment of the Work of the Office of Independent Monitor

The ordinance that established the OIM entrusts the authority to evaluate the performance of the Independent Monitor with the COB. In the past, the COB has made this evaluation through a qualitative evaluation system developed by the COB in 2013, which evolved in subsequent years; below the quantitative measures and data points can be found. Due to the resignation of Independent Monitor Nicholas Mitchell in December 2020, the COB did not interview the OIM staff or safety department personnel regarding his performance. This assessment is based solely on a review of workload measures, including investigations, mediations, and reports—specifically the report entitled The Police Response to the 2020 George Floyd Protests in Denver, an Independent Review, which placed significant demands on the staff. For it, the OIM reviewed upward of 15,000 hours of potentially relevant video.

Workload and Performance Measures

The COB assesses the OIM on several quantitative workload measure related to the work produced by the office. Table 1 presents those workload measures.

In 2020, the DPD recorded 470 complaints (an increase of 5.6%), with the OIM reviewing 422 investigations of alleged misconduct (a decrease of 14%). The number of actively monitored DPD investigations nearly doubled due to the George Floyd protests. As an unfortunate consequence of the pandemic and the city’s health orders, mediations—performed in-person—were more than halved, with only 14 completed.

The number of complaints against the DSD increased by 4%, while the investigations reviewed by the OIM decreased by 18%. Actively monitored investigations dropped to just over a third of the 2019 totals. However, completed mediations dropped by only 2.
### Table 1: OIM Workload Measures—2017 to 2020

<table>
<thead>
<tr>
<th>A. Complaint Monitoring Workload</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Denver Police</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Number of Citizen-Internal Complaints Recorded</td>
<td>541</td>
<td>427</td>
<td>445</td>
<td>470</td>
</tr>
<tr>
<td>b. Investigations Reviewed</td>
<td>563</td>
<td>496</td>
<td>489</td>
<td>422</td>
</tr>
<tr>
<td>c. Actively Monitored Investigations</td>
<td>21</td>
<td>27</td>
<td>29</td>
<td>53</td>
</tr>
<tr>
<td>d. Completed Mediations</td>
<td>53</td>
<td>32</td>
<td>32</td>
<td>14</td>
</tr>
<tr>
<td>2. Denver Sheriff</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Number of Citizen-Internal Complaints Recorded</td>
<td>335</td>
<td>451</td>
<td>244</td>
<td>254</td>
</tr>
<tr>
<td>b. Investigations Reviewed</td>
<td>265</td>
<td>498</td>
<td>359</td>
<td>294</td>
</tr>
<tr>
<td>c. Actively Monitored Investigations</td>
<td>72</td>
<td>135</td>
<td>150</td>
<td>57</td>
</tr>
<tr>
<td>d. Completed Mediations</td>
<td>0</td>
<td>5</td>
<td>6</td>
<td>4</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Discipline</th>
<th></th>
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<tbody>
<tr>
<td>1. Denver Police</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Disciplinary Recommendations Made</td>
<td>140</td>
<td>145</td>
<td>111</td>
<td>107</td>
</tr>
<tr>
<td>2. Denver Sheriff</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Disciplinary Recommendations Made</td>
<td>104</td>
<td>129</td>
<td>172</td>
<td>138</td>
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<table>
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<tr>
<th>C. Critical Incidents</th>
<th></th>
<th></th>
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<tbody>
<tr>
<td>1. Denver Police and Sheriff</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>a. Officer-Involved Shooting Investigations Monitored</td>
<td>17</td>
<td>14</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>b. In-Custody Death Investigations Monitored</td>
<td>4</td>
<td>4</td>
<td>10</td>
<td>2</td>
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The COB also assessed the OIM on several quantitative performance measures related to its work with the DPD. As shown in Table 2, in 2020, the OIM reviewed 97% of DPD investigations and 95% of DPD disciplinary decisions prior to case closure. Nearly all DPD complaints received by the OIM (95%) were referred to DPD IAB withing three days, and 61% of DPD IAB investigations were reviewed by the OIM within ten days. (This decrease in reviews was due to the OIM’s review of the George Floyd protests as requested by the Denver City Council.) The OIM’s outreach efforts continued despite the COVID-19 pandemic, with 62 community outreach events and 19 officer/deputy outreach events in 2020.
Table 2: Quantitative Performance Measures for Evaluation of the OIM, 2017–2020

<table>
<thead>
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<th>Performance Indicator Category</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
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<tr>
<td>1. Percentage of DPD IAB Investigations (full formal investigations and declines) reviewed by OIM prior to case closure.</td>
<td>100%*</td>
<td>100%</td>
<td>100%*</td>
<td>97%</td>
</tr>
<tr>
<td>2. Percentage of DPD disciplinary decisions of IAB cases reviewed by the OIM prior to case closure.</td>
<td>89%</td>
<td>96%</td>
<td>91%</td>
<td>95%</td>
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<tr>
<td>3. Number of community outreach events held/attended by the OIM in a calendar year.</td>
<td>165</td>
<td>173</td>
<td>182</td>
<td>62</td>
</tr>
<tr>
<td>4. Number of officer/deputy outreach events held/attended by the OIM in a calendar year.</td>
<td>87</td>
<td>91</td>
<td>78</td>
<td>19</td>
</tr>
<tr>
<td>5. Number of complaint/commendation form distribution sites.</td>
<td>66</td>
<td>72</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>6. Percentage of community complaints referred to DPD IAB within three business days (for complaints filed through the OIM).</td>
<td>97%</td>
<td>98%</td>
<td>97%</td>
<td>95%</td>
</tr>
<tr>
<td>7. Percentage of DPD IAB investigations reviewed by OIM monitors within 10 days.</td>
<td>89%</td>
<td>96%</td>
<td>94%</td>
<td>61%</td>
</tr>
<tr>
<td>8. Percentage of DPD citizen complaints mediated.</td>
<td>11%</td>
<td>9%</td>
<td>9%</td>
<td>4%</td>
</tr>
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</table>

* The OIM did not review one IAB investigation prior to case closure, but the percentage was rounded to the nearest whole number.
COB Activities in 2020

The COB does its work in three primary settings: COB meetings, executive sessions, and quarterly public forums.

COB Meetings

The COB typically meets twice a month in regular working sessions. The COB meets with the Executive Director of Safety (EDOS), the Sheriff, and the Chief of Police at least quarterly, and with others on an as-needed basis. These quarterly meetings help to keep the COB informed on current policies and upcoming initiatives. They also provide the COB with the opportunity to give feedback to the EDOS, the Sheriff, and the Chief of Police. The COB also receives updates from the Independent Monitor and the OIM staff. COB meetings are open to the public, except for executive sessions held to discuss ongoing investigations and other privileged matters. These meetings are generally held at 10 a.m. on the first and third Fridays of the month.

On March 12, 2020, Mayor Hancock declared a state of emergency for the City and County of Denver in response to COVID-19. Closure orders began on Mach 13, with a stay-at-home order effective March 24. At that time, the COB reached out the City Attorney’s Office for guidance on board meetings and safety protocols. The Emergency Rules of Procedure for the City, which were effective through May 11, effectively suspended meetings of all policy and advisory boards and commissions, in accordance with the Mayor’s state of emergency declaration.

City boards and commissions are subject to open meetings laws and must provide access to the public for all meetings. When guidance from the city allowed board and commissions to resume meeting (if they could do so virtually), the COB worked with the city’s technology services department to secure an online platform. The COB reconvened virtually on June 19, 2020.

Executive Sessions

The COB devoted a portion of the scheduled meetings to executive sessions with the Independent Monitor to review a variety of pending disciplinary cases and ongoing investigations. The information discussed in these sessions remains confidential under city and state laws and regulations.6

6 Denver Revised Municipal Code §2-34(a)
Public Outreach

The COB is required to hold three public meetings annually for public comment. Complications due to the pandemic put those plans on hold until the Board could be sure all safety protocols could be implemented.

On June 19, the Board held a virtual public forum with Independent Monitor Nicholas Mitchell and DPD Chief Paul Pazen as its guests; the discussion focused on policing and crowd control strategies employed by the DPD during the protests following the murder of George Floyd.

On June 30, the Board co-hosted a public forum in conjunction with Greater Metro Denver Ministerial Alliance, the Interfaith Alliance of Colorado, and the Conflict Center. The topic was reimagining policing and public safety in Denver. The meeting was designed to collect public input and suggestions on how to create a broad-based community task force focused on systemic change.

On December 9, the board hosted a virtual public forum and received a special report from Independent Monitor Nicholas Mitchell on his investigation into law enforcement involvement during the George Floyd Protests. The presentation regarding the OIM’s findings was followed by Q&A.

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7 Denver Revised Municipal Code §2-382(a)
COB Statement on George Floyd’s Death

In June 2020, the COB released the following statement:

The Citizen Oversight Board (COB) grieves the murders of George Floyd, Breonna Taylor, and the countless other martyrs whose lives were lost at the intersection of systemic racism and police violence. We mourn Michael Marshall, Marvin Booker, Jessie Hernandez, Paul Castaway, and Ryan Ronquillo, as well as others who have died in their interactions with the Denver Police and Sheriff Departments.

Since its creation in 2004, the COB has worked, often behind the scenes, to bring incremental improvements to the policies that govern law enforcement. We have not done enough. No one has.

Often thwarted by structural barriers that give civilians little more than advisory authority, or blocked at times by political interests antithetical to transparency, we have reviewed investigations from which insufficient discipline or reform ever resulted. There are inherent limits to a system in which law enforcement investigates and disciplines itself. Those limitations cannot be mitigated by constricted oversight measures.

We are frustrated but committed and in need of support. We need to fill our meetings, month after month, year after year, to demonstrate sustained public interest in civilian oversight of law enforcement and criminal justice reform. We need more individuals and community organizers to share their experiences and ideas. We need more legislators to defy the will of established interests. We need more voters to cast their ballots with the conviction that guns and tear gas are purchased by taxpayer money and that citizens have a role to play in governing their use.

We are compelled to offer suggestions for reform that we can make as a community, in collaboration with Denver law enforcement. What follows is a partial list. Far more significant structural changes are likely necessary. We hope you will stand with us, work with us, and help guide us in the months and years to come.

In Service,
The Denver Citizen Oversight Board

- Empower and strengthen the authority of civilian oversight agencies, like the Citizen Oversight Board and the Office of the Independent Monitor
- Fund those agencies accordingly, pegging their budgets to police expenditures
- Institute more extensive, ongoing training programs on racial bias for all law enforcement officers, and make that curriculum a requirement to recertification
• Insist that any sustained allegation of misconduct that includes racial discrimination be made an immediately terminable offense
• Require the Denver Police and Sheriff Departments to conduct rigorous, ongoing First Amendment training for all officers
• Establish strong peer intervention programs teaching active bystandership, training officers how to intercede regardless of rank, and establishing protections for those who do
• Expand mental health support services for officers
• Convene a broad community-based forum for updating the Denver Police and Sheriff Departments handbooks, including their disciplinary matrixes, and facilitate regular public inclusion in the process
• Continue and expand co-responder programs, adding more civilian roles to patrols
• Review participation in programs that fund the purchase or transfer of excess military equipment from the federal government to local law enforcement
• Overhaul the Civil Service Commission and Career Service Board, particularly the rules regarding the repeal disciplinary decisions
• Insist on citizen participation in the disciplinary process
• Ensure that when an officer moves from one jurisdiction to another, their unredacted employment history, including dismissed allegations, is shared as a precondition of employment
• Repeal laws that conceal police disciplinary records relating to use of force, criminal activity and discrimination from public view
• Reconsider the budget allocation between the Denver Police and Sheriff Departments and department and programs that address mental health issues and homelessness

**COB Statement on the OIM’s Special Report**

In December 2020, the Board released a statement on the OIM’s special report entitled *The Police Response to the 2020 George Floyd Protests in Denver, an Independent Review*:

Upon reviewing the findings of the Office of the Independent Monitor in its report analyzing the Denver Police Department’s (DPD) response to the 2020 George Floyd protests, the Citizen Oversight Board (COB) has significant concern about several areas of failure by the DPD, including: (1) the apparent absence of planning for large-scale crowd control events; (2) the haphazard approach to operations and resource management; (3) the insufficient training on less-lethal weapons; and (4) the cavalier approach to accountability and transparency, as exemplified by the systemic failure to consistently activate body worn cameras. In addition, the improper use of less-lethal munitions, in some cases resulting in serious bodily injury, is extremely troubling.
“These are military grade munitions being used against citizens expressing their First Amendment rights,” said Al Gardner, COB Chair. “The OIM’s report raises important questions about what is appropriate use of force in response to protest and demands a closer look at what institutional accountability should look like in these circumstances.”

The COB is committed to working alongside the DPD and the Department of Public Safety to examine ways our city can be better prepared to peacefully police mass protests in the future. While we support the police in their efforts to provide orderly paths to protest, we do not believe that law enforcement or the preservation of order should ever come at the expense of transparency or accountability.


Other Notable COB Activity

New Denver Sheriff

In November 2019, EDOS Troy Riggs briefed the COB on the selection process for the next Denver Sheriff. The Board advocated for a more community-oriented approach, including suggestions for the EDOS. In response, the EDOS added public feedback to the search for Sheriff. In July 2020, Mayor Hancock selected Elias Diggins to be Denver’s next sheriff. Diggins joined DSD in 1994, rising through the ranks to become Chief of Operations.

In September 2020, Sheriff Diggins appeared before the COB to share his background and experience. He shared his vision for changing the agency, saying his hope is to imbue the DSD and its staff with the mindset that deprivation of freedom is punishment. Sheriff Diggins outlined three main goals:

- Recruiting/retaining staff committed to the DSD mission, vision, and values, working with the HR department to ensure new hires understand the mindset.

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• Ensuring sergeants – the first line of supervisors – are leading. Sheriff Diggins plans to include captains and sergeants in the Grievance and Incident Response Team (GIRT) case review process.
• Building community engagement into the DSD culture by establishing a community-employee leadership council.

Sheriff Diggins also outlined his desire to create an executive leadership role to oversee all matters related to mental health issues.

**DSD Grievance and Incident Response Team (GIRT)**

The COB began an inquiry into GIRT—which is, according to DSD, an internal panel set up to provide “triage” of inmate grievances to determine if there are policy violations. The COB wanted to clarify which allegations were being forwarded to the Public Integrity Division for full investigation.

Some lack of clarity remains regarding the complaint handling process. At the time of the meeting, Sheriff Diggins reaffirmed the intention of DSD to share the full log of GIRT cases with the OIM. It was determined later in the year that the aforementioned reports were not making their way to the OIM as initially intended and agreed upon. The COB continues to inquire about GIRT and its governing policies.

**Body Worn Cameras (BWC)**

As part of its investigation into the George Floyd Protests—and to identify officers accused of misconduct in various incidents over the summer—the OIM began reviewing staging rosters, body worn camera video, and halo camera footage.

When the OIM released its report on the George Floyd Protests in December, it detailed significant gaps in BWC footage from the first five days of the protests. The COB made a point to follow up with the safety departments regarding the training schedule for BWCs.

**Independent Monitor Nicholas Mitchell Resigns**

Nicholas Mitchell, the Independent Monitor for Denver for the last eight years, announced his resignation in mid-December, effective January 4, 2021. Mitchell accepted an appointment by the Department of Justice to oversee a court-ordered agreement “designed to correct systematic, unconstitutional conditions in the Los Angeles County Jails.”\(^9\)

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The COB thanked Mr. Mitchell for his service to the city and the work he did building a nationally recognized organization. In 2021, COB Chair Al Gardner will lead a committee tasked with the selection of a new Independent Monitor, as directed by city ordinance. Engaging the community in the process will be of paramount importance, and the public is encouraged to offer input through the Citizen Oversight Board’s website, Facebook, and Twitter.

**DPD / DPS Contract**

In August, the DPD reported to the COB that the department would respect the Denver Public School Board’s decision to end its contract. The DPD outlined the current plan to remove 25% of the School Resource Officers (SROs) in the 2nd semester of the 2020 school year, with the further plan of removing all DPD officers from DPS schools by the end of the 2020–21 school year. As the costs for the officers had been split between the DPD and the DPS, DPD announced they would be absorbing all costs for the affected officers.

**First Amendment Training for DPD**

In June, a two-day training on the First Amendment rights of demonstrators was postponed due to COVID-19 pandemic health concerns. The training, held remotely in July, covered the topics of the First Amendment, Constitutional law, and reasonable time and place restrictions. The training was consistent with the settlement between the DPD and Susan Greene.\(^{10}\)

The training was recorded, with plans to make it available remotely for all officers. Further, the training is to become part of the DPD office advanced skills training.

**Impact of COVID-19 in Denver Jails**

On March 27, the COB held a conference call with Interim Sheriff Fran Gomez regarding the impact of COVID-19 on Denver’s jail population. (Gomez was appointed interim sheriff in September 2019 by Mayor Hancock upon the resignation of Sheriff Patrick Firman, and served in that capacity until July 2020 when Sheriff Elias Diggins was sworn in.)

The Board inquired as to whether the DSD was taking steps to reduce the population of inmates and whether there had been any confirmed cases of COVID-19 at that time. Also of interest to the Board were the following topics: changes in deputy attendance, the availability of PPE (Personal Protective Equipment) for the staff and inmates, and the potential suspension of administrative transfers.

\(^{10}\) Alex Burness, “Denver police agree to First Amendment training in settlement with Indy editor the wrongfully detained,” *Colorado Independent*, September 10, 2019.
Regarding inmates, the Board asked about temperature screenings, strategies to protect and/or separate vulnerable populations, contingency plans for quarantine/isolation, and implementation of de-escalation techniques to combat increased stress arising from the pandemic. The Board was also concerned with any changes to agreements between the DSD and Denver Health specific to COVID-19.

2021 Preliminary Citizen Oversight Board Meeting Schedule

Regular meetings are held on the first and third Friday of the month from 10:00 a.m. to 12:00 p.m. Until further notice, all meetings will be held virtually.

Announcements for both regular meetings and quarterly public forums are available in the following locations:

https://www.denvergov.org/Government/Departments/Citizen-Oversight-Board

https://www.facebook.com/DenverCOB

https://twitter.com/denver_cob

We look forward to your participation!