



DENVER
OFFICE OF THE
INDEPENDENT MONITOR

2019 Annual Report

Nicholas E. Mitchell
Independent Monitor

The Office of the Independent Monitor

The Office of the Independent Monitor (“OIM”) is charged with working to ensure accountability, effectiveness, and transparency in the Denver Police and Sheriff disciplinary processes. The OIM is responsible for:

- ◆ Ensuring that the complaint and commendation processes are accessible to all community members;
- ◆ Monitoring investigations into community complaints, internal complaints, and critical incidents involving sworn personnel;
- ◆ Making recommendations on findings and discipline;
- ◆ Publicly reporting information regarding patterns of complaints, findings, and discipline;
- ◆ Making recommendations for improving Police and Sheriff policy, practices, and training;
- ◆ Conducting outreach to the Denver community and stakeholders in the disciplinary process; and
- ◆ Promoting alternative and innovative means for resolving complaints, such as mediation.

OIM Staff:

Policy

Matthew Buttice, Policy Director

James Davis, Senior Policy Analyst

Alyssa Perez Morrison, Senior Policy Analyst

Monitors

Gregg Crittenden, Senior Deputy Monitor

Nate Fehrmann, Deputy Monitor

Kevin Strom, Deputy Monitor

Community Outreach/Administration

Nicole Taylor, Community Relations Director

Gianina Horton, Youth Outreach Project Manager

Teniqua Pope, Case Manager

Asiya Mustefa, Youth Outreach Project Coordinator

Juan Evangelista, Youth Outreach Project Coordinator

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1 Overview

The Office of the Independent Monitor (“OIM”) is charged with monitoring the disciplinary systems in the Denver Police and Denver Sheriff Departments (“DPD” and “DSD,” respectively), making policy recommendations to those departments, and conducting outreach to communities throughout Denver. By ordinance, the OIM is to report to the public by March 15th of every year on the work of the OIM and information about complaints, investigations, and discipline of sworn police and sheriff personnel during the prior year.

The OIM’s 2019 Annual Report is presented in four chapters. Chapter 1 provides an overview of key information related to OIM operations in 2019. Chapters 2 and 3 discuss OIM monitoring of the DPD and the DSD, respectively, and summarize statistical patterns in complaint and disciplinary trends in each department. Finally, Chapter 4 contains information about critical incidents, including the officer-involved shootings and deaths during contact with DPD officers and DSD deputies that occurred in 2019.¹

Administrative Investigation and Discipline Oversight

A core OIM function is reviewing administrative investigations of misconduct complaints to ensure that they are thorough, complete, and fair to community members, officers, and deputies.² In 2019, the OIM reviewed 489 investigations of DPD complaints.³ The OIM also reviewed 359 investigations of DSD complaints. These reviews included examining a large amount of evidence, including recorded interviews, video footage, police reports, and facility records. When we identified a need for further investigation, we returned those cases with recommendations for additional work. We also reviewed 283 DPD and DSD complaints as they went through the discipline process, making recommendations on the appropriate disciplinary outcome, if any, under the departmental discipline matrices. In 2019, 18 DPD officers were suspended, 2 resigned or retired prior to the imposition of discipline, and 2 were terminated.⁴ In the DSD, 33 deputies were suspended, 3 resigned or retired prior to the imposition of discipline, and 2 were terminated.

In 2019, DPD officers received 494 commendations and DSD deputies received 156 commendations, all of which reflected notable examples of bravery or commendable performance.⁵ We discuss a number of individual commendations of DPD officers and DSD deputies in Chapters 2 and 3, respectively.

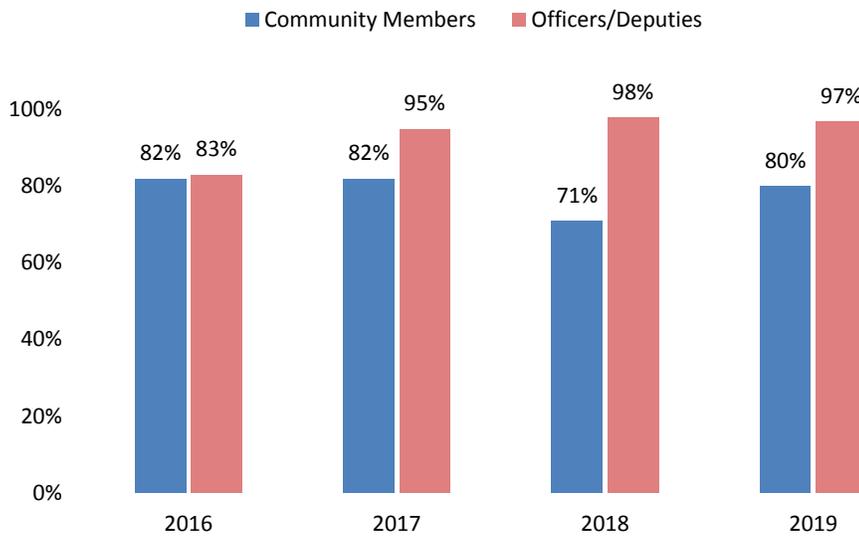
Critical Incident Investigations

Pursuant to Denver Ordinance, the OIM responds to and monitors the investigation and administrative review of every officer-involved shooting that occurs within the City and County of Denver.⁶ In 2019, there were 10 officer-involved shootings involving 20 DPD officers and no duty-related shootings involving DSD deputies.⁷ There were eight deaths of community members during DPD contact and two nonmedical deaths of community members in DSD custody.⁸ In Chapter 4, we provide information about each of the shootings and deaths, and their current status in the administrative review process.

Mediation

Mediation continued to be an important focus area for the OIM in 2019. Since 2006, the OIM has facilitated 623 mediations between community members and DPD officers, and among DSD sworn staff, including 38 completed mediations in 2019.⁹ Approximately 80% of the community members and 97% of the officers/deputies who participated in a mediation and completed a mediation survey in 2019 reported feeling satisfied with the mediation process.¹⁰

Figure 1.1: Community Member and Officer/Deputy Satisfaction with Mediation Process, 2016-2019



Community and Officer Engagement

OIM staff held or attended 260 presentations or events in the community, including 182 meetings with neighborhood associations, advocacy groups, and representatives of community organizations. We also held or attended 78 events that included outreach to members of law enforcement, including presentations at roll calls, ride alongs, training events, and attendance at graduations and other ceremonial functions.

The Youth Outreach Project: Bridging the Gap: Kids and Cops

Since 2015, the OIM has delivered its *Bridging the Gap: Kids and Cops*TM program (“Youth Outreach Project” or “YOP”) to communities throughout Denver.^{11, 12} The YOP trains officers on key aspects of adolescent development and de-escalation techniques geared toward youth, and educates youth about their rights and responsibilities when in contact with law enforcement. In 2019, 344 youth and 35 DPD officers participated in 9 YOP forums.¹³ Thirty-six DPD officers were trained on adolescent brain development and de-escalation techniques with youth.¹⁴ In addition, 28 community members were equipped to serve as facilitators of YOP forums.¹⁵

2 Denver Police Department Monitoring

Introduction

The OIM is responsible for monitoring DPD investigations into complaints involving sworn personnel and for ensuring that the complaint process is accessible to all community members.¹⁶ Having an accessible complaint process is critical for several reasons. First, complaints provide the DPD with information it may use to hold officers accountable when they do not live up to the DPD and community standards of conduct. Second, complaints may provide “customer feedback” that can be used to improve police services through the refinement of policies, procedures, and training. Third, complaints can identify points of friction between officers and the community, which can support the development of outreach and community education initiatives. Finally, an open complaint process tends to foster community confidence in the police, which enables officers to effectively perform their important public safety function.

In this chapter, we review patterns relating to the DPD’s complaints, investigations, findings, discipline, and commendations.

Highlights

- The number of community complaints recorded by the DPD in 2019 increased by 11%. In 2019, 357 community complaints were recorded against DPD officers, compared to 322 in 2018.
- The number of internal complaints filed by DPD personnel against other DPD sworn staff decreased by 15%. In 2019, 88 internal complaints were recorded against DPD officers, compared to 104 in 2018.

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- In 2019, 10% of community complaints and 57% of internal complaints were closed with 1 or more sustained findings.
- In 2019, two DPD officers were terminated and two officers resigned or retired while an investigation or disciplinary decision was pending.¹⁷
- DPD officers received 494 commendations in 2019.

Complaints Against DPD Officers

Complaints against DPD police officers fall into three categories: community complaints, internal complaints, and scheduled discipline complaints.

Community Complaints

Community complaints are allegations of misconduct against a sworn member of the DPD that are filed by community members. Community members can file complaints by filling out the OIM's online complaint/commendation form, mailing the OIM a completed postage pre-paid complaint/commendation form, e-mailing or faxing a complaint to the OIM, or by visiting the OIM's offices. Complaints can also be filed directly with the DPD, through its Internal Affairs Bureau ("IAB"), or by using forms that are generally available at the Mayor's office, DPD district stations, City Council offices, and various other places around Denver. Appendices A and B describe how complaints can be filed and where OIM complaint/commendation forms are located.

Internal Complaints

Internal complaints are those that are filed by an officer, supervisor, command staff, or IAB. Internal complaints are more likely to be procedural than are community complaints and often allege a failure to follow DPD policy and procedure. However, not all internal complaints are minor. Complaints of criminal behavior by officers are also often generated internally.

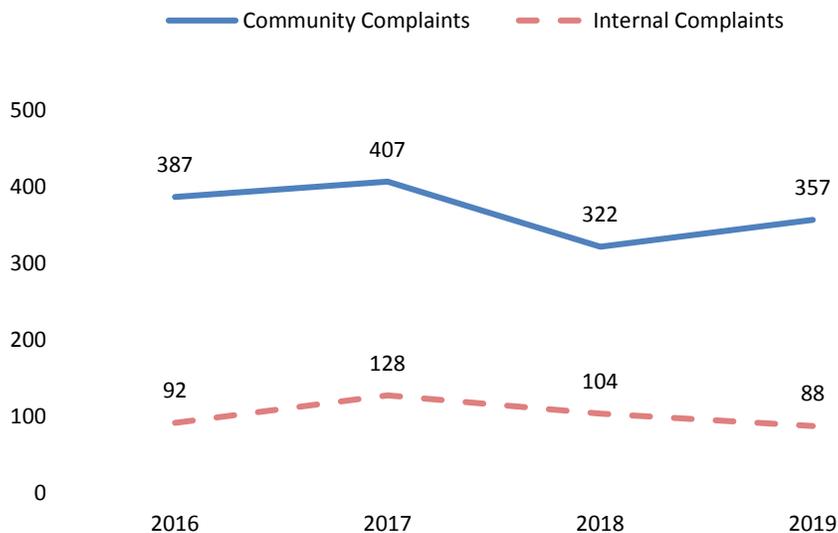
Scheduled Discipline Complaints

Scheduled discipline complaints are generally minor, such as when a DPD officer gets into a preventable traffic accident that does not cause injury or misses a court date, shooting qualification, or continuing education class.¹⁸ Discipline for these types of minor offenses is imposed according to a specific, escalating schedule. With the exception of Body Worn Camera ("BWC") complaints, the OIM has opted not to monitor or report on these types of cases. As a result, this chapter does not report patterns in scheduled discipline.

Complaints Recorded in 2019

Figure 2.1 presents the number of complaints recorded by the DPD during 2019 and the previous three years.¹⁹ These numbers do not include most scheduled discipline cases, such as when a DPD officer violates a traffic law or misses a court date, but they do include complaints involving violations of the DPD’s BWC Policy. The DPD recorded 357 community complaints in 2019, an 11% increase from 2018. Internal complaints recorded by the DPD decreased by 15%, from 104 in 2018 to 88 in 2019.

Figure 2.1: Complaints Recorded, 2016-2019



As we have noted in previous reports, it is very difficult to explain fluctuations in the number of complaints filed over time. Patterns in complaints can change as the result of developments in organizational policy, practice, or training. Complaint numbers can also increase or decrease in response to a range of other factors, including, but not limited to, media coverage, changes in complaint-triage practices, and changes in the types of complaints that are recorded or not recorded.

Most Common Complaint Specifications

Individual complaints can include one or more specifications, which reflect the rules that a DPD officer might be disciplined for violating.²⁰ Table 2.1 presents some of the most common complaint specifications from 2019 and the previous three years. The most common specifications recorded by the DPD in 2019 were Duty to Obey Departmental Rules and Mayoral Executive Orders and Discourtesy.

Table 2.1: Most Common Specifications, 2016–2019

Specification	2016	2017	2018	2019
Duty to Obey Departmental Rules and Mayoral Executive Orders	22%	32%	28%	36%
Discourtesy	18%	17%	15%	19%
Inappropriate Force	12%	11%	17%	14%
Responsibilities to Serve Public	28%	21%	21%	8%
Failure to Make, File, or Complete Official Required Reports	2%	2%	2%	4%
Conduct Prohibited by Law	2%	2%	3%	3%
Unassigned	4%	3%	2%	3%
Rough or Careless Handling of City and Department Property	3%	3%	5%	2%
Conduct Prejudicial	2%	1%	2%	2%
All Other Specifications	9%	7%	4%	8%
Total Number of Specifications	780	876	640	664

Note: Percentages may not sum to 100 due to rounding.

Duty to Obey Departmental Rules and Mayoral Executive Orders is a specification that covers a wide range of possible violations, including, but not limited to, unconstitutional search and seizure, improper handling of evidence and personal property, and violations of the DPD BWC Policy.²¹ In fact, 15% (37 of 240) of the Duty to Obey Department Rules and Mayoral Executive Orders specifications recorded in 2019 were for potential violations of the BWC Policy.²² Discourtesy is a specification used when officers are alleged to have violated a rule requiring them to be “orderly, attentive, respectful, and exercise patience and discretion in the performance of their duties.”²³

Intake Investigations, Screening Decisions, and Findings

After a complaint is received, IAB conducts an intake investigation and makes a screening decision. An intake investigation is a type of “triage” process where IAB completes a preliminary review of the complaint to determine its seriousness and the appropriate level of resources to devote to its investigation. The intake investigation may include a recorded telephonic or in-person interview with the complainant and witnesses; a review of police records, dispatch information, and relevant video; and interviews of involved officers. Following the intake investigation, IAB supervisors determine what policies and procedures have allegedly been violated, and make a screening decision that determines how the complaint will be handled. There are five common screening decisions: decline, informal, service complaint, mediation, and formal.

Decline

A complaint can be declined if it does not state an allegation of misconduct under DPD policy, or the intake investigation revealed that the facts alleged in the complaint did not occur or that there is insufficient evidence to proceed with further investigation. The OIM reviews every case that is proposed as a decline and may make recommendations before it is closed. The OIM also communicates the case outcome by mailing a letter to the complainant, along with a findings letter from IAB.

Informal

A complaint can be handled informally if it states an allegation of a minor procedural violation not rising to the level of official misconduct. As such, the complaint may be investigated by the subject officer’s supervisor, rather than by IAB. The OIM reviews the completed investigation and may recommend additional investigation, if warranted. If the allegation is proven, the supervisor is to debrief or counsel the subject officer and document this action.

Service Complaint

If a complaint states a general concern with police policy or services, rather than an allegation of misconduct against a specific officer, then it can be handled as a service complaint. The OIM reviews all service complaints prior to case closure.

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Mediation

If the complaint states a relatively non-serious allegation of misconduct, such as discourtesy, and the officer and community member agree to mediate, a complaint can be handled through mediation. For mediated complaints, no further investigation is conducted, and the OIM helps to coordinate a facilitated discussion with a neutral, professional mediator.

Formal

A complaint is handled formally if it alleges misconduct under DPD policy and requires a full investigation and disciplinary review. Cases that are selected for full formal investigations are investigated by sergeants in IAB. On some serious cases, the OIM will actively monitor the investigations. When the OIM actively monitors a case, an OIM deputy monitor will observe interviews, consult with the investigators and their supervisors on what direction the investigation should take, and review evidence as it is collected. Since active monitoring is resource-intensive, the OIM only actively monitors the most serious cases. Regardless of whether the OIM actively monitors a case, an OIM deputy monitor reviews and comments on the IAB investigation once it is complete. The case is then given to the DPD's Conduct Review Office ("CRO") for disciplinary findings.

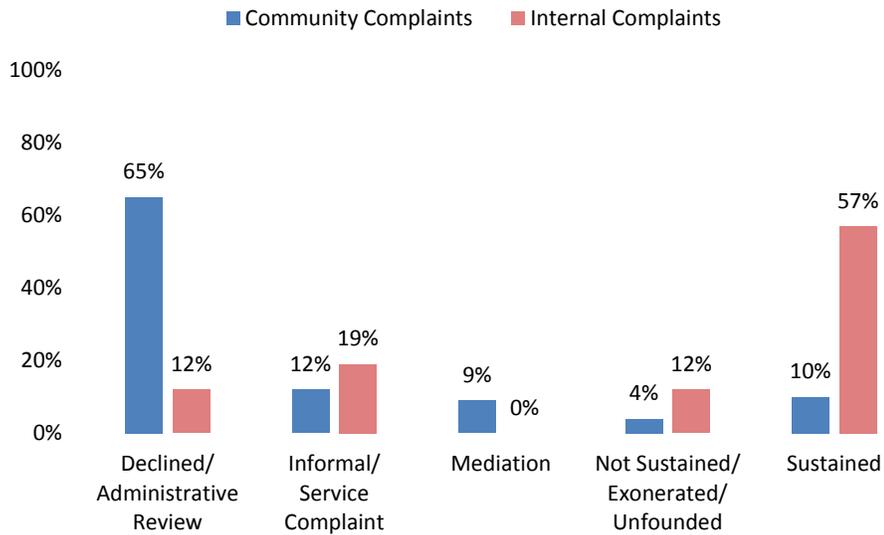
To make disciplinary findings, the CRO examines the evidence, evaluates the appropriateness of the specifications assigned by IAB, and makes findings on each specification. There are generally four findings on formal investigations:²⁴

- **Sustained** - A preponderance of the evidence indicates that the officer's actions violated a DPD policy, procedure, rule, regulation, or directive.
- **Not Sustained** - There was insufficient evidence to either prove or disprove that the alleged misconduct occurred as described in the complaint.
- **Unfounded** - The evidence indicates that the alleged misconduct did not occur.
- **Exonerated** - The evidence indicates that the officer's actions were permissible under DPD policies, procedures, rules, regulations, and directives.

In 2019, a total of 374 community complaints and 84 internal complaints were closed. Figure 2.2 shows the outcomes of these complaints. There were clear differences in outcomes between complaints filed by community members and internal complaints filed by DPD personnel. The majority of community complaints closed in 2019 were declined after an initial intake investigation (65%), while a much smaller percentage of internal complaints were closed as declines (12%). Internal complaints were much more likely to result in a sustained finding than community complaints. Specifically, 57% of internal complaints closed in

2019 resulted in at least 1 sustained finding, while 10% of community complaints resulted in a sustained finding.

Figure 2.2: Outcomes of Complaints Closed in 2019

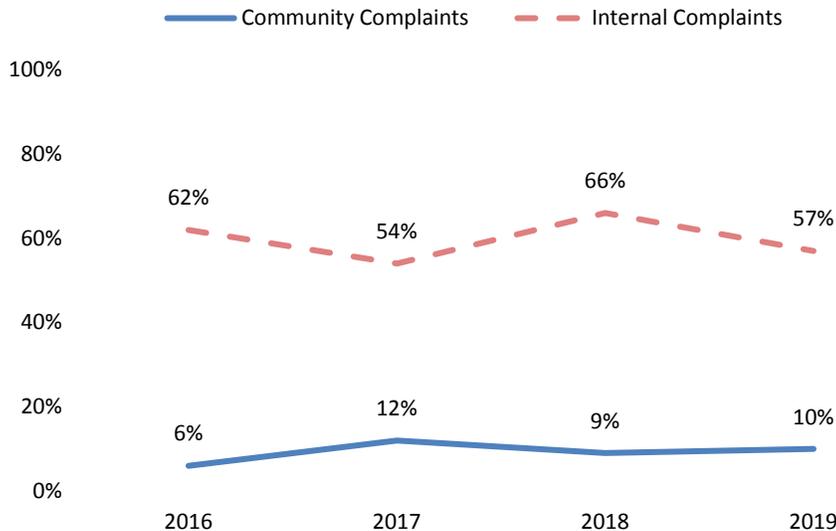


Note: Percentages may not sum to 100 due to rounding.

Figure 2.3 presents the percentage of complaints with at least one sustained specification by the year complaints were closed. The percentage of internal complaints with at least one sustained specification decreased between 2018 and 2019. In 2019, 57% of internal complaints had 1 or more sustained findings, compared to 66% in 2018.

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Figure 2.3: Complaints that Resulted in One or More Sustained Specifications, 2016–2019



Discipline on Sustained Cases

After the CRO makes an initial finding regarding policy or procedural violations, the OIM reviews the CRO findings. When the CRO or the OIM initially recommend that discipline be imposed, a Chief’s meeting will be held.²⁵ At this meeting, the Chief, Independent Monitor (or his representative), representatives from IAB and the CRO, a representative from the Department of Safety (“DOS”), an Assistant City Attorney, and a number of DPD command officers discuss the case and provide input to the Chief to assist him in making his disciplinary recommendations, if any, to the DOS.

If discipline greater than a written reprimand is contemplated following the Chief’s meeting, the officer is entitled to a pre-disciplinary meeting. At this meeting, the officer can present his or her side of the story and any mitigating evidence to explain the alleged misconduct. After this meeting, the Chief and the Independent Monitor each make a final recommendation to the DOS, independently. The DOS provides input to the Chief as he formulates his recommendation. The DOS then makes a final decision as to findings and discipline. If the officer disagrees with the discipline imposed by the DOS, the officer may file an appeal with the Civil Service Commission.

Table 2.2 reports the number of officers who retired or resigned prior to a disciplinary finding or who were disciplined by the Chief of Police (for reprimands) or the DOS (for any discipline greater than a reprimand) for sustained specifications from 2016 through 2019.²⁶

Table 2.2: Discipline Imposed by Year Complaint Closed, 2016–2019²⁷

Discipline	2016	2017	2018	2019
Termination	2	0	0	2
Resigned/Retired Prior to Discipline	11	8	5	2
Demotion	0	1	0	0
Suspension	19	12	25	18
Fined Time	31	26	32	22
Written Reprimand	46	92	63	44
Oral Reprimand	3	18	26	24

Significant Disciplinary Cases Closed in 2019²⁸

Terminations

■ On July 3, 2018, a male officer made inappropriate sexual comments to a female civilian intern assigned to participate in a ride along with the officer. During the ride along, the officer referred to the intern as a “prostitute” in the presence of a community member, discussed genital hair removal, and called her the “hot blonde intern” and a “whore.” The officer also expressed excitement about giving the intern “mouth-to-mouth.” The officer was terminated for conduct prejudicial and for violating the DOS Equal Employment Opportunity Policy for making pervasive, graphic, and sexually-oriented comments to an intern over whom he was in a position of authority. He appealed his termination, and it was affirmed by a Hearing Officer in September 2019.

■ An officer had two cases alleging misconduct. In the first case, on September 3, 2018, the officer responded to the location of an arrest where a crowd had gathered. A person approached the officer, and the officer yelled at the person to back up. The person continued to walk towards the officer, and the officer used a baton to push him off of the sidewalk. After the officer pushed him back, the person maintained his distance from the location of the arrest. A short time later, the officer used a baton to push the person again and challenged him to a fight. The

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officer, whose penalty was increased due to his disciplinary history, was suspended for a total of seven days for inappropriate force and conduct prejudicial.

In the second case, in January 2019, a community member filed a complaint alleging that the officer had filed a false police report and provided false testimony in a child custody case. The officer had reported that he had been sexually assaulted by the community member, resulting in the conception of their child. The officer reiterated this claim during a hearing on a Petition for Allocation of Parental Responsibilities and a subsequent IAB interview. During the IAB interview, the officer also stated that the alleged sexual assault was the first sexual encounter he had with the woman. Text messages exchanged between the officer and the woman were inconsistent with these claims. The officer was terminated for lying during the administrative investigation and for conduct prejudicial.

Resignations and Retirements

■ On April 14, 2018, a corporal was working an off-duty job at a bar. The corporal allegedly struck a seated, handcuffed person in the chest with his knee and punched the person in the head, resulting in the person losing consciousness. The corporal was criminally charged with Third Degree Assault and pled guilty to Menacing. The corporal resigned prior to a disciplinary finding.

■ Between October 2017 and January 2019, a detective allegedly solicited sex workers online during work hours. The detective resigned prior to a disciplinary finding.

Other Significant Cases, Including Suspensions of Ten or More Days

■ On September 17, 2018, an officer went home without taking sick leave or seeking supervisor approval. During the internal affairs investigation of the incident, the officer acknowledged that on other occasions he had left his district to go home without approval. The officer also acknowledged that, while on duty, he had left the city limits to check on repairs being done to his personal car. He also admitted that there were times when his log sheets were inaccurate because they showed he was at certain locations when, in fact, he was at home. The officer was suspended for a total of 30 days for conduct prejudicial and loitering, and fined a total of 5-days' pay for leaving his geographic area of responsibility and failing to accurately complete required entries in his log sheets.

■ On September 23, 2018, an officer responded to a call of an auto theft in progress. The officer tried to detain a person matching the suspect's description,

grabbing the person's arm. A sergeant, who observed the interaction as he approached, grabbed the person's other arm while the person continued to resist. The sergeant used a prohibited "front headlock" to take the person to the ground. Once on the ground, the sergeant's arm remained under the front of the person's throat while he laid on the person's head and shoulders, which resulted in the person losing consciousness. The sergeant was suspended for 30 days for using inappropriate force when he used an unauthorized control hold that applied direct pressure to the person's throat, head, and neck. He appealed his suspension, and it was affirmed by a Hearing Officer in August 2019. The officer appealed that decision to the Denver District Court.

■ On November 1, 2018, two officers approached a person who had been driving a stolen vehicle wanted in connection with an armed robbery. After the person raised his hands and began to surrender, a technician deployed his police service dog. The technician failed to call the dog to return to him, which resulted in the dog biting the person's left arm. The technician was suspended for a total of 10 days for using inappropriate force and for failing to make an effort to prevent his dog from biting an individual who had surrendered. The technician also received an oral reprimand for failing to activate his BWC during the incident.

■ On November 5, 2018, an officer left work early without supervisor approval and went to an adult entertainment club. The officer searched the names of a person who worked at the club and two others in the National Crime Information Center/Colorado Crime Information Center ("NCIC/CCIC") for non-law-enforcement purposes. The officer was suspended for 10 days and fined 2-days' pay for conduct prejudicial and for violating the DPD's NCIC/CCIC rules, respectively. His penalty for violating the NCIC/CCIC rules was increased due to his disciplinary history.

■ On January 3, 2019, an officer failed to report to work without prior authorization and did not communicate with a supervisor before the start of his shift that he would not be reporting. This action defied a commander's order that required the officer to speak to a supervisor prior to the beginning of a scheduled shift if he was to be late or unable to report. The officer was suspended for a total of 10 days for disobeying an order and failing to report his absence prior to the beginning of his scheduled shift. The penalty was increased due to two previous sustained violations for failing to follow this commander's order.

■ In February 2019, a woman contacted the DPD and alleged that an officer sent her unwanted photos and messages from his personal and work cell phones. An IAB investigation revealed that the officer had taken and stored explicit photos and

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videos on his department-issued cell phone. The photos and videos were not related to his work. The officer was suspended for 16 days for violating the DPD Department Computer and Communication Devices Acceptable Use Policy.

■ On April 22, 2019, officers arrested a person for a warrant. One of the officers handcuffed the person and placed him in a patrol vehicle without searching him. During the intake process at the Van Cise-Simonet Detention Center (“DDC”), a deputy found a pair of scissors and folding knife in the person’s pockets. The officer, whose penalty was increased due to his disciplinary history, entered into a settlement agreement with the DOS whereby he was suspended for 30 days, but served an 18-day suspension with 12 days held in abeyance for 2 years on the condition that he commit no further serious rule violations. The officer also received an oral reprimand for failing to activate his BWC during the incident.

■ On April 23, 2019, two officers attempted to stop a person who was a suspect in a reported theft. The person ran, and one officer followed. The officer reached for the person and caused him to stumble, which allowed the officer to straddle and restrain him. After the person was handcuffed and stated that his actions were “all playing,” the officer placed his hand on the back of the person’s neck, shook the person’s head, and pushed up off his neck, saying, “That ain’t playing!” The officer was suspended for 10 days for using inappropriate force when he applied pressure to a handcuffed person’s neck in a retaliatory manner. The officer appealed his suspension.

■ On August 3, 2019, a person caused a disturbance in the lobby of an office building, and Denver Fire Department and Emergency Medical Services personnel transported her to Saint Joseph Hospital. Two officers (“Officer A” and “Officer B”) responded to the office building. Officer A took a security guard’s statement and mistakenly asked Officer B to go to the Denver Health Medical Center (“DHMC”), not Saint Joseph Hospital, and arrest the person. Officer B arrived at DHMC, asked staff if any “white females” had been transported there from the location of the disturbance, and arrested a woman who was there for treatment after being drugged and possibly sexually assaulted. Officers A and B did not have the security guard positively identify the woman, which resulted in the arrest of the wrong person. Officers A and B were each suspended for 10 days for violating the DPD General Arrest Procedures.

■ On August 4, 2019, two officers (“Officer A” and “Officer B”) responded to a bus stop where it was reported that a person was smoking methamphetamines. Officers A and B got out of their patrol car and ordered a person who was sitting at the bus stop to show his hands. When the person did not immediately remove

his hands from his pockets, Officers A and B grabbed him, brought him to his feet, and tried to pull his hands out of his pockets. The person responded by tensing his muscles and trying to shove his hands deeper into his pockets. Officer A then pinned the person against the bus stop shelter, elbowed him in the head, and punched him in the back twice. Officer A was suspended for six days for using inappropriate force.

■ On September 20, 2019, two officers (“Officer A” and “Officer B”) pulled over a car that matched the description of a vehicle leaving the scene of an apparent drug exchange. Officer A approached the passenger side of the car and saw the person seated in the passenger seat reach into the front waistband of his pants. Officer A opened the car door, ordered the person to not reach into his pants, and handcuffed the person’s right wrist. Officers A and B ordered the person to stop reaching for his pants, but he continued to do so. As Officer B gained control of the person’s left arm and began moving it behind his back, Officer A punched the person in the face. Officer A was suspended for 10 days for using inappropriate force.

Appeals of Significant Discipline Imposed Prior to 2019, and Filed with or Decided by the Civil Service Commission in 2019²⁹

■ On April 28, 2017, a lieutenant responded to an outreach center where a hostile crowd had gathered around officers processing the scene of a stolen vehicle. The lieutenant walked around two officers who were handling the situation, approached a person in the crowd who had been restrained by two other community members, and sprayed him with oleoresin capsicum (“OC”) spray. The lieutenant used the OC spray despite the person not interfering with an arrest or posing a threat of injury to anyone. The lieutenant was suspended for 10 days for using inappropriate force. He appealed this suspension, and it was affirmed by a Hearing Officer in November 2018. The lieutenant appealed to the Civil Service Commission, which, in June 2019, affirmed the Hearing Officer’s decision. The lieutenant appealed that decision to the Denver District Court, which affirmed the Civil Service Commission’s decision in February 2020.

■ On August 15, 2017, an officer was directed to manage the scene of a traffic accident involving a fuel tanker truck and a passenger van. The officer’s responsibilities included assessing the seriousness of the accident victims’ injuries and contacting the DPD Traffic Investigations Bureau (“TIB”) if any injuries involved serious bodily injury or death. Eleven people were ultimately transported

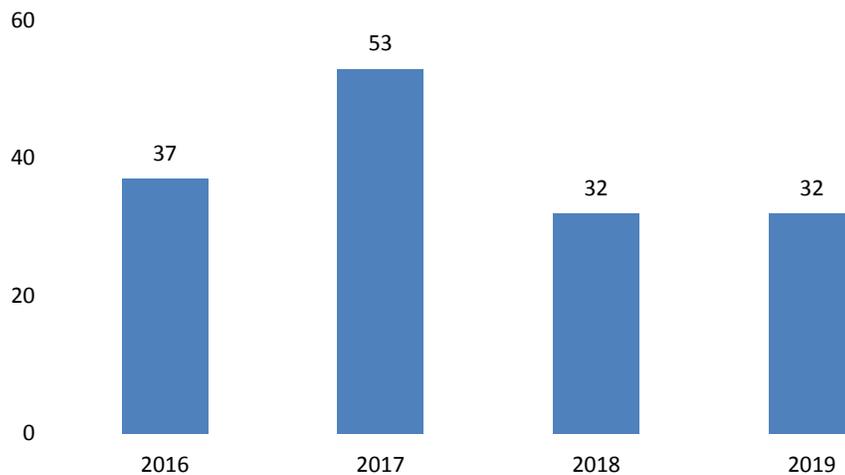
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to hospitals following the accident, including five who were classified as having serious, life-threatening conditions. However, the officer did not contact the TIB until approximately two-and-a-half hours after his arrival to the scene of the accident and, when he did so, he characterized the injuries as “bumps and bruises and a laceration or two.” As a result, the TIB did not respond to the scene until more than seven hours after the accident occurred, which likely compromised the accident investigation. The officer, whose penalty was increased due to his disciplinary history, was suspended for a total of seven days for conduct prejudicial and for violating DPD policy regarding traffic accident investigations. He appealed this suspension, and it was affirmed by a Hearing Officer in May 2019.

Mediation

The complaints handled by IAB and the OIM range from allegations of criminal conduct to less serious misunderstandings between community members and police officers, including alleged rudeness. Although allegations of inappropriate force or serious constitutional violations require the investment of significant investigative resources, complaints alleging discourtesy and other less serious conduct can often be resolved more effectively through mediation. Figure 2.4 presents the number of completed community-police mediations in 2019 and the previous three years. In 2019, the OIM/DPD mediation program resulted in 32 completed officer-community member mediations.³⁰

Figure 2.4: Completed Community-Police Mediations, 2016-2019



Timeliness

Table 2.3 reports the mean processing time, in days, for complaints recorded by IAB in 2019 and the previous three years.³¹ These figures exclude the number of days required for the OIM to review investigations and discipline. In 2018, the mean processing time for all IAB cases was 41 days, compared to 39 days in 2019. Complaints still open when the OIM extracted data for this report had an average age of 68 days.

Table 2.3: Mean Case Processing Times in Days for Recorded Complaints, 2016–2019

Case Type	2016	2017	2018	2019
All IAB Cases	38	46	41	39
Declined/Administrative Review/ Informal/Service Complaint/Mediation	27	30	28	25
Full Formal Investigations	63	74	63	81

Complainant Demographics and Complaint Filing Patterns

Table 2.4 presents the demographic characteristics of the 368 community members who filed complaints against DPD officers in 2019 (note that a single complaint can be associated with multiple complainants).³² The majority of complainants filed only a single complaint (99%), while 1% filed 2 or more complaints.³³

Table 2.4: Complainant Demographics and Filing Patterns, 2019

Gender	Count	Percentage
Male	183	50%
Female	138	38%
Unknown	47	13%
Total	368	100%
Race	Count	Percentage
White	100	27%
Black	66	18%
Hispanic	39	11%
American Indian	3	1%
Asian/Pacific Islander	1	< 1%
Unknown	159	43%
Total	368	100%
Age	Count	Percentage
0 - 18	1	< 1%
19 - 24	17	5%
25 - 30	32	9%
31 - 40	37	10%
41 - 50	32	9%
51+	23	6%
Unknown	226	61%
Total	368	100%
Number of Complaints Filed	Count	Percentage
One Complaint	363	99%
Two or More	5	1%
Total	368	100%

Note: Percentages may not sum to 100 due to rounding.

Officer Complaint Patterns

Complaints per Officer

Table 2.5 reports the number of complaints recorded against individual DPD officers from 2016 through 2019. This table includes community and internal complaints (regardless of the findings), but excludes most scheduled discipline complaints and complaints against non-sworn employees. In 2019, 78% of DPD sworn officers did not receive any complaints, 17% received 1 complaint, and approximately 5% received 2 or more complaints.

Table 2.5: Complaints per Officer by Year Recorded, 2016–2019

Number of Complaints	2016	2017	2018	2019
0	71%	67%	75%	78%
1	21%	25%	20%	17%
2	6%	6%	4%	4%
3	2%	2%	1%	1%
4	1%	1%	< 1%	< 1%
5	0%	< 1%	< 1%	0%
6	< 1%	< 1%	0%	0%
Total Sworn Officers	1,491	1,471	1,509	1,542

Note: Percentages may not sum to 100 due to rounding.

Inappropriate Force Complaints per Officer

Table 2.6 shows the number of inappropriate force complaints recorded against individual DPD officers from 2016 through 2019. In 2019, about 4% of DPD officers received 1 inappropriate force complaint and less than 1% of officers received 2 or more inappropriate force complaints.

Table 2.6: Inappropriate Force Complaints per Officer by Year Recorded, 2016-2019

Number of Complaints	2016	2017	2018	2019
0	95%	95%	94%	96%
1	5%	5%	5%	4%
2	< 1%	1%	1%	< 1%
3	0%	0%	< 1%	0%
Total Sworn Officers	1,491	1,471	1,509	1,542

Note: Percentages may not sum to 100 due to rounding.

Sustained Complaints per Officer

Table 2.7 reports the number of complaints with at least one sustained specification for individual officers between 2016 and 2019 grouped by the year the complaints were closed. In 2019, 5% of officers had 1 sustained complaint and approximately 1% had 2 or more sustained complaints.

Table 2.7: Sustained Complaints per Officer by Year Closed, 2016-2019

Number of Complaints	2016	2017	2018	2019
0	94%	91%	92%	94%
1	6%	9%	8%	5%
2	< 1%	1%	< 1%	< 1%
3	0%	< 1%	0%	< 1%
4	0%	0%	0%	< 1%
Total Sworn Officers	1,491	1,471	1,509	1,542

Note: Percentages may not sum to 100 due to rounding.

Commendations and Awards

The DPD gives commendations and awards to officers whose actions rise above the expected standards of key departmental values, such as honor, courage, and commitment to community service. Community members can submit commendations by filling out the OIM’s online complaint/commendation form, mailing the OIM a completed postage pre-paid complaint/commendation form, e-mailing or faxing a commendation to the OIM, or by visiting the OIM’s offices. Commendations can also be filed directly with the DPD IAB, or by using forms that are generally available at the Mayor’s office, DPD district stations, and City Council offices. Appendices A and B describe how commendations can be filed and where OIM complaint/commendation forms are located.

Table 2.8 presents the number and type of commendations awarded to DPD officers in 2019. The most common commendations recorded in 2019 were Commendatory Action Reports and Citizen Letters. Table 2.9 provides definitions for select commendations.

Table 2.8 Commendations Awarded to DPD Officers in 2019

Commendation Type	Count	Percentage
Commendatory Action Report	165	33%
Citizen Letter	151	31%
Commendatory Letter	68	14%
Official Commendation	43	9%
Unassigned	32	6%
Life Saving Award	10	2%
Other than DPD Commendation	8	2%
STAR award	5	1%
Merit Award	4	1%
Community Service Award	3	1%
Excellence in Crime Prevention	3	1%
Courage Award	1	< 1%
Unit Commendation	1	< 1%
Total	494	100%

Note: Percentages may not sum to 100 due to rounding.

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Table 2.9: Commendation Types and Descriptions

Commendation Type	Description
Medal of Honor	Awarded by the Chief of Police to an individual for an act of outstanding bravery or heroism by which the individual has demonstrated in great degree the characteristics of selflessness, personal courage, and devotion to duty at the risk of his or her own life. The individual's actions substantially contributed to the saving of, or attempted saving of a human life.
Medal of Valor	Awarded by the Chief of Police to an individual for an act, in the face of great danger, wherein valor, courage, and bravery are demonstrated over and above that normally demanded and expected.
Preservation of Life	Awarded by the Chief of Police to an individual who performs an act of heroism, demonstrates good judgment, zeal, or ingenuity over and above what is normally demanded and expected, to preserve the life of another during a critical, volatile, or dangerous encounter while protecting the safety and security of the public and his or her fellow officers.
Distinguished Service Cross	Awarded by the Chief of Police to members who are cited for gallantry not warranting a Medal of Honor or a Medal of Valor. The heroic act(s) performed must render the individual conspicuous and well above the standard expected.
Purple Heart Award	Awarded by the Chief of Police to an individual who is seriously or critically injured while performing a heroic and/or police action. This award is limited to those cases resulting from attack by an assailant, personal combat, or the performance of an act of valor.
Excellence in Crime Prevention	Awarded to an individual who demonstrates personal initiative and ingenuity by developing a program or plan which contributes significantly to the department's crime prevention strategy, or through innovation combats issues affecting the community.
Lifesaving Award	Awarded by the Chief of Police to an individual who, through exceptional knowledge and behavior, performs a physical act which saves the life of another person and there is no danger to the individual's life.
Community Service Award	Awarded to an individual who, by virtue of sacrifice and expense of his or her time or personal finance, fosters or contributes to a valuable and successful program in the area of community service or affairs, or who acts to substantially improve police/community relations through contribution of time and effort when not involved in an official capacity.
Official Commendation	Awarded to an individual who by exemplary conduct and demeanor, performs at a superior level of duty, exhibiting perseverance with actions resulting in a significant contribution to the department and/or improvement to the quality of life in the community.
Outstanding Volunteer Award	Awarded by the Chief of Police to an individual who, by virtue of sacrifice and expense of his or her time, fosters or contributes to a valuable and successful program in the area of the department's mission, vision and values, or who acts to substantially improve police/community relations through contribution of time and effort when not involved in an official capacity.
Officer of the Year Award	Presented annually to an officer who has represented the department in all facets of law enforcement with a commitment to excellence, in support of the mission and values of the organization. The officer has consistently persevered in the prevention of crime and demonstrated initiative, leadership, and dedication to the law enforcement profession.

Highlighted Commendations

Lifesaving Award

Officers responded to an apartment to check on the welfare of a suicidal person. An officer saw the person sitting on the railing of his apartment patio 10 floors up with his feet dangling off the side. The officer entered the apartment and found the person still sitting on the railing. While keeping a safe distance, the officer introduced himself and pleaded with the person to move his legs off the railing. After several minutes, the person began leaning over the railing even more, and the officer quickly grabbed the person and brought him safely onto the patio. The officer was given a Lifesaving Award for his actions.

Excellence in Crime Prevention Award

Two officers noticed a large number of calls from a center serving youth who were in the custody of the State of Colorado. The officers met with the center's Executive Director and learned that staff had been frustrated because responding officers would address issues differently and were unaware of the history of the youths. The officers began proactively responding to the center twice a week to address incidents where no one was hurt. This contributed to reductions in calls for service, time spent at the center, and the violent crime rate at the center. The officers were therefore awarded Excellence in Crime Prevention Awards.

Official Commendation

An officer from another jurisdiction stopped an off-duty corporal, who was riding a bike on a multi-use trail, to inform the corporal that he was searching for a suspect who had just committed a residential burglary. The corporal told the officer he was an off-duty DPD officer and began to assist in the search. He found fresh footprints in the snow and followed them until he found a person hiding behind a snow bank who matched the description of the suspect. The corporal detained the person until the officer was able to take him into custody. For his willingness to serve and help his community, even when off duty, the corporal was awarded an Official Commendation.

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Community Service Award

Two officers responded to a call of a person living in an alley. One of the officers developed a rapport with the person and learned that he wanted help getting back in touch with his family members who lived out of state. During the next month and a half, the officer helped the person reunite with his family. After an exhaustive search, the officer found the person's sister, contacted her, and assisted the person with contacting her by phone. The officer also worked with the Mental Health Center of Denver ("MHCD") to get the person a bus ticket to visit his sister. On the day of his departure, the officer drove the person to pick up his bus ticket at the MHCD, took him to the bus station, and sat with him until he got on the bus. The officer was awarded the Community Service Award for her selfless actions in helping reconnect a person with his family.

Commendatory Action Report

A person called the DPD to commend two officers for their assistance. On Thanksgiving Day, the officers paid for a hotel room for the person and her child. The person was stunned that they used their own money to help her and wanted to thank the officers. The two officers received Commendatory Action Reports.

Commendatory Letter

Using departmental databases and social media, an officer identified more than a dozen members of a new street gang. She shared this information with others within the department, which resulted in officers obtaining warrants for outstanding suspects and solving crimes. The officer received a commendatory letter for her tireless actions, attention to detail, and a commitment to her profession and residents of the City and County of Denver.

Commendatory Letter

An officer responded to a report of two people using heroin in a vehicle. Upon arriving, the officer recognized that the person sitting in the driver's seat had overdosed and needed immediate medical attention. The officer immediately retrieved Narcan from his vehicle and used it to revive the person. After a few moments, the person returned to consciousness, and the officer monitored her until emergency medical personnel arrived. For demonstrating exceptional knowledge and ability to think under pressure, the officer received a Commendatory Letter.

Citizen Letter

A manager of a local business wrote to commend an officer for his quick, professional response to a call. A security guard had noticed a suspicious person on camera at the business and reported the person to the DPD's non-emergency line. The officer responded and having seen the person casing the location before, detained the person. The manager sent a letter to express that it is comforting to know that the DPD has professional, caring officers looking out for the safety of community businesses.

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3 Denver Sheriff Department Monitoring

Introduction

The OIM is responsible for monitoring and reporting about patterns in DSD complaints and commendations.³⁴ In this chapter, we review information about the DSD’s complaints, investigations, findings, discipline, and commendations.

Highlights

- In 2019, the DOS Public Integrity Division (“PID”) was established, and its Administrative Investigations Unit (“AIU”) and Conduct Review Unit (“CRU”) assumed responsibility for the investigation and review of complaints about DSD deputies, respectively.³⁵
- The number of community and inmate complaints recorded decreased by 55% in 2019. In 2019, the AIU recorded 112 community and inmate complaints against deputies, compared to 248 recorded by the DSD in 2018.
- The number of recorded internal complaints filed by DSD employees and the AIU decreased by 40%. In 2019, the AIU recorded 121 such complaints, compared to 201 recorded by the DSD in 2018.
- In 2019, 13% of closed community/inmate complaints and 30% of closed internal complaints had 1 or more sustained findings.
- In 2019, two DSD deputies were terminated and three deputies resigned or retired while an investigation or disciplinary decision was pending.³⁶
- DSD deputies received 156 commendations in 2019.

Complaints Against DSD Deputies

Complaints against sworn members of the DSD generally fall into three categories: community complaints, inmate complaints, and internal complaints.

Community Complaints

Community complaints are allegations of misconduct against deputies that are filed by community members. Appendices A and B describe how complaints and commendations can be filed and where OIM complaint/commendation forms are located.

Inmate Complaints

Inmate complaints are allegations of misconduct against deputies that are filed by community members in the custody of the DSD. Complaint/commendation forms are available to inmates housed at DSD jails. These forms can be completed and mailed to the OIM at no charge to the inmate. Inmates may also file complaints by contacting the OIM by telephone, without charge, from inside any DSD jail.

Internal Complaints

Internal complaints are those filed by DSD employees and the AIU.

Complaints Recorded in 2019

Figure 3.1 reports the number of complaints recorded by the AIU in 2019 and the DSD in the previous five years.³⁷ These numbers do not include most scheduled discipline cases, such as when DSD deputies misuse leave time or fail to participate in firearms training or qualification.³⁸ In 2019, the AIU recorded 244 total complaints against deputies, a 46% decrease from 2018.

Figure 3.1: Complaints Recorded in 2014–2019

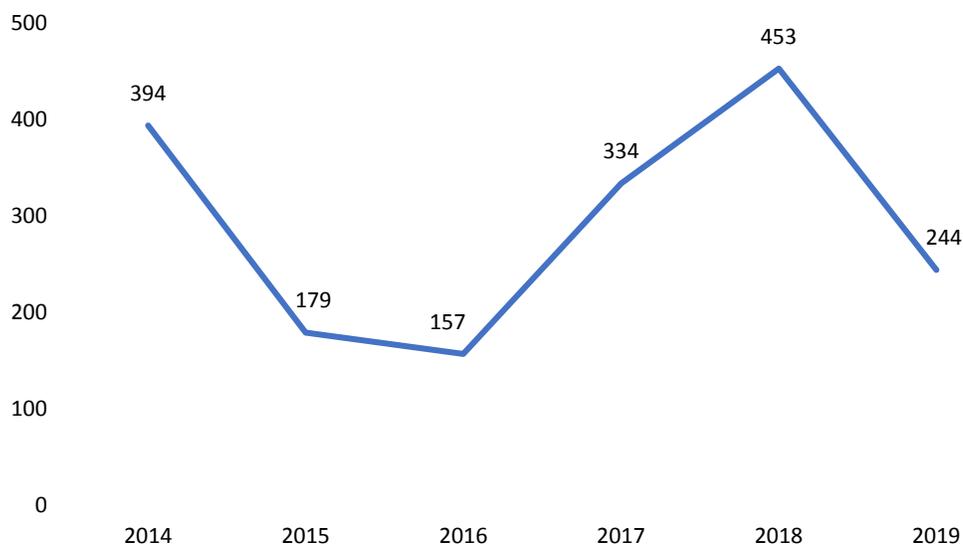
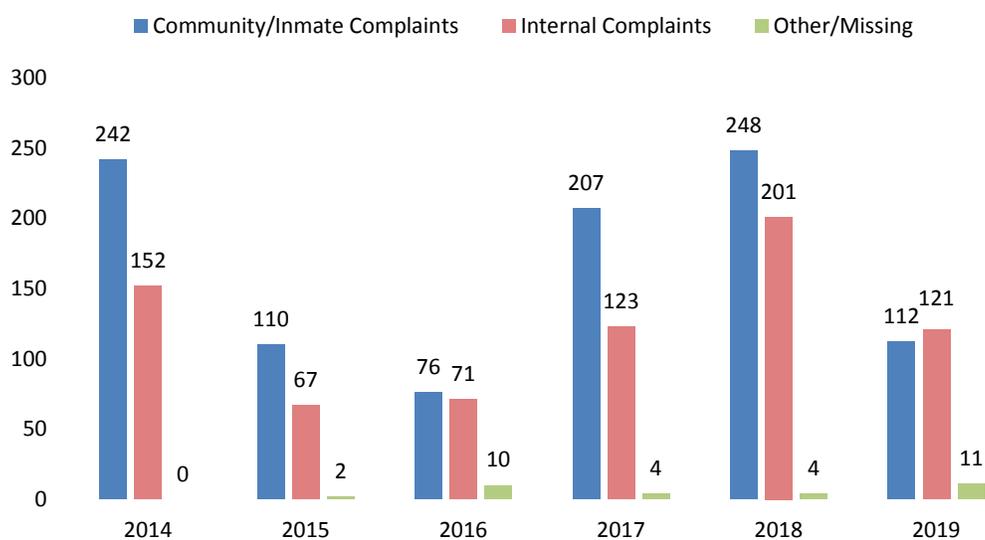


Figure 3.2 shows the number of complaints recorded against deputies by complaint type and year. The number of complaints by community members and inmates that were recorded in 2019 decreased by 55% when compared to 2018, while the number of internal complaints filed by DSD employees and the AIU decreased by 40%.

Figure 3.2: Complaints Recorded by Complaint Type, 2014–2019



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As we have noted in previous reports, it is very difficult to explain fluctuations in the number of complaints filed over time. Patterns in complaints can change as the result of developments in organizational policy, practice, or training. Complaint numbers can also increase or decrease in response to a range of other factors, including, but not limited to, media coverage, changes in complaint-triage practices, and changes in the types of complaints that are recorded or not recorded. The OIM will continue to monitor the number and source of complaints recorded by the AIU.

Most Common Complaint Specifications

Individual complaints may include one or more specifications, which reflect the rules that a DSD deputy might be disciplined for violating.³⁹ Table 3.1 reports the most common specifications recorded against DSD deputies in 2019 and the previous three years. The most common specification was Disobedience of Rule, which prohibits deputies from violating “any lawful Departmental rule (including [Career Service Authority] rules), duty, procedure, policy, directive, instruction, or order (including Mayor’s Executive Order)” and covers a wide range of potential misconduct.⁴⁰ The second most common specification was “unassigned.”

Table 3.1: Most Common Specifications, 2016–2019

Specification	2016	2017	2018	2019
Disobedience of Rule	14%	12%	19%	19%
Unassigned	7%	17%	16%	14%
Use of Inappropriate Force Against Persons	13%	13%	12%	9%
Sexual Misconduct	1%	3%	6%	7%
Conduct Prejudicial	4%	3%	2%	6%
Full Attention to Duties	4%	6%	4%	6%
Discourtesy	2%	2%	2%	3%
Conduct Prohibited by Law	2%	1%	2%	2%
Discrimination, Harassment, and Retaliation	1%	5%	3%	2%
Respect for Fellow Deputies, Employees, and Members of the Public	1%	1%	1%	2%
All Other Specifications	51%	37%	32%	29%
Total Number of Specifications	363	702	928	539

Note: Percentages may not sum to 100 due to rounding.

As stated in previous reports, use of the Sexual Misconduct specification, which prohibits deputies from engaging in or soliciting others to engage in “any conduct for the purpose of sexual gratification, sexual humiliation, or sexual abuse,” has become more common over the last several years.⁴¹ Based on our observations and discussions with DSD personnel, we believe that this is likely due to steps taken by the DSD in accordance with the Prison Rape Elimination Act Standards.⁴² We believe that such efforts have impacted the reporting of sexual misconduct allegations and improved internal tracking of such allegations, resulting in the continued increase in the percentage of sexual misconduct cases in 2019. We will work to ensure that each of these cases is appropriately investigated and continue to monitor this trend in the future.

Complaint Location

Table 3.2 reports the location of the incidents about which complaints were recorded in 2019 and the previous three years. The largest percentage of recorded complaints (68%) related to incidents occurring at the DDC. This is not unexpected since the DDC houses the greatest number of inmates in DSD custody.⁴³

Table 3.2: Location of Complaints, 2016-2019

Location	2016	2017	2018	2019
DDC	67%	70%	68%	68%
County Jail	15%	19%	19%	21%
Other Location	13%	8%	11%	9%
Missing Location	5%	3%	2%	2%

Note: Percentages may not sum to 100 due to rounding.

Intake Investigations, Screening Decisions, and Findings

When complaints involving DSD personnel are filed directly with the OIM, the role of the OIM in the intake process is limited to collecting the complainant’s contact information and the general nature of the complaint. The complaint is then forwarded to the AIU, which conducts an intake investigation and makes a screening decision. An intake investigation is a type of “triage” process where the AIU completes a preliminary review of the complaint to determine its seriousness and the appropriate level of resources to devote to its investigation. This preliminary review may include a recorded telephonic or in-person interview with

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the complainant and witnesses, a review of records and relevant video, and interviews of involved deputies. Following the preliminary review, the AIU makes a screening decision that determines how the complaint will be handled. The OIM monitors AIU case screening decisions and may make recommendations.⁴⁴ There are six common screening decisions: decline, informal, resolved, referred, mediation, and formal.

Decline

A complaint can be declined if it does not state an allegation of misconduct or an initial review of the complaint reveals that there is little or no evidence to support the allegation. No further action will be taken on declined complaints.

Informal

A complaint that, if founded, would result in a debriefing with the subject deputy can be handled as an informal. This outcome does not necessarily indicate that the deputy engaged in misconduct.

Resolved

A complaint is considered resolved if the AIU or a DSD supervisor was able to resolve the issue without a full, formal investigation or the subject deputies resigned, retired, or were otherwise determined to be disqualified from sworn service while the investigation was pending. No further action was deemed necessary for these complaints.

Referred

A complaint can be referred if it would be more appropriately handled by another agency or division.

Mediation

If a complaint states a relatively less serious allegation of misconduct, such as discourtesy, and those involved might benefit from the opportunity to discuss their interaction, a complaint can be handled through mediation. Due to security concerns, the DSD does not mediate complaints filed by inmates.

Formal

A complaint is handled formally if it states an allegation of misconduct that under DSD policy requires a full investigation and disciplinary review. If a case is referred for a formal investigation, it is assigned to an AIU investigator.⁴⁵ In some serious

cases, the OIM may actively monitor and make recommendations about the investigation. In the majority of cases, the OIM will review and make recommendations about the formal investigation once the AIU has completed its work. The case is then given to the CRU to make an initial finding regarding whether there are any potential policy or procedural violations.

To make disciplinary findings, the CRU examines the evidence, evaluates the appropriateness of the specifications assigned by the AIU, and makes findings on each specification. There are generally four findings on formal investigations:⁴⁶

- **Sustained** - A preponderance of the evidence indicates that the deputy’s actions violated a DSD policy, procedure, rule, regulation, or directive.
- **Not Sustained** - There was insufficient evidence to either prove or disprove that the alleged misconduct occurred as described in the complaint.
- **Unfounded** - The evidence indicates that the alleged misconduct did not occur.
- **Exonerated** - The evidence indicates that the deputy’s actions were permissible under DSD policies, procedures, rules, regulations, and directives.

In 2019, the PID closed 322 complaints, a 24% decrease from 2018 when the DSD closed 422 complaints. Table 3.3 reports the final disposition of those complaints, and the complaints closed in the previous three years. A larger percentage of complaints were closed with at least one sustained finding in 2019 than in 2018.

Table 3.3: Outcomes of Closed Complaints, 2016–2019

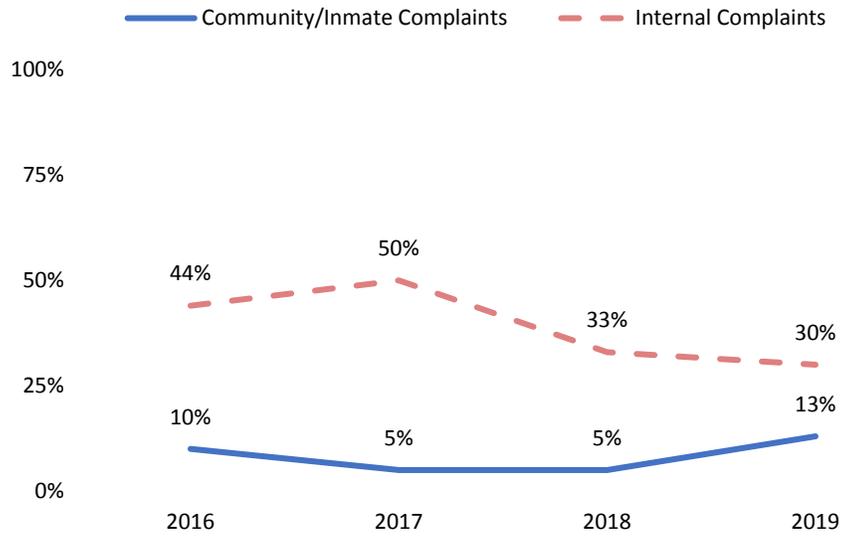
Outcome	2016	2017	2018	2019
Declined	48%	58%	61%	42%
Informal/Resolved/Not Reviewed/ Information Only	8%	10%	14%	23%
Sustained	25%	22%	15%	22%
Not Sustained/Exonerated/Unfounded	19%	10%	8%	11%
Mediation	0%	0%	1%	2%

Note: Percentages may not sum to 100 due to rounding.

Figure 3.3 presents the percentage of complaints with at least one sustained specification by the year complaints were closed. Internal complaints initiated by DSD employees and the AIU tend to result in sustained findings at much higher rates than complaints initiated by community members or inmates. In 2019, 30% of internal complaints had 1 or more sustained findings, compared to 13% of complaints filed by community members and inmates.

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Figure 3.3: Complaints that Resulted in One or More Sustained Specifications, 2016-2019



Discipline on Sustained Cases

After the CRU makes initial findings regarding policy or procedural violations, the OIM reviews the CRU findings. If the CRU recommends that discipline greater than a written reprimand be imposed, the deputy may have a Contemplation of Discipline Meeting. At this meeting, the deputy can present his or her side of the story and any mitigating evidence to explain the alleged misconduct or why discipline should not occur. The Sheriff, a DSD Deputy Chief, the Independent Monitor (or his representative), the CRU, a representative from the DOS, and an Assistant City Attorney discuss the case and provide input to the Sheriff to assist in making disciplinary recommendations, if any, to the DOS. The Sheriff and the Independent Monitor each make a final recommendation to the DOS. The DOS then makes a final decision as to findings and discipline. If the deputy disagrees with the discipline imposed by the DOS, the deputy may file an appeal with the Career Service Board.

Table 3.4 reports the number of deputies who retired/resigned prior to a discipline finding or who were disciplined for sustained specifications from 2016 through 2019.⁴⁷ The most common forms of discipline in 2019 were written reprimands and suspensions.

Table 3.4: Discipline Imposed by Year Complaint Closed, 2016–2019⁴⁸

Discipline	2016	2017	2018	2019
Termination	6	3	1	2
Resigned/Retired Prior to Discipline	4	9	7	3
Demotion	0	1	0	0
Suspension	33	47	34	33
Temporary Reduction in Pay	0	0	6	0
Written Reprimand	25	26	37	59
Verbal Reprimand	6	0	0	0

Significant Disciplinary Cases Closed in 2019^{49, 50}

Terminations

■ On September 13, 2018, inmates in a housing unit clapped as a deputy left for the day. When the deputy returned to work the next day, he walked into the housing unit at approximately 2:00 a.m., loudly clapped, and cursed at the sleeping inmates. During the subsequent investigation, the deputy denied using profanity. Another deputy who was also assigned to the housing unit confirmed that the deputy used profanity towards the inmates. The deputy was terminated for harassing inmates and for lying during the investigation. The deputy appealed his termination.

■ On March 28, 2019, DPD officers stopped a vehicle being driven by a DSD deputy and took a passenger into custody for a warrant from another jurisdiction. On that day, officers recovered suspected cocaine residue from the vehicle; suspected heroin from the passenger; and cocaine, heroin, and methamphetamine from the passenger's apartment. When asked about the passenger at the time of the vehicle stop and during the subsequent investigation, the deputy lied about her association with him. Investigators subsequently discovered that the deputy had leased the passenger's apartment for him, had associated with the passenger and another person (both of whom had been in the custody of the DSD), chose to work the units in which they were housed, and posted their bonds. Even though she was aware of their criminal charges, the deputy continued to associate with them, which she failed to report to the DSD. On May 29, 2019, the deputy was arrested on a federal indictment which alleged, among other things, an intent to distribute narcotics.

The deputy was terminated for violating Career Service Rules associated with employee conduct and criminal charges, lying during the investigation, maintaining prohibited associations, and conduct prejudicial. Additionally, the deputy was suspended for a total of 16 days for failing to report prohibited associations and for posting the bonds for those associates. The deputy initially filed an appeal of the suspension but withdrew the appeal shortly thereafter.

Non-Medical Disqualifications

■ On April 15, 2019, a deputy was arrested in a different jurisdiction for Prohibited Use of Weapons, Careless Driving, and Driving Under the Influence. The deputy pled guilty to a Driving While Ability Impaired charge and received a restricted driver's license that prohibited him from driving vehicles not equipped with a breathalyzer. The deputy was disqualified from employment for not possessing an unrestricted driver's license, which is required.

■ On August 21, 2019, a deputy was arrested in another jurisdiction for two acts of Domestic Violence. The deputy was later arrested for Sexual Assault, Attempted Sexual Assault, Battery with Intent to Commit Sexual Assault, Domestic Battery by Strangulation, and Open Gross Lewdness. The deputy received a Mandatory Protection Order that prohibited him from possessing a firearm or other weapon. The deputy was disqualified from employment for not being able to possess a firearm, which is required.

Resignations and Retirements

■ A deputy ("Deputy A") had two cases alleging misconduct. In the first case, on January 4, 2018, Deputy A and another deputy ("Deputy B") were working in a housing unit, when an inmate who was supposed to be separated from other inmates ("Sep All") returned from the medical unit. When the Sep All inmate entered the housing unit, neither deputy made any effort to escort him or separate him from another inmate who was present. The Sep All inmate assaulted the other inmate. Deputy A was suspended for six days for violating a housing post order requiring him to keep the Sep All inmate apart from other inmates. Deputy B, whose penalty was increased due to his disciplinary history, was suspended for 30 days for violating the same housing post order. Deputy A appealed his suspension and subsequently entered into a settlement agreement with the DOS that reduced his penalty to a five-day suspension. Deputy B appealed, and in April 2019, a Hearing Officer affirmed his suspension. He has appealed that decision to the Career Service Board.

In the second case, on January 23, 2019, Deputy A escorted an inmate ("Inmate A") with security alerts requiring that he be separated from other inmates and always be supervised by two deputies when out of his cell. Deputy A allegedly escorted Inmate A past another inmate ("Inmate B") in the shower without the assistance of a second deputy. As Inmate A walked past, he ran into the shower

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and assaulted Inmate B. Deputy A resigned prior to a disciplinary finding in the second case.

■ On February 2, 2018, three deputies (“Deputy A,” “Deputy B,” and “Deputy C”) were assigned to the DDC when an inmate with epilepsy had multiple seizures resulting in injury, including a knot on her forehead, a black eye, and multiple contusions on her face and arms. During this time, Deputy A did not conduct a required round and did not notify a supervisor or log the missed round. Deputies B and C later observed the inmate having a seizure in her cell, but neither deputy reported the incident to medical staff or documented it. While conducting a round later in the shift, Deputy B walked past the inmate’s cell without breaking stride and did not observe the inmate who, at that moment, fell from her bunk and hit her head against a wall. During the administrative investigation into the incident, Deputy B demonstrated a cavalier attitude, was uncooperative during her interview, and did not take responsibility for her actions.

Deputy A, whose penalty was increased due to her disciplinary history, received a 10% reduction in pay for 10 pay periods for failing to conduct her required rounds. Deputy B was terminated for failing to conduct a required round, improperly conducting a round, and for not following through with the numerous duties of her assignment. Deputy C received a 12-day suspension and a 10% reduction in pay for 10 pay periods for failing to use sound judgement and discretion in the performance of her duties. Deputies B and C appealed their discipline. During the appeal process, Deputy B entered into a settlement agreement with the DOS that allowed her to resign rather than be terminated. Deputy C also entered into a settlement agreement with the DOS that reduced her penalty to an 18-day suspension.

■ On June 24, 2018, while off-duty in another jurisdiction, a deputy was allegedly involved in a verbal altercation with a community member. The community member called the local police, and an officer took a statement from the deputy. The deputy allegedly made deceptive statements to the officer. The investigation of the altercation revealed that, unrelated to the incident, the deputy had allegedly engaged in unauthorized secondary employment. The deputy resigned prior to a disciplinary finding.

Other Significant Cases, Including Suspensions of Ten or More Days

■ On January 6, 2018, a deputy did not check the shower area while conducting a round. Later in the shift, the deputy noticed that an inmate was missing from her cell. Instead of confirming the identity of the missing inmate and walking around the housing unit to locate her, the deputy walked back to her desk and called for back-up. Several minutes later, a responding deputy quickly found the inmate in the shower stall with a sheet tied around her neck. The inmate survived the suicide attempt. The deputy was suspended for a total of 14 days for failing to perform her duties and for failing to protect the inmate from harm. The deputy appealed, and in June 2019, a Hearing Officer affirmed her suspension. She has appealed that decision to the Career Service Board.

■ On January 23, 2018, an inmate told a volunteer General Educational Development (“GED”) instructor that he wanted to hang himself. The GED instructor reported this to a deputy and asked if counseling could be made available. The deputy told her that the inmate would have to ask for assistance on his own and took no action to notify a supervisor or have the inmate checked by medical or psychological staff, as policy required. Later, the GED instructor told a sergeant about the inmate’s suicidal statements, and the sergeant followed procedure by having the inmate psychologically screened.

The sergeant then contacted the deputy, who admitted that the GED instructor had told him that the inmate was suicidal. When asked to explain his inaction in response to this information, the deputy said that he had not known what to do since the inmate had not spoken to him directly. The deputy was later summoned to a captain’s office and came with a representative. There, the deputy denied that the GED instructor had spoken to him about the inmate. In a memo prepared shortly after this meeting, the sergeant referred the matter to the DSD Internal Affairs Bureau, explaining, “from my video review, I have determined that [the deputy] missed 3 opportunities to see noose signals on the video screen which was right in front of him the whole time. In addition, he missed 5 opportunities on video to see that [the inmate] was upset and crying. . . . It is also clear that [the GED instructor] told [the deputy] about the suicidal statements which likely means that [the deputy’s] response was as reported by [the GED instructor]. . . . Due to the multiple policy violations, the complete disregard for [the inmate’s] safety and wellbeing, and the dishonesty, I have no choice but to recommend formal discipline in this matter.”

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During the subsequent internal investigation, the deputy denied that the GED instructor had ever verbally told him that the inmate was suicidal. He was shown video footage of his conversation with the GED instructor that showed her making a noose gesture near her neck. The deputy could not credibly explain why she would make that gesture without telling him about the suicidal statements or the conflict between his first admission to the sergeant and his later denials in the captain's office and during the internal investigation.

The DOS suspended the deputy for 10 days for failing to protect the suicidal inmate from harm. We believe, however, that a preponderance of the evidence also made it more likely than not that the deputy's denials that he had a conversation with the GED instructor about the suicidal inmate constituted knowingly misleading statements to a supervisor and a deceptive act during the investigation. The DOS did not charge specifications for Knowingly Making Misleading or Inaccurate Statements or Commission of a Deceptive Act, and no discipline was imposed for these violations, as we believe it should have been.

■ On February 27, 2018, a deputy was fingerprinting an inmate in the intake area of the DDC when the inmate pulled his arm away from the deputy. Although the inmate did not act in a threatening manner, the deputy grabbed the inmate by his shirt and arm and pushed him toward a wall. The inmate slipped, was brought back up, and then the deputy and another deputy took him to the ground. In his report, the deputy wrote that the inmate backed away from him as if to get into a "fighting stance." The deputy's description of the inmate's behavior was contrary to what could be seen in video footage of the incident. The deputy was suspended for six days for using inappropriate force and received a written reprimand for failing to provide an accurate and complete report.⁵¹ He initially filed an appeal of the suspension but voluntarily withdrew the appeal shortly thereafter.

■ On March 29, 2018, a deputy was escorting an inmate, who was following the deputy's instructions, from the inmate's bunk when the deputy "shoulder checked" the inmate, causing the inmate to stumble. In her report about the incident, the deputy wrote that the inmate was leaning on the deputy and walking toward her, despite video evidence contradicting the deputy's account. The deputy, whose penalty was increased due to her disciplinary history, was suspended for a total of 30 days for harassment of prisoners and inaccurate reporting.

■ A deputy ("Deputy A") had two cases alleging misconduct. In the first case, on July 27, 2018, a deputy ("Deputy B") was escorting an inmate from his cell to court. The inmate either pointed at or attempted to touch Deputy B with his finger, and Deputy B pushed the inmate's hand away, grabbed him by the wrist, and ordered

him to return to his cell. Deputy A and two other deputies (“Deputy C” and “Deputy D”) responded to the incident. The inmate pulled away from Deputy B, and Deputies A and C helped Deputy B handcuff the inmate and place him on the ground in the prone position. Rather than use a wheelchair or wait until the inmate could walk by himself, Deputies B and C then dragged him into a cell, without supporting his shoulders, and placed him on the ground. Deputies A and C began to remove the handcuffs from the inmate, and the inmate moved. Deputies A and C restrained the inmate, and Deputy B knelt and repeatedly kned him, even though Deputies A and C had full control and he had stopped moving. Following the incident, Deputy A did not accurately describe his actions in his report and Deputy D not file a report at all.

Deputy A received a written reprimand for failing to file an accurate report. Deputy B received a 10% reduction in pay for 10 pay periods and was suspended for a total of 20 days for using inappropriate force and for failing to perform his assigned duties when he dragged the handcuffed inmate. Deputy C received a written reprimand for failing to use sound judgement in the performance of his duties when he helped drag the handcuffed inmate. Deputy D received a written reprimand for failing to file a report. Deputy B appealed his suspension.

In the second case, on August 26, 2018, Deputy A was speaking to an inmate through a closed cell door when the inmate hit the cell window. Instead of continuing to speak to the inmate with the cell door closed, Deputy A opened the door. The inmate moved towards Deputy A, and Deputy A told the inmate to step back and pushed him back into the cell. Deputy A stepped into the cell, punched the inmate, and the two fell to the floor. Several other deputies responded to the cell and restrained the inmate. Deputy A did not include that he punched the inmate in his report about the incident. Deputy A, whose penalty was increased due to his disciplinary history, was suspended for a total of 33 days for failing to use sound judgement when he unnecessarily opened the cell door and for inaccurate reporting. Deputy A appealed his suspension, which was upheld by a Hearing Officer in August 2019. Deputy A appealed that decision to the Career Service Board.

■ On September 27, 2018, a deputy worked in a housing unit as a relief officer. The deputy left the housing unit on two separate occasions to open a door for civilians. While the deputy was out of the pod, an inmate stepped into a restricted area and viewed documents on a desk. The deputy, whose penalty was increased due to his disciplinary history, was suspended for 14 days for abandoning his post and failing to provide full attention to his duties. The deputy appealed his

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suspension. He subsequently reached a settlement agreement with the DOS whereby his suspension was reduced to 10 days.

■ On February 5, 2019, a deputy was working in the intake unit. An inmate walked by a basket of papers and knocked it off the counter. He then knocked papers out of the deputy's hand and continued walking. The deputy approached the inmate from behind, grabbed him by the neck with both hands, and forced him to the floor. Additional deputies arrived, restrained the inmate, and escorted him to a cell without further incident. The deputy was suspended for four days for using inappropriate force when he failed to deescalate the situation and grabbed the inmate by the neck.

■ From March 28 to April 24, 2019, a deputy spent long periods of time in a closet while on duty. In one instance, the deputy was observed taking an inmate mattress into the closet and leaving it there. The deputy was also observed taking toilet paper and a cell phone into the closet. The deputy admitted to urinating, napping, exercising, cleaning himself, and using the phone in the closet. The deputy was suspended for a total of four days for sleeping on duty, conduct prejudicial, and not paying full attention to his duties.

■ On April 16, 2019, two deputies ("Deputy A" and "Deputy B") were working in a housing unit when an inmate became upset, and Deputy A ordered the inmate to return to her cell. Instead of returning to her cell, the inmate requested a medical form from Deputy B and began filling it out. After Deputy A took the form and again ordered the inmate to return to her cell, the inmate threw liquid from a cup onto Deputy A and walked away. Deputy A grabbed the inmate from behind, pushed her against a pillar, slapped her, and pulled her hair. In her report about the incident, Deputy A did not include that she slapped the inmate or that she pulled the inmate's hair. Deputy A was suspended for 10 days for using inappropriate force and received a written reprimand for failing to complete an accurate report.

Appeals of Significant Discipline Imposed Prior to 2019 and Filed With and/or Decided by the Career Service Board in 2019⁵²

■ On July 31, 2011, an inmate who had been badly scalded by other inmates the previous week approached a deputy to reiterate prior requests for medical attention, and the deputy told him to return to his cell. The deputy forcefully led the inmate back to his cell and pushed him inside, at which time the inmate turned toward the deputy and said something to him. The deputy then lunged at the inmate, grabbed him by the neck, and forced him onto the cell bed by the neck. The deputy also pushed the inmate's head into a wall, took him to the ground, and pushed his head toward the ground.

There was no credible evidence that the inmate posed a threat to necessitate this use of force. The deputy later admitted to being angry at the inmate and finding him "annoying." He denied choking the inmate and instead characterized his actions as a restraint to gain compliance, contrary to what could be seen in video footage of the incident. There were additional discrepancies between the deputy's statements during the administrative investigation and what he said at a deposition while under oath. The deputy was terminated for several violations of DSD policy and appealed. During the appeal, a discovery dispute arose that resulted in an appeal process in state court that took over two-and-a-half years to resolve. In June 2018, a Hearing Officer affirmed the deputy's termination. The deputy appealed this decision to the Career Service Board, which affirmed the Hearing Officer's decision in January 2019. The deputy appealed to the Denver District Court, which upheld the Career Service Board's decision in January 2020.

■ On September 4, 2014, a captain, a major, and several other deputies responded to the cell of a severely mentally ill inmate who needed to be moved to a cell with a video camera. The inmate was disoriented and incoherent and was repeatedly saying the word "cigarette." The major obtained a cigarette (a contraband item inmates are prohibited from possessing) and gave it to the captain to coax the inmate from the cell without having to use force. After the inmate had already accompanied deputies to a camera cell without any use of force the captain gave the inmate the cigarette. Two deputies wrote reports about the incident omitting that a captain had given the inmate a cigarette. The major and the two deputies were suspended for two days. The captain was demoted to the rank of sergeant. He appealed that decision, and a Hearing Officer reversed the demotion in December 2015. The DOS appealed that decision, and the Career Service Board reinstated

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the demotion in July 2016. The captain appealed the Career Service Board's decision to the Denver District Court, which affirmed the decision on the merits of the violations but remanded the case for findings about the issue of whether the penalty was appropriate. On remand, the Hearing Officer affirmed the demotion, and an appeal of that decision is pending before the Career Service Board.

■ On the evening of November 11, 2015, an inmate was in the custody of the DSD when he began displaying erratic behavior. Deputies isolated him in a jail sally port, and when he attempted to enter an adjacent hallway, they moved him to the floor and put him into restraints. For approximately 13 minutes, deputies used physical force on the inmate, primarily involving the application of pressure and bodyweight on him, while he intermittently struggled on the floor. The inmate ultimately became unconscious. Two deputies (“Deputy A” and “Deputy B”) performed cardiopulmonary resuscitation for approximately 16 and 3 minutes, respectively, and paramedics transported the inmate to Denver Health Medical Center, where he was in a comatose state. Nine days later, on November 20, 2015, the inmate was taken off life support, and died. The OIM issued a report, [The Death of Michael Marshall, an Independent Review](#), which provided an extensive review and analysis of the incident.⁵³

The DOS disciplined Deputy A, Deputy B, and a captain for their conduct during the incident. Deputy A was suspended for 16 days for using inappropriate force after medical personnel had asked him to release pressure from the inmate. He was also required to attend remedial training on the DSD's Use of Force Policy. Deputy B was suspended for 10 days for using inappropriate force when he used Orcutt Police Nunchakus as a pain compliance technique after the inmate was restrained. Deputy B was also required to attend remedial training on the DSD's Use of Force Policy. The captain was suspended for 10 days for failing to supervise when he failed to communicate and give guidance to the deputies, and instead took a passive role in managing the incident.

Deputies A and B appealed, and a Career Service Hearing Officer overturned their discipline in November 2017. The DOS appealed the Hearing Officer's decision to the Career Service Board, and in June 2018, the Career Service Board reversed the decision and remanded the case back to the Hearing Officer for a determination about the appropriateness of the penalties imposed.⁵⁴ Deputies A and B appealed the Career Service Board's decision to Denver District Court, which dismissed their appeal as premature in June 2019, and the Hearing Officer affirmed the deputies' original suspensions in August 2019. Both deputies have appealed that decision to the Career Service Board.

The captain appealed, and a Career Service Hearing Officer overturned his discipline in November 2017. The DOS appealed the Hearing Officer's decision to the Career Service Board, and in April 2018, the Career Service Board reversed the decision and remanded the case back to the Hearing Officer for a determination about the appropriateness of the penalty imposed.⁵⁵ In February 2019, the Hearing Officer affirmed the captain's original suspension. The captain appealed the Career Service Board's decision to remand the case back to the Hearing Officer to the Denver District Court, which affirmed the decision in September 2019.

■ On December 17, 2016, two deputies ("Deputy A" and "Deputy B") working in a housing unit reported to a sergeant that an inmate they suspected was intoxicated from drinking alcohol had threatened them and covered his windows with toilet paper, preventing them from being able to visually monitor him. The sergeant chose not to conduct a search for the alcohol or enter the inmate's cell to remove the toilet paper. Instead, he ordered the deputies to knock on the inmate's window to get a verbal response from him during rounds. The windows remained covered for several hours before Deputy A entered the cell and found that the inmate had attempted suicide by cutting his throat with a piece of a safety razor. Prior to entering the inmate's cell, the deputies had not conducted all required rounds of the housing unit and failed to use the hand-held scanner to electronically track completed rounds as is required by policy. Deputy A also submitted an inaccurate report in which he purported to have completed rounds that were not conducted.

Deputy A was suspended for a total of 10 days for inaccurate reporting, violating a housing post order requiring the deputy to use the hand-held scanner to document rounds, and failing to make required rounds. Deputy B was suspended for four days for violating a housing post order requiring the deputy to use the hand-held scanner to document rounds and failing to make required rounds. The sergeant received a written reprimand for failing to comply with DSD policies and rules, and was suspended for four days for failing to supervise and perform his assigned duties. Deputies A and B appealed, and in June 2018, a Hearing Officer affirmed Deputy A's 10-day suspension and modified Deputy B's 4-day suspension to a 1-day suspension and a written reprimand. Both decisions were appealed to the Career Service Board, which affirmed the Hearing Officer's decisions in 2018.⁵⁶ Deputy A has appealed to the Denver District Court.

■ On September 26, 2017, a deputy ("Deputy A") was working in the intake area of the DDC when an inmate began arguing with another deputy ("Deputy B"). A sergeant responded and instructed Deputy B to put the inmate into an isolation cell. The inmate resisted Deputy B's attempt to escort him to the isolation cell by

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raising his hands and grabbing onto a safety rail. Deputy A did not assist Deputy B as he struggled to restrain the inmate. Instead, Deputy A took several steps toward the incident and then walked back to her work station. Deputy A was suspended for 10 days for failing to assist and protect a fellow deputy. Deputy A appealed, and, in January 2019, a Hearing Officer affirmed her suspension. The deputy appealed the decision to the Career Service Board, which affirmed the Hearing Officer's decision in June 2019.

■ On November 9, 2017, a deputy was working in a housing unit as inmates were being served breakfast. The deputy prevented an inmate from getting coffee because the inmate had brought the wrong cup. The inmate returned with the correct cup, and the deputy told him that he could not have coffee because the breakfast line was closed. After a verbal exchange, during which the deputy escalated the situation by using harassing language towards the inmate, the deputy told the inmate to leave his food tray on a table and go sit in the hall. When the inmate did not comply with the deputy's order, the deputy slapped the inmate's food tray, causing the inmate to be covered in food. The deputy, whose penalty was increased due to his prior discipline history, was suspended for 30 days for harassment of prisoners. He was also required to take a Critical Incident Training course. The deputy appealed, and in July 2018, a Hearing Officer affirmed his suspension. The deputy appealed the decision to the Career Service Board, which affirmed the Hearing Officer's decision in November 2018.⁵⁷

Timeliness

Timeliness in the investigation and disciplinary review of misconduct complaints is critical for ensuring public confidence in the ability of a department to hold itself accountable. Allowing administrative investigations to languish may prevent a department from acting quickly to correct or deter deputy misconduct, may lower morale, and tends to undermine public and department trust in the complaint process.

Table 3.5 shows mean processing times, in days, for different case types recorded by the PID in 2019 and by the DSD during the previous three years.⁵⁸ These figures exclude the number of days required for the OIM to review investigations and discipline. Average processing times decreased by 16% between 2018 and 2019. Cases recorded in 2018 were closed within an average of 107 days, compared to 90 days for cases recorded in 2019. Complaints still open at the time the OIM extracted data for this report had an average age of 114 days.

Table 3.5: Mean Case Processing Times in Days for Recorded Complaints, 2016-2019

Case Type	2016	2017	2018	2019
All Cases	87	79	107	90
Declined/Informal/Referred/Resolved/Mediation	67	55	66	53
Full Formal Investigations	113	115	172	175

Complainant Demographics and Complaint Filing Patterns

Table 3.6 presents the demographic characteristics for the 121 inmates and community members whose complaints were recorded in 2019.⁵⁹ Table 3.6 also reports the number of complainants with multiple complaints against DSD deputies. Most complainants filed only a single complaint (91%).⁶⁰

Table 3.6: Complainant Demographic and Filing Patterns, 2019

Gender	Count	Percentage
Male	73	60%
Female	38	31%
Transgender	1	1%
Unknown	9	7%
Total	121	100%
Race	Count	Percentage
White	37	31%
Black	34	28%
Hispanic	21	17%
Two or More Races	1	1%
Unknown	28	23%
Total	121	100%
Age	Count	Percentage
19 - 24	15	12%
25 - 30	18	15%
31 - 40	34	28%
41 - 50	14	12%
51+	11	9%
Unknown	29	24%
Total	121	100%
Number of Complaints Filed	Count	Percentage
One Complaint	110	91%
Two or More	11	9%
Total	121	100%

Note: Percentages may not sum to 100 due to rounding.

Deputy Complaint Patterns

Complaints per Deputy

Table 3.7 reports the number of complaints recorded against DSD deputies from 2016 through 2019. In 2019, 72% of DSD deputies had no complaints recorded against them, 19% received 1 complaint, and 8% had 2 or more complaints.

Table 3.7: Complaints per Deputy by Year Recorded, 2016–2019

Number of Complaints	2016	2017	2018	2019
0	76%	61%	54%	72%
1	18%	24%	27%	19%
2	4%	9%	11%	6%
3	1%	3%	5%	1%
4 or More	< 1%	3%	4%	1%
Total Sworn Officers	775	808	798	749

Note: Percentages may not sum to 100 due to rounding.

Inappropriate Force Complaints per Deputy

Table 3.8 shows the number of inappropriate force complaints recorded against individual DSD deputies from 2016 through 2019. In 2019, 4% of DSD deputies received 1 complaint that included an inappropriate force specification. Fewer than 1% of deputies received more than 1 complaint with an inappropriate force specification.

Table 3.8: Inappropriate Force Complaints per Deputy by Year Recorded, 2016–2019

Number of Complaints	2016	2017	2018	2019
0	94%	90%	89%	95%
1	5%	9%	10%	4%
2	< 1%	1%	2%	< 1%
3 or More	< 1%	< 1%	< 1%	< 1%
Total Sworn Officers	775	808	798	749

Note: Percentages may not sum to 100 due to rounding.

Sustained Complaints per Deputy

Table 3.9 reports the number of complaints with at least one sustained specification for individual deputies between 2016 and 2019 grouped by the year the complaints were closed. In 2019, 89% of DSD deputies had no sustained complaints, 10% had 1 sustained complaint, and 1% had more than 1 sustained complaint.

Table 3.9: Sustained Complaints per Deputy by Year Closed, 2016-2019

Number of Complaints	2016	2017	2018	2019
0	93%	91%	91%	89%
1	7%	8%	8%	10%
2	1%	1%	1%	1%
3 or More	0%	< 1%	< 1%	0%
Total Sworn Officers	775	808	798	749

Note: Percentages may not sum to 100 due to rounding.

Commendations and Awards

The DSD gives commendations and awards to deputies who engage in actions that reflect the DSD mission to provide safe and secure custody for those placed in its care. Community members can submit commendations by filling out the OIM's online complaint/commendation form, mailing the OIM a completed postage pre-paid complaint/commendation form, e-mailing or faxing a commendation to the OIM, or by visiting the OIM's offices. Appendices A and B describe how commendations can be filed and where OIM complaint/commendation forms are located.

Table 3.10 presents the number and type of commendations awarded to DSD personnel in 2019.⁶¹ The most common commendations recorded in 2019 were Personal Responsibility in Delivering Excellence ("PRIDE") Awards.

Table 3.10 Commendations Awarded to DSD Deputies in 2019

Commendation Type	Count	Percentage
PRIDE Award	80	51%
Employee of the Month	19	12%
Supervisor Commendation	17	11%
Unit Citation	17	11%
Chief Commendation	16	10%
Employee of the Quarter	7	4%
Total	156	100%

Note: Percentages may not sum to 100 due to rounding.

Highlighted Commendations

- A deputy received a PRIDE Award for using his Crisis Intervention Training skills to de-escalate an inmate. His actions prevented a use of force.
- A deputy received a PRIDE Award for establishing a calming presence for an inmate experiencing a medical emergency. The deputy stayed by the inmate's side and reassured him that he was safe, which enabled the medical staff to safely complete a medical assessment.
- Two deputies received PRIDE Awards for displaying professionalism and compassion when a person fell ill during a security screening. Their actions resulted in the person and others present remaining calm during a stressful medical emergency.

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- A deputy received an Employee of the Month Award for promoting harmony among his co-workers, helping others, and completing his work with a high level of accuracy.
- A sergeant received a PRIDE Award for taking the lead on the DSD's Violence Reduction Initiative and working with the Denver City Attorney's Office. His efforts reduced violence within the DSD.
- A sergeant received a PRIDE Award for developing datasets and dashboards for the DSD's Grievance and Incident Review Team. The data drove policy and training changes and helped the DSD develop goals.

4 Critical Incidents

Introduction and Overview

Officer-involved shootings (“OISs”) and deaths during DPD or DSD contact (collectively “critical incidents”) have a profound impact on the lives of community members, officers, deputies, and on the overall relationship between law enforcement and the community.⁶² All investigations into critical incidents should be completed thoroughly and efficiently with a goal of determining whether the incidents were handled lawfully and according to departmental policy. To promote transparency in the investigation and review of critical incidents, the OIM publishes regular reports regarding the status of critical incident investigations.

Patterns in Officer-Involved Shootings

On pages 60-70 of this chapter, we summarize every shooting that either occurred in 2019 or which the DPD’s Use of Force Review Board evaluated in 2019 for adherence to DPD policy. Prior to describing each shooting, we examine patterns in the number of intentional OISs of community members by the DPD annually and key characteristics of shootings that occurred in 2019.⁶³

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Figure 4.1: DPD Intentional Officer-Involved Shootings by Year, 2015–2019

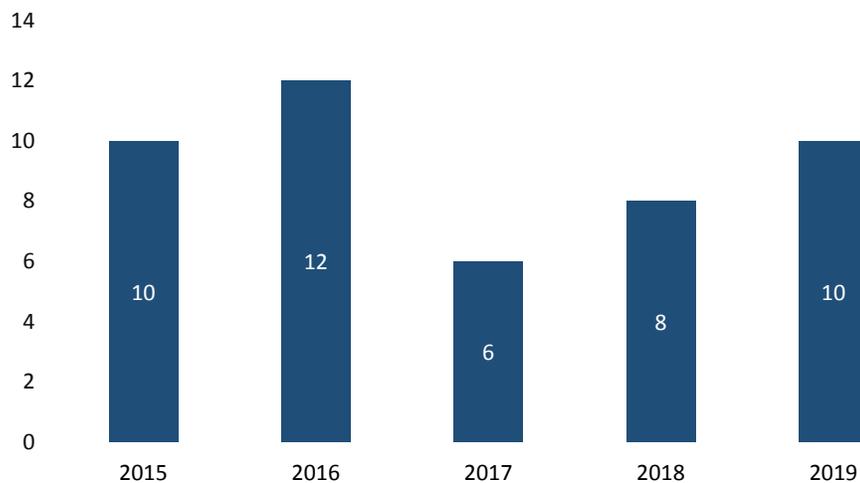


Figure 4.1 reports the number of DPD OISs from 2015 to 2019. In 2019, there were 10 shootings involving DPD officers. Table 4.1 presents characteristics of the officers involved in the intentional OISs that occurred in 2019, and Table 4.2 contains results, locations, and characteristics of community members involved in those shootings. In 2019, 13 out of 20 officers had 5 or less years of service at the time of their OIS, which is similar to previous years.

Intentional Shootings (OISs)	
Total Officer-Involved Shooting Incidents	10
Officers Involved	20
Rank of Officers	
Officer	13
Corporal	5
Sergeant	2
Years of Service of Shooting Officers	
0-5 years	13
6-10 years	0
11-15 years	2
16-20 years	4
21+ years	1
Assignment of Shooting Officers	
District 1	13
District 2	2
District 3	0
District 4	2
District 5	2
District 6	1
Race/Gender of Shooting Officers	
White Male	14
Hispanic Male	6

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Table 4.2: 2019 Officer-Involved Shootings: Results, Locations, and Community Member Characteristics

Intentional Shootings (OISs)	
Total Officer-Involved Shooting Incidents	10
Community Members Involved	10
Results of Shots Fired	
Community Member Fatalities	6
Community Member Non-Fatal Injuries ⁶⁴	3
No Community Member Injuries ⁶⁵	1
Location of Shooting Incidents	
District 1	5
District 2	2
District 3	0
District 4	0
District 5	1
District 6	1
Outside of Denver	1
Race/Gender of Community Members	
Hispanic Male	4
White Male	3
Black Male	1
Hispanic Female	1
Unknown	1

Critical Incidents: Denver Police Department

Critical Incident Investigation and Review Protocol

In all critical incidents, the DPD Major Crimes Unit and the Denver District Attorney's Office immediately respond to the scene to begin an investigation to determine whether any person should be held criminally liable. For OISs, a representative from the Aurora Police Department responds as well.⁶⁶ The OIM also may respond to the scene for a walk-through and debriefing from command staff. Major Crimes detectives interview civilian witnesses and involved officers, and collect video and documentary evidence. The OIM monitors interviews by video and may suggest additional questions at the conclusion of each officer interview. After the criminal investigation is complete, the administrative review process begins.

Administrative Review of Critical Incidents Involving DPD Officers

Once the District Attorney's Office has made a decision regarding the filing of criminal charges against anyone involved in a critical incident, the Major Crimes Unit reports are submitted to the DPD's IAB to commence the administrative review. The OIM confers with IAB to determine whether further investigation is necessary to evaluate potential violations of DPD policy. Once all relevant evidence is gathered, the case is submitted to the DPD's Use of Force Review Board (which includes a representative from the Aurora Police Department) to determine whether there were any violations of DPD policy. The OIM is not a voting member of the Use of Force Review Board but is present for all its proceedings and deliberations.

If the Use of Force Review Board finds that the officer's actions were in compliance with DPD policy ("in-policy"), the case is forwarded to the Chief of Police. If the Chief and the OIM agree that there were no policy violations, the case is closed, and no further administrative action is taken.

If the Use of Force Review Board finds that the officer's actions appear to be in violation of any DPD policy ("out-of-policy"), the findings are forwarded to DPD IAB for further investigation, if necessary. Once the investigation is complete, the case is forwarded to the DPD CRO for a disciplinary recommendation. If the DPD CRO recommends discipline greater than a written reprimand, the involved officer is given the option to present mitigating information at a Chief's Hearing.

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Both the Chief's disciplinary recommendation and that of the OIM are then forwarded to the DOS for consideration.

If the OIM disagrees with a recommendation made by the Use of Force Review Board or the Chief of Police, the OIM recommendation will be forwarded to the DOS, which makes the final decision regarding critical incidents.

DPD Officer-Involved Shootings in 2019

Incident #1

On January 27, 2019, DPD officers were involved in an OIS. The incident is currently under administrative review.⁶⁷

Incident #2

On February 12, 2019, officers were dispatched to a house where a caller reported that her husband had “pistol whipped” and threatened to kill her. As the officers approached the house, two officers took positions near the front door, three officers (“Officer A,” “Officer B,” and “Officer C”) positioned themselves near a side door next to the driveway, and another officer (“Officer D”) positioned himself behind a vehicle parked in the driveway. Officer A knocked on the side door, and officers ordered the occupants of the house to “come out of the house” and “show your hands.” Shortly after, a woman opened the side door, and a man standing behind her looked at Officer D and ran back into the house. Officer D approached the side door and saw the man point a gun at the woman. Officer D fired two rounds at the man. Thinking that Officer D was being shot at, Officer B stepped into the side door and fired his weapon six times at the man. The man was wounded in the abdomen and both legs, but survived.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officers. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁶⁸ The incident is currently under administrative review.

Incident #3

On February 25, 2019, officers arrived at an apartment where a caller reported a disturbance and heard a person yelling death threats and what sounded like a round being chambered in a shotgun. The officers evacuated the neighboring apartments. A sergeant and corporal stood in a foyer with a view of the apartment door, an officer (“Officer A”) positioned himself behind a ballistic shield down the hallway from the apartment, and another officer (“Officer B”) stood next to him in the

doorway of an adjacent apartment. The sergeant talked with the person on the telephone and asked him to come out. The person threatened to come out with a gun and shoot the officers. The person opened the door and walked into the hallway, holding a handgun. He turned and walked down the hallway toward Officers A and B. Officer A ordered the person to stop walking and drop the gun. The person continued walking toward the officers, and the sergeant yelled, “We can’t let him get close. We have to shoot.” Officer A fired seven rounds, Officer B fired two rounds, and the corporal fired one round. The person was shot nine times and died from the wounds.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officers. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁶⁹ The incident is currently under administrative review.

Incident #4

On April 10, 2019, two officers (“Officer A” and “Officer B”) identified and followed a car that had been stolen at gunpoint in another jurisdiction. The car accelerated away, and Officers A and B pursued in their patrol vehicle until the car left the road and stopped. Two individuals got out of the car and ran away. Before Officers A and B exited their patrol vehicle, one of the individuals turned toward the patrol vehicle and fired two shots at Officers A and B from a handgun. Officer A exited the patrol vehicle and chased the individual. During the chase, Officer A fired five shots, striking the individual once in the shoulder. Officer A lost sight of the individual, and officers from the DPD and another jurisdiction set up a perimeter. They heard a single gunshot and later found the individual in a window well in the vicinity, suffering from a self-inflicted gunshot wound. The individual later died from the self-inflicted gunshot wound.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷⁰ The incident is currently under administrative review.

Incident #5

On July 1, 2019, a Regional Transportation District (“RTD”) officer responded to a disturbance on a bus. The RTD officer identified the person responsible and ordered him to show his hands. The person drew a handgun and pointed it at the RTD officer. 911 was called, and the person walked away and fired his handgun into the air. A DPD corporal and recruit officer arrived at the scene, and the corporal ordered the person to put down his weapon. The person refused and appeared to try to pull the trigger while pointing the gun toward other officers who

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had also responded. A short time later, the person cleared a possible malfunction in the gun, fired one shot in the air, and lowered the gun to point it at the corporal. The corporal fired twice, and the person fell to the ground. The person appeared to reach toward his gun, and the corporal fired once more. The person was struck twice and died from the wounds.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷¹ The incident is currently under administrative review.

Incident #6

On July 4, 2019, DPD officers were involved in an OIS in another jurisdiction. The incident is currently under review by the First Judicial District Attorney's Office.

Incident #7

On July 31, 2019, an officer responded to a report of someone trying to open the door to a residence without permission. The officer attempted to talk with a person outside the residence, and when the person ran away, the officer followed and ordered him to stop. The person turned and fired two rounds at the officer. The officer drew his firearm and fired nine rounds. The person ran away with a limp, and the officer ordered him to drop his gun. The person again shot at the officer, and the officer fired two more rounds. The person fell to the ground, jumped up, continued to run, and then shot himself in the head. The person had been shot three times by the officer, but an autopsy confirmed that he died from the self-inflicted gunshot wound.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷² The incident is currently under administrative review.

Incident #8

On August 15, 2019, DPD officers were involved in an OIS. The incident is currently under review by the Denver District Attorney.

Incident #9

On August 31, 2019, officers responded to reports of a man harassing women and firing a gun into the air. A manager of a nearby restaurant pointed him out to two officers ("Officer A" and "Officer B") searching the area. Officers A and B had a

short discussion with the man and collected his name and birthdate. Officer A stepped several feet away to use his radio, and the man pulled out a gun and shot at Officer B. Officer B took cover, and Officer A drew his firearm and fired 14 rounds at the man. The man was struck several times and died of the wounds.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷³ The incident is currently under administrative review.

Incident #10

On October 21, 2019, DPD officers were involved in an OIS. The incident is currently under review by the Denver District Attorney.

DPD Accidental Discharges in 2019

Incident #1

On May 2, 2019, a detective accidentally discharged his firearm. The incident is currently under administrative review.

Incident #2

On June 13, 2019, an officer accidentally discharged his firearm. The incident is currently under administrative review.

Deaths During DPD Contact in 2019

Incident #1

On January 4, 2019, officers responded to a report of a suspicious vehicle. When the officers asked the man sitting in the driver's seat for his identification, a woman exited the vehicle and told the officers that she was being held against her will and that the man had a gun. The officers called for additional support and asked the man to step out of the vehicle. The officers heard a gunshot from the vehicle and when they approached, found the man with a self-inflicted gunshot wound. The man died as a result of the wound. The DPD investigated the incident and determined that the officers involved did not violate any department policies or procedures. The OIM concurred with that assessment.

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Incident #2

On January 5, 2019, officers responded to a domestic violence incident involving a man firing a gun inside his apartment. When the officers arrived, they heard a gunshot. The officers entered the apartment and found the man with a self-inflicted gunshot wound. The man died as a result of the wound. The DPD investigated the incident and determined that the officers involved did not violate any department policies or procedures. The OIM concurred with that assessment.

Incident #3

On January 23, 2019, officers responded to a report that someone had pointed a gun out of the window of a vehicle and fired several shots. When the officers found the vehicle, the driver and a passenger got out and ran away. The officers lost sight of them but heard a loud noise from a nearby apartment building. The officers knocked on an apartment door, announced that they were police officers, and heard a gunshot from inside. When they entered the apartment, the officers found the driver with a self-inflicted gunshot wound. The driver died as a result of the wound. The DPD investigated the incident and determined that the officers involved did not violate any department policies or procedures. The OIM concurred with that assessment.

Incident #4

On February 14, 2019, officers responded to a report of a man threatening to shoot himself and another person. When officers arrived, they spoke with a woman who explained that the man was “stressed out” and that she wanted the officers to leave. The officers explained that because of the seriousness of the report, they had to enter the house and speak with the man. The woman agreed to allow the officers to enter the house, and when one of the officers opened the door, he saw the man inside pull out a gun. The officer drew his firearm and ordered the man to drop the gun. The man pointed the gun at his own head and fired. The man died as a result of the wound. The DPD investigated the incident and determined that the officers involved did not violate any department policies or procedures. The OIM concurred with that assessment.

Incident #5

On June 1, 2019, an officer responded to a report that a person was parked on an interstate on-ramp. When the officer arrived, the person began to climb a nearby fence and told the officer to not come any closer. The officer attempted to communicate with the person, but she let go of the fence and fell to the interstate

below. The person died as a result of the fall. The DPD investigated the incident and determined that the officer involved did not violate any department policies or procedures. The OIM concurred with that assessment.

Incident #6

On September 29, 2019, a person died after being contacted by DPD officers. The incident is currently under administrative review.

Incident #7

On October 3, 2019, a person died of an apparent suicide after being contacted by officers from the DPD and another jurisdiction. The incident is currently under administrative review.

Incident #8

On October 22, 2019, a person died of an apparent suicide after being contacted by DPD officers. The incident is currently under administrative review.

DPD Critical Incidents Closed in 2019⁷⁴

Closed Incident #1

On June 21, 2017, officers responded to a report that a person had sent an email stating that he was going to kill himself. As the officers approached the home, they heard a single gunshot from inside. When they entered, they found a person with a self-inflicted gunshot wound. The person died as a result of the wound. The DPD investigated the incident and determined that the officers involved did not violate any department policies or procedures. The OIM concurred with that assessment.

Closed Incident #2

On August 25, 2017, officers stopped a vehicle whose driver had an outstanding felony warrant. Shortly after the stop, the driver pulled out a handgun and pointed it at himself. The officers retreated for cover and requested additional support. When officers with a ballistic shield approached the vehicle, they discovered the driver had sustained a self-inflicted gunshot wound. The driver died as a result of the wound. The DPD investigated the incident and determined that the officers involved did not violate any department policies or procedures. The OIM concurred with that assessment.

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Closed Incident #3

On January 26, 2018, officers were dispatched to an RTD Park-n-Ride where two juvenile armed robbery suspects were reported to be exiting a bus. Officers attempted to contact the suspects, who split up and ran from the officers. An officer and a corporal pursued one of the suspects on foot, while other officers followed in police vehicles. The corporal repeatedly commanded the suspect to stop running and to show his hands, but the suspect did not comply. He continued to run from officers with his hand concealed in the front pocket of his hooded sweatshirt. A sergeant attempted to intervene by driving his police vehicle alongside the suspect. The suspect collided with the police vehicle, fell, and then stood up with a gun in his hand. The officer ordered the suspect to put the gun down, but the suspect directed the gun toward the officer. The officer fired four shots, hitting the suspect in the left hand. The suspect survived.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷⁵ The DPD's Use of Force Review Board met on June 12, 2019, and the OIM provided advice and recommendations. The Use of Force Review Board determined the shooting to be in-policy. The OIM concurred.

Closed Incident #4

On February 6, 2018, a woman called 911 to report that her son had a knife, appeared "high on something," and was threatening to kill himself. A short time later, the man stole a car at knife point, crashed the car, and broke into a house. Officers received a report of a burglary in progress and responded to the house. When the officers first entered the house, the man was hiding in a bedroom. For almost 30 minutes, a recruit officer, who was in a hallway leading to the bedroom, attempted to de-escalate the situation by talking to the man. During this time, the man made statements regarding his intent to kill the officers. Toward the end of the encounter, the man darted out of the bedroom and briefly stood in the hallway, holding a large knife. The officers ordered the man to drop the knife. The man did not comply and ran into an adjacent bathroom. Approximately three minutes later, the man came out of the bathroom holding the large knife and lunged at the officers who were in a living room at the end of the hallway. A corporal discharged two rounds from a shotgun when the man was six to eight feet away. The man died as a result of the gunshot wounds.

The Denver District Attorney reviewed the incident and declined to file charges against the involved corporal. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷⁶ The DPD's Use of Force Review Board met on June 12,

2019, and the OIM provided advice and recommendations. The Use of Force Review Board determined the shooting to be in-policy. The OIM concurred.

Closed Incident #5

On February 13, 2018, an officer responded to an emergency family disturbance with a possibly armed suspect. Upon arriving at the home, a family member told the officer that the suspect had tried to kill their father. The officer went to the open front door and saw the suspect standing over the father, who was lying in a bed several feet from the front door. The suspect was holding a knife and a handgun. The officer repeatedly told the suspect to drop the gun, but he refused. The suspect remained agitated, standing over the father while pointing the gun at the father's head. After more than three minutes, the suspect began a countdown and appeared to lean towards the father. The suspect shot five rounds at the father, fatally wounding him. The officer fired eight rounds, wounding the suspect twice in the abdomen. The suspect died several hours later as a result of the gunshot wounds.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷⁷ The DPD's Use of Force Review Board met on June 12, 2019, and the OIM provided advice and recommendations. The Use of Force Review Board determined the shooting to be in-policy. The OIM concurred.

Closed Incident #6

On March 13, 2018, a DPD detective and a Drug Enforcement Agency special agent posed as sellers in an undercover operation. The special agent escorted 2 suspects ("Suspect A" and "Suspect B"), who had traveled from another state to purchase 130 pounds of marijuana, to a location where the detective and marijuana were located. The special agent left the location to meet another individual who allegedly had the money. After the special agent left, Suspect B spoke to the detective outside the box truck, distracting him while Suspect A pulled a handgun from his waistband and pointed it at the detective. The detective started to run away from the location, and Suspect B ran around the front of the vehicle and got into the driver's seat. Suspect A, still holding the handgun, ran around the back of the vehicle to the driver's side. The detective fired seven rounds. Suspect A fired three rounds and ran away, and Suspect B drove off and crashed the vehicle. Suspects A and B were arrested, and no one was injured.

The District Attorney for the 18th Judicial District (where the incident occurred) reviewed the incident and declined to file charges against the involved detective.⁷⁸

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The DPD's Use of Force Review Board met on February 27, 2019, and the OIM provided advice and recommendations. The Use of Force Review Board determined the shooting to be in-policy. The OIM had tactical concerns about the incident but did not consider the Use of Force Review Board's finding unreasonable. The shooting was referred to the Tactics Review Board.

Closed Incident #7

On March 19, 2018, officers from the DPD and another jurisdiction were surveilling the Aurora home of a woman believed to be the girlfriend of an inmate who had recently escaped from DSD custody. The officers observed a vehicle circle the area several times before parking near the home. The officers believed that the passenger of the vehicle, who was wearing a sweatshirt with the hood up, was the escaped inmate. The vehicle drove away from the home, and officers attempted to stop it. The vehicle fled at a high rate of speed, and officers pursued it until it failed to navigate a sharp curve and struck a low concrete wall and safety fence.

Two officers ("Officer A" and "Officer B") who had joined the pursuit exited their patrol car. Officer A approached the rear passenger side of the vehicle and after ordering the occupants to show their hands, he believed that he saw the passenger door open a small crack. Fearing that the passenger was going to exit and shoot at the officers, Officer A began firing his handgun. Officer B approached the driver's side door, heard gunshots, believed that he was being fired upon, and also began firing. The suspect vehicle began to move down an embankment. Another officer ("Officer C"), who had just arrived at the scene, exited her car, ran toward the vehicle, and fired her handgun twice. Officers A and B fired a total of 34 and 12 rounds, respectively. The driver was struck three times and died from the gunshot wounds. The passenger, who was not, in fact, the escaped inmate, was treated for an abrasion to his lower abdomen.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officers. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁷⁹ After review by IAB and the OIM, additional investigation was conducted. On February 27, 2019, the DPD's Use of Force Review Board met and determined the shooting to be in-policy. The OIM made recommendations regarding this matter. A disciplinary case was opened and evaluated by the CRO. The OIM made additional recommendations to the DPD and Executive Director of Safety during the disciplinary review.

Officer A was suspended for 90 days for violating the DPD Discharge of Firearms Policy for firing his handgun when it was not reasonable for him to have believed

that he was confronted with the imminent use of deadly physical force.⁸⁰ Officer C was suspended for 90 days for violating the DPD Discharge of Firearms Policy when she fired her handgun before conducting a meaningful threat assessment and without facing an imminent use of deadly physical force.

Closed Incident #8

On April 25, 2018, officers responded to a detective's request to arrest an armed robbery suspect who was considered "armed and dangerous." The suspect was driving a vehicle with a passenger, and when an officer ("Officer A") activated the emergency lights of his patrol car to stop the vehicle, the suspect accelerated and attempted to drive between two lanes of stopped traffic. The suspect's vehicle hit several cars and came to a stop. Officer A approached the vehicle from the driver's side, a second officer ("Officer B") approached from the passenger's side, and a third officer ("Officer C") remained in his patrol car. The suspect reached down and attempted to clear a malfunction in his firearm. Officer B called out that the suspect had a gun, ordered the suspect to put it down, and observed the suspect instead start to turn towards him. Officer B fired eight rounds at the suspect. Officer C observed the suspect lower the gun and look towards Officer B and fired six rounds at the suspect through the windshield of his patrol car. Officer A heard Officer B call out that the suspect had a gun, heard gunshots, and felt a stinging on the side of his head, which was later determined to be caused by glass from the windshield of Officer C's patrol car. Officer A fired three rounds at the suspect. The suspect was struck 16 times and died. The passenger was grazed once on the arm and survived.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officers. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁸¹ The DPD's Use of Force Review Board met on November 7, 2019, and the OIM provided advice and recommendations. The Use of Force Review Board determined the shooting to be in-policy. The OIM concurred.

Closed Incident #9

On June 13, 2018, a convenience store clerk flagged down two officers in their patrol car. As the officers got out of their car, the clerk told them that he had just been robbed and that the fleeing suspect was armed. The officers saw the suspect running away from the convenience store carrying a cash drawer, and they began to pursue. Seconds later, the suspect fired his handgun five times at the officers, wounding one of the officers and a bystander. The wounded officer fired 13 rounds

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at the suspect. The suspect was struck once and died as a result of the gunshot wound.

The Denver District Attorney reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a [detailed letter](#) reviewing the shooting.⁸² The DPD's Use of Force Review Board met on February 27, 2019, and the OIM provided advice and recommendations. The Use of Force Review Board determined the shooting to be in-policy. The OIM concurred.

DPD Accidental Discharges Closed in 2019

Closed Incident #1

On December 15, 2017, two officers responded to several calls about an apparently intoxicated person. As one of the officers attempted to turn on his weapon-mounted light, he discharged one round from his handgun. No one was injured in the shooting, but the round struck inches from the person's head. The Use of Force Review Board met on November 28, 2018 to review the incident and determined the accidental shooting to be out-of-policy.⁸³ The officer was suspended for 10 days for carelessly handling his firearm.

Critical Incidents: Denver Sheriff Department

Critical Incident Investigation and Review Protocol

Similar to situations involving the DPD, in all DSD critical incidents, the DPD's Major Crimes Unit responds to the scene to begin an investigation to determine whether any person should be held criminally liable. If the incident warrants, the OIM also responds to the scene of the incident for a walk-through and debriefing from command staff. Major Crimes Unit detectives interview all witnesses and every involved deputy, and collect video and documentary evidence. The OIM monitors interviews conducted by the Major Crimes Unit and may suggest additional questions at the conclusion of each interview. After the criminal investigation is complete, the administrative review process begins.

Administrative Review of Critical Incidents Involving DSD Deputies

Once the District Attorney's Office has made a decision regarding the filing of criminal charges against anyone involved in an incident, the Major Crimes Unit reports are submitted to the AIU to commence the administrative review. The OIM confers with the AIU to determine whether further investigation is necessary to assess whether there have been violations of DSD policy. If, after reviewing the investigation, the CRU finds that the involved deputy's actions were in compliance with DSD policy ("in-policy"), the case is forwarded to the Sheriff. If the Sheriff agrees there were no policy violations, the case may be closed. The OIM reviews the CRU's findings and makes recommendations to the Sheriff and the DOS.

If the CRU finds that the involved deputy's actions violated any DSD policy ("out-of-policy"), the case is referred to the Sheriff for a Contemplation of Discipline Hearing. The OIM observes the hearing and participates in deliberations of the command staff. At that hearing, the involved deputy is given the opportunity to present his or her side of the story, including mitigating information, if any. After hearing from the involved deputy, the OIM makes disciplinary recommendations to the Sheriff. Recommendations from the Sheriff and the OIM are forwarded to the DOS for consideration. The DOS determines whether the deputy's actions were in-policy or out-of-policy and the appropriate level of discipline, if any.

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DSD Critical Incidents in 2019

Incident #1

On July 29, 2019, a person died while in the custody of the DSD. The incident is currently under administrative review.

Incident #2

On September 1, 2019, a person died while in the custody of the DSD. The incident is currently under administrative review.

Endnotes

¹ Sworn DSD staff, including supervisors, are collectively referred to as “deputies” throughout this report, unless otherwise noted.

² Denver Revised Municipal Code Art. XVIII § 2-388.

³ The OIM also reviewed 58 DPD IAB investigations into complaints about DSD deputies.

⁴ The OIM reports only those resignations and retirements that are likely directly related to a pending investigation or pending discipline. For example, the OIM does not report resignations or retirements of officers or deputies with pending investigations alleging misconduct that, if sustained, would result in a low-level of discipline such as a reprimand.

⁵ Data on DSD commendations were provided by the DSD and may include commendations awarded to non-sworn personnel.

⁶ Denver Revised Municipal Code Art. XVIII § 2-373(a).

⁷ The OIM does not generally report on incidents where an officer or deputy discharges a firearm at an animal.

⁸ The OIM does not generally report on incidents where a community member dies of natural causes.

⁹ Due to security concerns, the DSD has not historically mediated complaints filed by inmates. DSD mediations typically involve staff member complaints lodged against other staff.

¹⁰ Community member and officer satisfaction rates are calculated by OIM analysts based on surveys administered by Community Mediation Concepts and provided to the OIM (on file with author).

¹¹ This project was supported by Grants #2014-DJ-BX-0792, #2015-MU-BX-0390, and #2016-DJ-16-013928-03-3 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in the document are those of the author and do not represent the official position or policies of the United States Department of Justice.

¹² See the OIM’s [2016 Semiannual Report](#) for more information about the development and implementation of the YOP.

¹³ From August 2015 through December 2019, a total of 1,903 youth and 100 DPD officers participated in 47 YOP forums.

¹⁴ From May 2015 through December 2019, a total of 386 officers have been trained on adolescent brain development and de-escalation techniques with youth.

¹⁵ From January 2016 through December 2019, a total of 200 community members have been equipped to serve as YOP forum facilitators.

¹⁶ Denver Revised Municipal Code Art. XVIII §§ 2-371(b), 2-374, 2-386.

¹⁷ The OIM reports only those resignations and retirements that are likely directly related to a pending investigation or pending discipline. For example, the OIM does not report resignations or retirements of officers with pending investigations alleging misconduct that, if sustained, would result in a low-level of discipline such as a reprimand.

Endnotes

¹⁸ Scheduled discipline violations include Failure to Appear in Court, Failure to Shoot for Efficiency, Photo Radar, Safety Restraining Devices, Required Minimum Annual Continuing Education, CEP Cancellation/CEP Failure to Attend, Preventable Accidents, and Punctuality. *See* DPD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Appendix F, at 8-9 (effective May 2, 2019).

¹⁹ The data reported in this chapter were extracted from the DPD's Internal Affairs records management database ("IAPro"). The OIM is not an IAPro administrator and has limited control over data entry into the database. The OIM does not conduct governmentally approved audits of the database for accuracy. As a result, the OIM is unable to certify the accuracy of the DPD's Internal Affairs data. Finally, because the OIM is not the final arbiter of what allegations to record in IAPro and against which officers, the OIM cannot certify that the data presented (with respect to specific complaint allegations) are what they would be if the OIM were making these decisions. Since the data were drawn from dynamic, live databases, the recorded complaint, allegation, and outcome numbers will fluctuate over time and are subject to revision. The figures reported in this chapter do not include complaints against DPD civilian employees or complaints that were not linked to a subject officer in IAPro. Unless otherwise noted, the data included in this chapter were last retrieved from IAPro on February 5, 2020. Because of changes in coding or analysis of complaints, allegations, findings, and discipline, there may be slight discrepancies between historical data presented in this report and data presented in previous OIM reports.

²⁰ Many reports related to police oversight and IAB processes refer to complainant allegations. In this chapter, "allegations" refer to assertions, in a complainant's own words, of particular kinds of purported misconduct by an officer. The DPD does not systematically track the detailed allegations made by complainants in IAPro. Instead, it tracks "specifications" that are based upon the departmental rules and disciplinary policies implicated by a complaint. Thus, a specification captures the rule under which an officer might be punished, rather than the precise allegations communicated in the complaint.

²¹ DPD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Rules and Regulations, Appendix G, at 12 (effective May 2, 2019).

²² Of the 37 specifications for potential violations of the BWC Policy, 20 had been sustained at the time data for this report were retrieved.

²³ DPD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Rules and Regulations, Appendix G, at 16 (effective May 2, 2019).

²⁴ Formal investigations may not receive a finding in cases where an officer resigns or retires prior to the completion of the investigation or a final finding determination. Such cases fall into the "Declined/Administrative Review" category in Figure 2.2.

²⁵ A Chief's meeting may also be held in certain other cases where no discipline is recommended.

²⁶ Note that several cases are under appeal with the Civil Service Commission, as well as the courts. As a result, these totals are subject to revision until all appeals have been exhausted.

²⁷ The actual number of officers who resigned or retired while an investigation or discipline was pending is higher than the total reported in Table 2.2. The OIM reports only those resignations and retirements that are likely directly related to a pending investigation or pending discipline. For

example, the OIM does not report resignations or retirements of officers with pending investigations alleging misconduct that, if sustained, would result in a low-level of discipline such as a reprimand.

²⁸ Complaints with significant discipline closed in 2019 may not be included in this section if they were summarized in the OIM's 2018 Annual Report.

²⁹ Summary data on appeals filed by DPD officers or by the DOS regarding DPD officers were provided to the OIM by the Civil Service Commission on January 7, 2020.

³⁰ Data on completed mediations come from Community Mediation Concepts, the organization that conducts police/community member mediations.

³¹ DPD timeliness figures were calculated by measuring the number of days between the date a case was received and the date a case was completed, and subtracting the total number of days the case was with the OIM for either investigative or disciplinary review and the number of days the case was suspended. For cases that opened in a given year but were not yet completed by the end of the year, OIM analysts used the date of data extraction as the end date. Performance measures for the timeliness of OIM investigation reviews are discussed in the Citizen Oversight Board's Annual Reports.

³² Regarding the "unknown" data category in Table 2.4, it should be noted that complainants can choose not to provide their demographic information when filing complaints.

³³ DPD IAB will sometimes combine multiple complaints made by one individual under a single case number, particularly if the complainant's issue stems from issues of mental health or if the complainant has a significant history of filing numerous false/trivial complaints.

³⁴ Denver Revised Municipal Code Art. XVIII §§ 2-371(b), 2-375(a).

³⁵ Sworn DSD staff, including supervisors, are collectively referred to as "deputies" throughout the report, unless otherwise noted.

³⁶ The OIM reports only those resignations and retirements that are likely directly related to a pending investigation or pending discipline. For example, the OIM does not report resignations or retirements of deputies with pending investigations alleging misconduct that, if sustained, would result in a low-level of discipline such as a reprimand.

³⁷ Unless otherwise noted, the data for this chapter were obtained from the DSD's administrative investigation records management database ("IAPro"). The OIM is not an IAPro administrator and has no control over data entry into the database. The OIM does not conduct governmentally approved audits of the database for accuracy. As a result, the OIM is unable to certify the complete accuracy of the DSD's administrative investigation data. Finally, because the OIM is not the final arbiter of what allegations to record in IAPro and against which deputies, the OIM cannot certify that the data presented (with respect to specific complaint allegations) is what it would be if the OIM were making these decisions. Since the data were drawn from dynamic, live databases, the recorded complaint, allegation, and outcome numbers will fluctuate over time and are subject to revision. The figures reported in this chapter do not include complaints against DSD civilian employees or complaints that were not linked to a subject deputy in IAPro. The data included in this chapter were last retrieved from IAPro on February 5, 2020. Because of changes in coding or analysis of complaints, allegations, findings, and discipline, there may be slight discrepancies between historical data presented in this report and data presented in previous OIM reports.

Endnotes

³⁸ Scheduled discipline violations include Unauthorized Leave and Failure to Participate in Required Firearms Qualification/Training. See DSD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Appendices G and H (updated Oct. 15, 2017).

³⁹ Many reports related to law enforcement oversight and internal-affairs processes refer to complainant allegations. In this chapter, “allegations” refer to assertions, in a complainant’s own words, of particular kinds of purported misconduct by a deputy. The DSD does not systematically track the detailed allegations made by complainants in IAPro. Instead, it tracks “specifications” that are based upon the departmental rules and disciplinary policies implicated by a complaint. Thus, a specification captures the rule under which a deputy might be punished, rather than the precise allegations communicated in the complaint.

⁴⁰ DSD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Appendix F, at 9 (updated Oct. 15, 2017).

⁴¹ DSD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Appendix F, at 7 (updated Oct. 15, 2017).

⁴² DSD, *2016 Prison Rape Elimination Act: Denver Sheriff Department 2016 Annual Report*, at 1.

⁴³ DSD, *Jail Population Data* (last accessed Feb. 21, 2019), <https://www.denvergov.org/content/denvergov/en/sheriff/research-policy.html>.

⁴⁴ If the OIM disagrees with a screening decision, the AIU Director is notified. If the OIM and AIU cannot agree on a screening decision, the OIM will discuss the conflict with the Executive Director of Safety or designee.

⁴⁵ If a case involves allegations of criminal conduct, the investigation is conducted by the DPD’s IAB. The DPD IAB will investigate the case and present it to the District Attorney’s Office for a charging decision. If the District Attorney decides to file charges, the case will generally be retained by DPD IAB until the conclusion of any criminal proceedings. Once the criminal proceedings are concluded or if the District Attorney decides not to file charges, the case will be turned over to the PID for completion of the administrative investigation to determine if any internal procedures or policies were violated.

⁴⁶ Formal investigations may not receive a finding in cases where a deputy resigns or retires prior to the completion of the investigation or a final finding determination.

⁴⁷ Note that several cases are under appeal with the Career Service Board and the courts. As a result, these totals are subject to revision until all appeals have been exhausted. The number of deputies who resigned or retired while an investigation or discipline was pending is actually higher than the total reported in Table 3.4. The OIM reports only those resignations and retirements that are likely directly related to a pending investigation or pending discipline. For example, the OIM does not report resignations or retirements of deputies with pending investigations alleging misconduct that, if sustained, would result in a low-level of discipline such as a reprimand.

⁴⁸ At the time data for this report were retrieved, the DSD IAPro database did not include any temporary reductions in pay for non-scheduled discipline complaints closed in 2019. Pages 40 and 43 of this report include discipline summaries for three deputies who, based on discipline orders from the DOS, received penalties that included temporary reductions in pay.

⁴⁹ In this section, “deputy” refers only to those personnel with the title “deputy” at the time of the incident. Sworn staff with other titles, such as “captain” or “sergeant,” are noted throughout the summaries.

⁵⁰ Complaints with significant discipline closed in 2019 may not be included in this section if they were summarized in the OIM’s 2018 Annual Report.

⁵¹ The deputy received a six-day suspension for using inappropriate force in this case because “there was no injury sustained by the inmate, there was no intent to injure by [the deputy], [the deputy’s] willingness to accept responsibility for his actions both at his IAB interview and during his contemplation of discipline meeting, and [the deputy’s] lack of disciplinary history.” The DSD Discipline Handbook identifies the penalties associated with the use of inappropriate force as ranging from an 18-day suspension to termination. The DSD Discipline Handbook also allows for “extraordinary mitigation” in cases where mitigating factors are “so extraordinary that the mitigated penalty established in the matrix would be unfair or would not reflect the totality of the circumstances.” DSD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, at 25-26 (updated Oct. 15, 2017).

⁵² Summary data on appeals filed by DSD deputies or by the DOS regarding DSD deputies were provided to the OIM by the Career Service Hearing Office on January 17, 2020.

⁵³ The Office of the Independent Monitor, *The Death of Michael Marshall, an Independent Review* (2018), https://www.denvergov.org/content/dam/denvergov/Portals/374/documents/2018MarshallReport_OIM.pdf.

⁵⁴ The Career Service Board’s decision was ordered in June 2018 and documented in January 2019.

⁵⁵ The Career Service Board’s decision was ordered in April 2018 and documented in January 2019.

⁵⁶ The Career Service Board’s decisions were ordered in 2018 and documented in April 2019.

⁵⁷ The Career Service Board’s decision was ordered in November 2018 and documented in May 2019.

⁵⁸ Timeliness figures were calculated by measuring the number of days between the date a case was received and the date a case was completed, and subtracting the total number of days the case was with the OIM for either investigative or disciplinary review, and the total number of days the case was suspended. For cases that opened in a given year but were not yet completed by the end of the year, OIM analysts used the date of data extraction as the end date. Performance measures for the timeliness of OIM investigation reviews are discussed in the Citizen Oversight Board’s Annual Reports.

⁵⁹ Regarding the “unknown” data categories in Table 3.6, it should be noted that complainants can choose not to provide their demographic information when filing complaints.

⁶⁰ The AIU will sometimes combine multiple complaints made by one individual under a single case number, particularly if the complainant’s issue stems from issues of mental health or if the complainant has a significant history of filing numerous false/trivial complaints.

⁶¹ Data on DSD commendations were provided by the DSD and may include commendations awarded to non-sworn personnel.

⁶² The OIM does not generally report on incidents where a community member dies of natural causes or an officer or deputy discharges a firearm at an animal.

Endnotes

- ⁶³ The Denver Sheriff Department did not have any OISs during the time period under consideration.
- ⁶⁴ Two of the community members with non-fatal injuries died from self-inflicted gunshot wounds.
- ⁶⁵ The community member with no injuries died from a self-inflicted gunshot wound.
- ⁶⁶ Denver District Attorney Beth McCann, Officer-Involved Shooting Protocol 2017, at 1.
- ⁶⁷ When an officer shoots and wounds or kills a person in Denver, the Denver District Attorney's Office investigates the incident and releases a decision letter on its website. *See* Denver District Attorney Beth McCann, Officer-Involved Shooting Protocol 2017, at 1-2. The District Attorney likely did not issue a public letter about the investigation of this shooting, because the involved officers did not wound or kill the suspect.
- ⁶⁸ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (June 21, 2019), <https://www.denverda.org/wp-content/uploads/2019/06/Decision-Letter-for-Officer-Involved-Shooting-of-Juan-Sanchez-Jimenez-Feb-12-2019-00000002-1.pdf>.
- ⁶⁹ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (July 2, 2019), <https://www.denverda.org/wp-content/uploads/2019/07/070319-Decision-Letter-for-Officer-Involved-Shooting-Death-of-David-Litton-Feb-25-2019.pdf>
- ⁷⁰ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (August 12, 2019), <https://www.denverda.org/wp-content/uploads/decision-letter/2019/Decision-Letter-for-Officer-Involved-Shooting-of-Anthony-Solano-Vasquez-April-10-2019.pdf>
- ⁷¹ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (December 17, 2019), <https://www.denverda.org/wp-content/uploads/decision-letter/2019/121719-Officer-Scott-Mattos-Decision-LTR-Re-Death-of-Christopher-Barela-1.pdf>
- ⁷² Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (January 6, 2020), <https://www.denverda.org/wp-content/uploads/decision-letter/2020/010620-Decision-Letter-Officer-Involved-Shooting-Death-of-T-Johnson-July-31-2019.pdf>
- ⁷³ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (January 15, 2020), <https://www.denverda.org/wp-content/uploads/decision-letter/2020/011520-Decision-Letter-Officer-Involved-Shooting-of-Juan-Carlos-Macias-Aug-31-2019.pdf>.
- ⁷⁴ Critical incidents closed in 2019 may not be included in this section if they were summarized in the OIM's [2018 Annual Report](#).
- ⁷⁵ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Robert White (Apr. 24, 2018), <https://www.denverda.org/wp-content/uploads/decision-letter/2018/Decision-letter-re-Officer-Involved-Shooting-of-Juvenile-Jan-26-2018.pdf>.
- ⁷⁶ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Robert White (June 12, 2018), <https://www.denverda.org/wp-content/uploads/decision-letter/2018/Decision-Letter-for-Officer-Involved-Shooting-Death-of-Alex-Duran-Feb-6-2018-1.pdf>.
- ⁷⁷ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Robert White (May 22, 2018), <https://www.denverda.org/wp-content/uploads/decision-letter/2018/Decision-Letter-for-Officer-Involved-Shooting-Death-of-Peter-Le-Feb-13-2018.pdf>.
- ⁷⁸ The District Attorney for the 18th Judicial District did not release a decision letter.

⁷⁹ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (Oct. 16, 2018), <https://www.denverda.org/wp-content/uploads/decision-letter/2018/Decision-Letter-OIS-S.-Nguyen-March-19-2018.pdf>.

⁸⁰ The disciplinary case associated with this incident was closed February 11, 2020.

⁸¹ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (Aug. 9, 2018), <https://www.denverda.org/wp-content/uploads/news-release/2018/Decision-Letter-for-Officer-Involved-Shooting-Death-of-Charles-Boeh-Death-April-25-2018.pdf>.

⁸² Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (Sept. 12, 2018), <https://www.denverda.org/wp-content/uploads/decision-letter/2018/Decision-Letter-for-Officer-Involved-Shooting-Death-of-Carnell-Nelson-June-13-2018.pdf>.

⁸³ While the Use of Force Review Board determined the shooting to be out-of-policy on November 28, 2018, the incident is included in this report because the discipline order for the officer's suspension was not issued until January 2019.

Appendix A
How to File a
Complaint/Commendation

How to File a DPD Complaint/Commendation

- Postage-paid Complaint/Commendation Forms: The Office of the Independent Monitor (“OIM”) distributes complaint/commendation forms at government offices, libraries, and police facilities throughout Denver, and they can be mailed to the OIM at no charge.
- OIM Online Complaint/Commendation Form: Complaints and commendations may also be filed through an online form available on the OIM, Citizen Oversight Board (“COB”), and Denver Police Department (“DPD”) websites. See <http://www.denvergov.org/content/denvergov/en/office-of-the-independent-monitor.html>.
- E-mail and Fax: The OIM also accepts complaints and commendations through e-mail at OIM@denvergov.org and by fax at 720-913-3305.
- Walk-ins and Telephone: Community members can drop off complaint/commendation forms to the OIM’s office during normal business hours on the 1st floor of the Denver Post Building at 101 W. Colfax Avenue, Suite 100. In addition, every district police station in Denver is required to accept walk-in and telephone complaints. The DPD Internal Affairs Bureau also accepts complaints by telephone (720-913-6019) and walk-in (1331 Cherokee Street), during normal business hours.
- Tort and Civil Rights Claims: Investigations may also be initiated when a community member alleges officer misconduct in a claim or lawsuit filed against the City and County of Denver.

How to File a DSD Complaint/Commendation

- Postage-paid Complaint/Commendation Forms: The OIM distributes complaint/commendation forms at government offices, libraries, and Denver Sheriff Department (“DSD”) facilities throughout Denver, and they can be mailed to the OIM at no charge.
- OIM Online Complaint/Commendation Form: Complaints and commendations may also be filed through an online form available on the OIM, COB, and DSD websites. See <http://www.denvergov.org/content/denvergov/en/office-of-the-independent-monitor.html>.
- E-mail and Fax: The OIM also accepts complaints and commendations through e-mail at OIM@denvergov.org and by fax at 720-913-3305.
- Walk-ins and Telephone: Community members can drop off complaint/commendation forms to the OIM’s office during normal business hours on the 1st floor of the Denver Post Building at 101 W. Colfax Avenue, Suite 100. The DSD also accepts complaints and commendations by telephone at 720-865-3888.
- Tort and Civil Rights Claims: Investigations may also be initiated as a result of allegations of deputy misconduct in a claim or lawsuit filed against the City and County of Denver.

Appendix B
Complaint /Commendation
Form Locations

City Council Offices

City and County Building, 1437 Bannock St., Room 451:

- City Councilman Jamie Torres, District 3
- City Councilwoman Amanda Sawyer, District 5
- City Councilman Paul Kashmann, District 6
- City Councilman Jolon Clark, District 7
- City Councilwoman Candi CdeBaca, District 9
- City Councilman Chris Hinds, District 10
- City Councilwoman At-Large Robin Kniech
- City Councilwoman At-Large Deborah Ortega

Other Locations:

- City Councilwoman Amanda P. Sandoval, District 1 – 1810 Platte St.
- City Councilman Kevin Flynn, District 2 – 3100 S. Sheridan Boulevard, Unit D
- City Councilwoman Kendra Black, District 4 – 3540 S. Poplar Street, Suite 100
- City Councilman Christopher Herndon, District 8 – Arie P. Taylor Municipal Building, 4685 Peoria Street, Suite 245
- City Councilwoman Stacie Gilmore, District 11 – Arie P. Taylor Municipal Building, 4685 Peoria Street, Suite 215

Government Agencies

- Athmar Park Branch Library, Denver Public Library – 1055 South Tejon Street
- Blair-Caldwell African American Research Library, Denver Public Library – 2401 Welton Street
- Denver Central Library, Denver Public Library – 10 W. 14th Avenue Parkway
- Human Rights & Community Partnerships, City and County of Denver – Wellington E. Webb Building, 201 W. Colfax Avenue, 2nd Floor, Department 1102
- Office of the Independent Monitor, City and County of Denver – Denver Post Building, 101 W. Colfax Avenue, Suite 100
- Parks and Recreation, City and County of Denver – Denver Post Building, 101 W. Colfax Avenue, 9th Floor
- Rodolfo "Corky" Gonzales Branch Library, Denver Public Library – 1498 N. Irving Street

Community-Based Locations

- Barnum Recreation Center – 360 Hooker Street
- Centro Humanitario Para Los Trabajadores – 2260 California Street
- Coffee at The Point – 710 E. 26th Avenue
- Colorado Immigration Reform Coalition – 2525 W. Alameda Avenue
- Denver Indian Center – 4407 Morrison Road
- Denver Inner City Parish – 1212 Mariposa Street

- Families Forward Resource Center – 12000 E. 47th Avenue
- Gang Rescue and Support Project (GRASP) – 1625 E. 35th Avenue
- Greater Park Hill Community, Inc. – 2823 Fairfax Street
- Harm Reduction Action Center – 231 E. Colfax Avenue
- Hiawatha Davis Jr. Recreation Center – 3334 Holly Street
- Mi Casa Resource Center – 345 S. Grove Street
- Mile High Youth Corps – 1801 Federal Boulevard
- Montbello Recreation Center – 15555 E. 53rd Avenue
- New Hope Baptist Church – 3701 Colorado Boulevard
- NEWSED Community Development Corporation – 2120 W. 7th Avenue
- Padres y Jovenes Unidos – 4130 Tejon Street, Suite C
- Project VOYCE – 3455 Ringsby Court, #131
- Re:Vision – 3800 Morrison Road
- Servicios de la Raza – 3131 W. 14th Avenue
- Shorter Community African Methodist Episcopal Church – 3100 Richard Allen Court
- SouthWest Improvement Council – 1000 S. Lowell Boulevard
- Steps for Success – 4725 Paris Street, Suite 300
- Su Teatro Cultural and Performing Arts Center – 721 Santa Fe Drive
- The Bridge Project – 1265 Mariposa Street
- The Conflict Center – 4140 Tejon Street
- The Meyer Law Office, P.C. – 901 W. 10th Ave, Suite 2A
- True Light Baptist Church – 14333 Bolling Drive
- Westwood Unidos – 3790 Morrison Road
- Whittier Café – 1710 E. 25th Avenue
- YESS Institute – 1385 S. Colorado Boulevard, Suite 610A
- Youth Advocate Program, Inc. – 3532 Franklin Street
- Youth on Record – 1301 W. 10th Avenue

Jails

- Denver County Jail – 10500 E. Smith Road
- Van Cise-Simonet Detention Center – 490 W. Colfax Avenue

Police Stations

- District 1 Station – 1311 W. 46th Avenue
- District 2 Station – 3921 N. Holly Street
- District 3 Station – 1625 S. University Boulevard
- District 4 Station – 2100 S. Clay Street
- District 5 Station – 4685 Peoria Street
- District 6 Station – 1566 Washington Street
- West Denver Cop Shop – 4200 Morrison Road
- Denver Police Administration Building – 1331 Cherokee Street

Schools

- Abraham Lincoln High School – 2285 S. Federal Boulevard
- Bruce Randolph School – 3955 Steele Street
- CEC Early College – 2650 Eliot Street
- Colorado High School Charter – 1175 Osage Street, #100
- Denver Center for 21st Century Learning – 1690 Williams Street
- Denver Justice High School – 300 E. 9th Avenue
- East High School – 1600 City Park Esplanade
- John F. Kennedy High School – 2855 S. Lamar Street
- Manual High School – 1700 E. 28th Avenue
- Martin Luther King Jr. Early College – 19535 E. 46th Avenue
- North High School – 2960 Speer Boulevard
- Northfield High School – 5500 Central Park Boulevard
- South High School – 1700 E. Louisiana Avenue
- Swansea Elementary School – 4650 Columbine Street
- West Leadership Academy – 951 Elati Street

Courts/Criminal Justice Locations

- Courtroom 2100, Van Cise-Simonet Detention Center – 490 W. Colfax Avenue
- Courtroom 2300, Van Cise-Simonet Detention Center – 490 W. Colfax Avenue
- Denver District Court - Civil & Domestic – 1437 Bannock Street, Room 256
- Denver Juvenile Services Center – 303 W. Colfax Avenue, 1st Floor
- Denver Municipal Court - General Sessions – 520 W. Colfax Avenue, Room 160
- Denver Municipal Court - Traffic Division – 1437 Bannock Street, Room 135
- Denver Office, Colorado State Public Defender – 1560 Broadway, Suite 300
- Lindsay-Flanigan Courthouse – 520 W. Colfax Avenue
- Safe City Office – 303 W. Colfax Avenue, 10th Floor

Appendix C
Citizen Oversight Board
Biographies and Meetings

Citizen Oversight Board

The Citizen Oversight Board (“COB”) is responsible for assessing whether the Office of the Independent Monitor is effectively performing its duties, making recommendations regarding Denver Sheriff Department and Denver Police Department policy and training issues, and addressing issues of concern to the community and other interested stakeholders. The COB will meet at least quarterly in public with the Executive Director of Safety, the Chief of Police, and the Sheriff and will conduct at least three meetings annually for public comment. The COB will also make an annual report to the public, Mayor, and City Council and may furnish additional public reports as necessary.

2019 COB Members

- Katina Banks, Chair, was appointed to the COB in 2016. She is an attorney at Baker & Hostetler, LLP, practicing intellectual property law. A proud Denver native, she has been civically engaged throughout her professional career. She served eight years on the Colorado Civil Rights Commission, helping enforce the state's anti-discrimination laws. Katina 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.
- Nikki Braziel, Vice Chair, is the co-founder of Octa, a Denver-based product design and manufacturing company that is focused on mounting solutions for mobile technology. She previously 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.
- Molly Gallegos, Secretary, is a Colorado native that has been working in the community for most of her life doing everything from translating safety information for migrant workers to participating in community theater with Su Teatro. She 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 found her calling 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.
- Mark Brown is the Agent-in-Charge for the Colorado Department of Revenue, Division of Racing Events, a regulatory law enforcement agency. His duties include management of administrative judges, law enforcements officers, licensing personnel and veterinarian staff. In addition to those duties, he also conducts firearms and arrest control technique training.
- Dr. Mary Davis is President/CEO of McGlothlin Davis, Inc, an organization effectiveness firm that has provided consulting services to public, not-for-profit, and

private sector firms throughout the nation since 1995. For decades, she has been actively involved in civic and community improvement activities in Denver. She has served on five nonprofit boards, having been elected Board Chair for two of these organizations. She joined the COB in February 2009.

- Francisco “Cisco” Gallardo joined and helped create what has been one of the largest gangs in Denver's north side in his teen years. Since that time, he has dedicated his life to undoing the damage he helped cause. Over the past 26 years, he has worked in the community to redefine respect, power, and pride; he has helped countless young people to reclaim their own lives. He joined the COB in 2012.
- Al Gardner is the Vice President of Information Technology for Denver based Inspirato. Mr. Gardner specializes in strategic IT leadership and overall network, systems, and cyber security operations management. Al is a passionate coach and mentor who has a reputation for building and motivating highly effective teams built on a culture of integrity, compassion, innovation, and performance. Mr. Gardner’s commitment to the Denver community extends beyond his professional endeavors. 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, Denver Sheriff’s Advisory Board, and as affiliate faculty in the College of Computer Science at Regis University. Al Gardner holds both a Bachelor’s Degree and Master’s Degree in Business Administration.

Regular COB Meetings

COB meetings are usually held on the first and third Fridays of each month on the 1st floor of the Denver Post Building at 101 W. Colfax Avenue, Suite 100. If you plan to attend, it is advised that you call in advance to confirm the COB will be meeting.

2019 Quarterly Public Forums

COB public forums are usually held in the evenings from 6-8:00 p.m. in rotating police districts in Denver. In 2019, public forums were held on the following dates and in the following locations:

- April 4, 2019 – District 3 – South High School, 1700 E. Louisiana Avenue
- August 22, 2019 – District 5 – Oakland Elementary School, 4580 Dearborn Street
- November 7, 2019 – District 2 – New Hope Baptist Church, 3701 Colorado Boulevard

Proposed 2020 Quarterly Public Forums

- March 26, 2020 – District 4 – Valverde Elementary School, 2030 W. Alameda Avenue



Office of the Independent Monitor
101 W. Colfax Ave., Suite 100
Denver, CO 80202
720 913 3306
www.denvergov.org/OIM | oim@denvergov.org
facebook.com/DenverOIM