



DENVER
OFFICE OF THE
INDEPENDENT MONITOR

2022 Annual Report

Lisabeth Pérez Castle
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.



DENVER
OFFICE OF THE
INDEPENDENT MONITOR

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FROM THE INDEPENDENT MONITOR

March 15, 2023

As Denver's new Independent Monitor, it is my pleasure and honor to present the Office of the Independent Monitor ("OIM") 2022 Annual Report. This report provides an overview of the OIM's work and the complaints, investigations, and discipline of sworn Denver Police and Sheriff Department ("DPD" and "DSD," respectively) personnel.

Many people deserve recognition for their contributions to the work of the OIM in 2022. First and foremost, I must recognize the leadership of the OIM under the Interim Independent Monitor Gregg Crittenden. For two years, Gregg and the staff maintained the OIM's standard for exceptional work during a longer than anticipated transitional period. I am grateful and honored to work with Gregg and learn from his years of leadership. I also thank the members of the Citizen Oversight Board: Julia Richman, Nicholas Webber, Terrance D. Carroll, Karen Collier, David Martinez, Larry Martinez, Stefan Stein, and Ana Thallas. They have worked tirelessly on issues of concern to the community and have significantly influenced my thinking about independent civilian oversight in Denver.

I have received a warm welcome from members of the Denver City Council and look forward to their counsel and support in the future. I have also had the pleasure of meeting with safety leaders, including Department of Public Safety Executive Director Safety Armando Saldate, Chief of Police Ron Thomas, and Sheriff Elias Diggins, who have pledged their support and cooperation.

As the new Independent Monitor, I am dedicated to the OIM's mission to promote accountability, effectiveness, and transparency in the DPD and DSD. A key component of fulfilling this mission is collaborating with our community stakeholders engaged in the cause of safety, including community groups, faith groups and those direct service providers dedicated to the safety of the individuals of this city regardless of race, wealth, mental health, or gender. This high degree of public engagement on safety issues is a significant asset for this City.

It is my hope that the information and analysis in this report help the DPD and DSD to police themselves as effectively as community members, officers, and deputies deserve and demand. In future reports, we look forward to including even more information about our ongoing evaluations of policy, training, and the handling of misconduct complaints. It is my intent to serve as the voice of community by engaging with its members and bringing to the attention of our safety leaders their comments and concerns in order to make sustainable change.

Sincerely,



Lisabeth Pérez Castle
Independent Monitor

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 2022 Annual Report is presented in four chapters. Chapter 1 provides an overview of key information related to OIM operations in 2022. Chapters 2 and 3 discuss OIM monitoring of the DPD and the DSD, respectively, and summarize patterns in complaint and disciplinary trends in each department. Finally, Chapter 4 contains information about critical incidents, including officer-involved shootings and deaths during contact with DPD officers and DSD deputies that occurred in 2022.¹

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 2022, the OIM reviewed 360 investigations of DPD complaints.³ The OIM also reviewed 389 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 254 DPD and DSD complaints after their investigation as they went through the discipline process, making recommendations on the appropriate disciplinary outcome, if any, under the departmental discipline matrices. In Chapters 2 and 3, we provide more information about complaints involving DPD officers and DSD deputies.

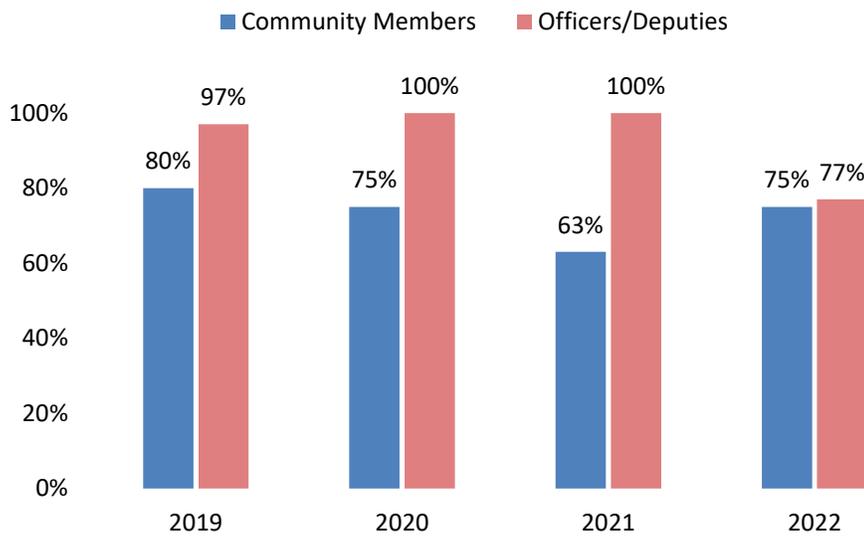
Critical Incident Investigations

Pursuant to Denver Revised Municipal Code, the OIM responds to and monitors the investigation and administrative review of every DPD and DSD officer-involved shooting that occurs within the City and County of Denver.⁴ In 2022, there were eight officer-involved shootings and no duty-related shootings involving DSD deputies.⁵ There were six deaths of community members during DPD contact where no officer-involved shooting occurred. There were three deaths of community members in DSD custody and one death that occurred outside of a DSD facility but during contact with DSD deputies.⁶ In Chapter 4, we provide information about each of the shootings and deaths and their current status in the administrative review process.

Mediation

Since 2006, the OIM has facilitated 670 mediations between community members and DPD officers, and among DSD sworn staff, including 12 completed mediations in 2022.⁷ Among those who participated in a 2022 mediation and completed a survey, 75% of the community members and 77% of the officers/deputies reported feeling satisfied with the mediation process.⁸ Officer/deputy satisfaction dropped in 2022, and the OIM is working closely with its mediation partner, Community Mediation Concerns, to better understand the drop and to identify opportunities for improvement in 2023.

Figure 1.1: Satisfaction with Mediation Process, 2019–2022



Community and Officer Engagement

In 2022, OIM staff held or attended a total of 173 presentations or events. These included 138 in-person and virtual meetings with neighborhood associations, advocacy groups, and representatives of community organizations and 35 in-person and virtual events that included outreach to members of law enforcement.

In addition to attending these events, in 2022, OIM outreach staff also worked to translate the OIM Complaint and Commendation form into 8 additional languages, including Vietnamese, Arabic, and Swahili, to help ensure equitable access to Denver's complaint process.

The Youth Outreach Project

Since 2015, the OIM has delivered its Bridging the Gap: Kids and Cops™ program (“Youth Outreach Project” or “YOP”) to communities throughout Denver. 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.

Although our programming was drastically impacted between 2020 and 2022 by the COVID-19 pandemic, we were provided an opportunity to think outside the box and find new ways to interact with community. In 2022, the YOP hosted a Spanish-only forum, continued implicit bias trainings with the University of Denver's Colorado Women's College, supported youth involved in the Denver Teen Empowerment Program, and participated in the training of 60 DPD officers regarding Positive Youth Interactions.

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.⁹ 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 information 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.

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.

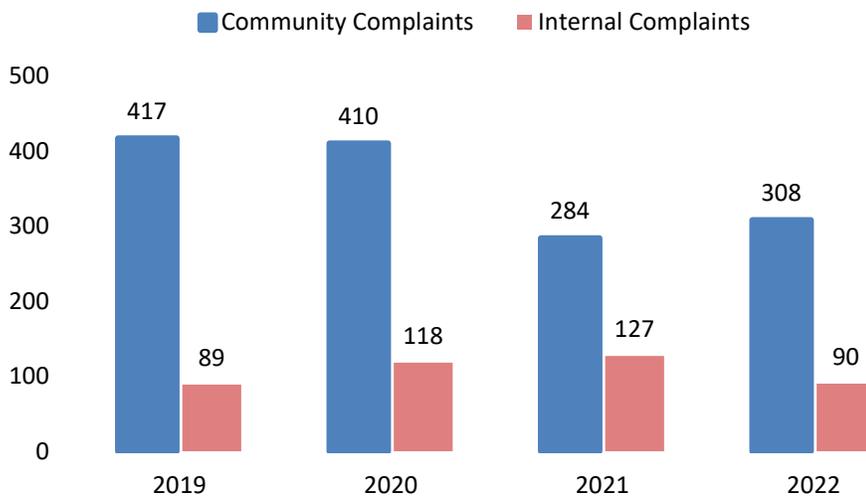
Scheduled Discipline Complaints

Scheduled discipline complaints are generally minor, such as when a DPD officer misses a court date, shooting qualification, or continuing education class.¹⁰ 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 2022

Figure 2.1 presents the number of complaints recorded by the DPD during 2022 and the previous three years.¹¹ 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 308 community complaints in 2022, an 8% increase from 2021. Internal complaints recorded by the DPD decreased by 29%, from 127 in 2021 to 90 in 2022.

Figure 2.1: Complaints Recorded, 2019–2022



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. Changes in community complaints over the last several years are likely due, in part, to the COVID-19 pandemic, complaints about the DPD’s response to protests prompted by the murder of George Floyd, and reductions in DPD pedestrian and traffic stops. Explanations for the decrease in internal complaints are not immediately clear, but the OIM will continue to monitor the number and source of complaints recorded by IAB.

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.¹² Table 2.1 presents some of the most common complaint specifications from 2022 and the previous three years. The most common specifications recorded by the DPD in 2022 were Duty to Obey Departmental Rules and Mayoral Executive Orders and Responsibilities to Serve Public.

Table 2.1: Most Common Specifications, 2019–2022¹³

Specification	2019	2020	2021	2022
Duty to Obey Departmental Rules and Mayoral Executive Orders	34%	37%	42%	32%
Responsibilities to Serve Public	7%	4%	4%	16%
Discourtesy	18%	15%	13%	12%
Inappropriate Force	12%	17%	7%	9%
Failure to Make, File, or Complete Official Required Reports	4%	3%	7%	8%
Service Complaint	11%	8%	9%	5%
Conduct Prohibited by Law	3%	3%	4%	3%
Conduct Prejudicial	2%	2%	2%	3%
Rough or Careless Handling of City and Department Property	2%	3%	2%	3%
All Other Specifications	7%	8%	10%	8%
Total Number of Specifications	734	761	667	669

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’s BWC Policy.¹⁴ Responsibilities to Serve Public is a specification used when officers are alleged to have violated a rule requiring them to “serve the public by direction, counsel, and in other ways that do not interfere with the discharge of their police responsibilities” and “respect the rights of individuals and perform their services with honesty, zeal, courage, discretion, fidelity, and sound judgment.”¹⁵ Responsibilities to Serve Public specifications were more common in 2022 than prior years. This is due, in part, to an increase in recorded complaints from community members unsatisfied with officer responses to calls for service.

Intake Investigations, Screening Decisions, and Outcomes

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.

Informal

A complaint that would result in a debriefing with the subject officer can be handled as an informal. This screening decision or outcome does not necessarily indicate that the officer engaged in misconduct. As such, the complaint may be investigated by the subject officer’s supervisor, rather than by IAB.

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 all non-scheduled discipline IAB investigations alleging potential misconduct 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:

- Sustained - The subject officer's actions were found to have been in violation of the DPD policy, procedure, rule, regulation, or directive in question.
- Not Sustained - There was insufficient evidence to either prove or disprove the allegation as described in the complaint.
- Unfounded - The investigation indicates that the subject officer's alleged actions relating to the DPD policy, procedure, rule, regulation, or directive in question did not occur.
- Exonerated - The investigation indicates that the alleged actions of the subject officer were within the policies, procedures, rules, regulations, and directives of the DPD.

In 2022, a total of 280 community complaints and 93 internal complaints were closed. Table 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 2022 were declined after an initial intake investigation (51%), 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, 60% of internal complaints closed in 2022 resulted in at least 1 sustained finding, while 15% of community complaints resulted in a sustained finding.

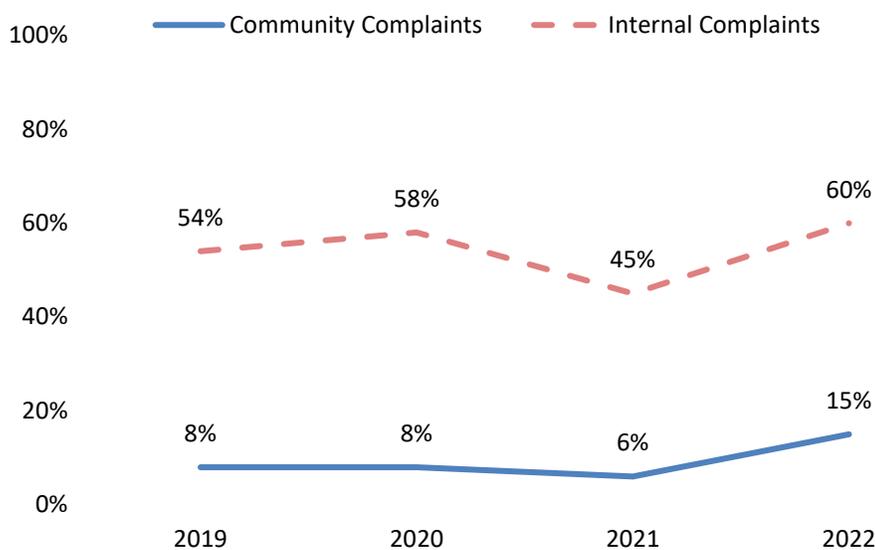
Table 2.2: Outcomes of Complaints Closed in 2022

Outcome	Community Complaints	Internal Complaints
Declined	51%	12%
Administrative Review/Not Reviewed	0%	1%
Service Complaint	14%	0%
Mediation	5%	0%
Informal	12%	11%
Not Sustained/Exonerated/Unfounded	3%	16%
Sustained	15%	60%

Figure 2.2 presents the percentage of complaints with at least one sustained specification by the year complaints were closed. The percentage of community complaints with one sustained specification increased from 6% in 2021 to 15% in 2022. The percentage of internal complaints with one sustained specification increased from 45% in 2021 to 60% in 2022.

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Figure 2.2: Complaints that Resulted in One or More Sustained Specifications, 2019–2022



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 greater than a written reprimand be imposed, a Chief’s meeting will be held.¹⁶ At this meeting, the Chief, the IAB Commander, the CRO Commander, a representative from the Department of Safety (“DOS”), an Assistant City Attorney, a number of DPD command officers, and a representative from the OIM 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 their 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. If the OIM disagrees with the proposed final disciplinary outcome of a case, the case is automatically forwarded to the Executive Director of Safety for review.¹⁷ 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 2.3 reports the number of officers who retired or resigned prior to a disciplinary finding or who were disciplined for sustained specifications from 2019 through 2022.¹⁸ The most common forms of discipline were written and oral reprimands.

Table 2.3: Discipline Imposed by Year Complaint Closed, 2019–2022¹⁹

Discipline	2019	2020	2021	2022
Termination	2	5	1	1
Resigned/Retired Prior to Discipline	2	9	7	4
Suspension	18	16	18	26
Fined Time	22	33	16	21
Written Reprimand	44	30	37	51
Oral Reprimand	24	28	14	39

Significant Disciplinary Cases Closed in 2022²⁰

Terminations

■ An officer had two cases alleging misconduct. In the first case, on September 27, 2020, the officer attempted to pull over a car for speeding. Before the officer caught up with the car, the driver came to a stop and ran away. When the officer found the car and the driver’s seat empty, he believed that the driver had crawled into the backseat. The other passengers explained that the driver ran away and that the backseat passenger was too drunk to drive. Rather than investigate the passengers’ claims, the officer arrested the backseat passenger and charged him with Driving Under the Influence (“DUI”). The officer, whose penalty was increased due to his discipline history, was suspended for 40 days for conduct prejudicial. He appealed his suspension.

In the second case, on May 28, 2021, a DPD lieutenant contacted IAB about the officer who had been seen sleeping in his patrol car after work, potentially because he had been working more hours in an off-duty capacity than policy permitted. An investigation indicated that, between January and May of 2021, the officer had regularly worked more off-duty hours than was allowed and either failed to report the off-duty jobs or reported working fewer hours to deceive his supervisor. The investigation also revealed that the officer had been paid by the DPD for at least two hours of work when he was actually working an off-duty job, which amounted to theft. The officer, whose penalty was increased due to his discipline history, was

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suspended for 30 days for conduct prohibited by law and terminated for conduct prejudicial. He appealed, and a Hearing Officer upheld his termination but reversed the suspension.

Resignations and Retirements

■ On August 8, 2020, an officer responded to a welfare check for a woman suffering from mental health issues. The officer stayed in contact with the woman and eventually requested that she share inappropriate photographs of herself with him. During the investigation, it was also revealed that the officer had shared confidential information through a social media site. The officer resigned prior to a disciplinary finding in the case.

■ On August 21, 2021, an officer driving a patrol vehicle struck a parked van. He did not stop, notify the owner of the van, or report the accident. The officer resigned prior to a disciplinary finding in the case.

■ On September 1, 2021, an officer drove while intoxicated, argued with his wife, and assaulted her. He pled guilty to second-degree assault and received a two-year deferred judgement and sentence. The officer resigned prior to a disciplinary finding in the case.

■ On October 4, 2021, an off-duty officer was aggressive with people inside a club and was asked to leave. As he was being escorted out of the club, the officer ripped an employee's shirt and tried to use his status as an officer to avoid being kicked out. Other DPD officers found the officer several blocks from the club, smelled alcohol on his breath, and took him to a detox facility. The officer resigned prior to a disciplinary finding in the case.

Other Significant Cases, Including Suspensions of Ten or More Days

■ On May 6, 2020, a sergeant sent a text message to a team of six officers he supervised. The text included a message from the sergeant comparing two officers on the team to a picture from the movie Django Unchained of a bounty hunter and house slave. One of the referenced officers, who is Black, was offended by the text and the suggestion that he bore any resemblance to the character, who the officer described as an "Uncle Tom" or "race traitor." The sergeant was suspended for 10 days for violating the DOS Equal Employment Opportunity Policy when he sent a text message with a discriminatory image. He appealed his suspension.

■ On May 28, 2020, an officer was engaged in crowd control operations during the protests prompted by the murder of George Floyd. The officer was standing at an intersection in front of a group of protestors. After a firework exploded in the street behind him, the officer lifted his oleoresin capsicum (“OC”) spray, said, “I’m going to fog this motherfucker,” and sprayed a protestor in the face. The protestor was not throwing objects or acting aggressively, and the officer had not ordered the protestor to leave the area before deploying the OC spray. A short time later, the officer again deployed his OC spray at protestors without any apparent provocation. The officer was suspended for six days for violating the DPD Use of Force Policy when he deployed OC spray on two occasions without a justifiable need.

■ In 2020, an officer sent several text messages to a sergeant’s personal phone to complain about his assignment and the work of other officers. The sergeant asked the officer to stop, and when he did not, the officer was issued a written order directing him not to text supervisors about non-emergency issues while off duty. On April 25, 2021, the officer, while off duty, again texted the sergeant to complain about his assignment. During an investigation, the officer admitted that he was drinking when he sent the text message and that his alcohol consumption may have been a factor in his decision to send the message. The officer entered a settlement agreement with the DOS, pursuant to which he was suspended for a total of 10 days, with 5 days held in abeyance for one year, on the condition that he, among other things, commit no sustained rule violations of Disobedience of an Order, Insubordination, or any involving the use of alcohol.

■ On September 25, 2020, a DPD civilian employee, who is a naturalized United States citizen, asked a detective if the name “Susan” was spelled with a “s” or “z.” The detective responded by stating, “[w]ho spells Susan with a ‘z’ in this country? In America, we spell it with an ‘s.’” After IAB opened an investigation into the incident, the detective contacted the civilian employee about the case through e-mail and in person, which DPD policy prohibits, and made disparaging comments about where she was born. The detective was suspended for a total of 10 days for violating the DOS Equal Employment Opportunity Policy and the DPD Complaint Handling Policy.

■ On February 21, 2021, a corporal and two officers responded to a domestic violence call where a woman reported that her boyfriend fired a gun inside the apartment. After speaking with the woman, they allowed her to leave the scene without obtaining a written statement, despite a policy requiring officers obtain one in such situations. The corporal and officers searched the apartment and spoke

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with the boyfriend, who was intoxicated. The boyfriend had a box of ammunition in his pocket and two guns. There was also ammunition scattered within the apartment. The corporal and officers determined that he had not fired a gun and transported him to a detox center. At different times, the corporal and officers all entered the bathroom, failing to see a small bullet hole that was visible on the wall. The following day, the woman returned to the apartment to retrieve her belongings, saw the bullet hole in the bathroom, and contacted the DPD again. Other DPD officers returned to the apartment and collected the relevant evidence, but the Denver District Attorney declined to file charges against the boyfriend, in part, because of how the corporal and officers initially handled the incident. The officers were each suspended for 10 days for conduct prejudicial. Because he was the senior officer on the scene of the incident, the corporal was suspended for 14 days for conduct prejudicial. The corporal and officers appealed their suspensions.

■ On March 7, 2021, an officer (“Officer A”) was blocking a highway on-ramp, because of a serious accident. Two vehicles attempted to drive around the roadblock. When the officer drove his vehicle away from the roadblock to stop the first car, he collided with the second. After he collided with the second car, he insisted the other driver was at fault and shouted at her. He also served a citation to the other driver rather than allowing two other officers (“Officer B” and “Officer C”) who arrived on the scene to do so. Officers A, B, and C also failed to immediately notify a supervisor about the accident, pursuant to policy. Officer A was suspended for 10 days for conduct prejudicial. He appealed, and a Hearing Officer affirmed his suspension. Officers B and C received written reprimands for violating the DPD’s Traffic Accident Investigation Policy when they failed to request a supervisor’s response to the scene.

■ On March 25, 2021, officers stopped a car in a parking lot as part of a homicide investigation. One of the officers (“Officer A”) learned that the passenger was known to carry firearms and had been flagged by another jurisdiction as possibly connected to an attempted murder case. Officer A contacted the other jurisdiction to respond to the parking lot. Officer A did not relay information about the passenger being known to carry firearms to another officer (“Officer B”) who was watching the passenger. When he got out of the car, Officer A checked the passenger’s pockets for anything illegal, and Officer B checked one side of his waistband but not the other. Approximately 30 minutes later, officers from the other jurisdiction arrived, and the passenger whispered to Officer A to check his waistband. Officer A reached into the person’s waistband and pulled out a loaded

handgun. Officer A was suspended for 10 days and Officer B was suspended for 4 days for violating the DPD's General Arrest Procedures Policy when they failed to conduct a thorough pat down of the passenger.

■ On June 5, 2021, a woman contacted her daughter after a domestic violence incident involving an ex-boyfriend and asked that she call 911. The daughter called 911, and two officers (“Officer A” and “Officer B”) responded to the house where the incident occurred. The ex-boyfriend answered the door and let Officers A and B into the house, where the woman was laying down under a blanket in a dark bedroom. While the ex-boyfriend stood outside the bedroom with Officer A, Officer B told the woman that her daughter had called 911 and asked if she was ok. The woman, knowing that the ex-boyfriend could overhear the conversation, stated that she was fine, and Officers A and B left the house without any additional investigation. After Officers A and B left the house, the woman’s son took her to the hospital, where she stayed for five weeks because of her injuries. A DPD detective who eventually investigated the incident found video evidence that the ex-boyfriend had violently assaulted the woman, and the Denver District Attorney’s Office filed charges against him for Second Degree Assault, Third Degree Assault, Obstruction of Telephone Service, and Unlawful Sexual Contact with Force. Officers A and B were each suspended for 10 days for Conduct Prejudicial when they failed to sufficiently investigate the incident. They each appealed their suspensions.

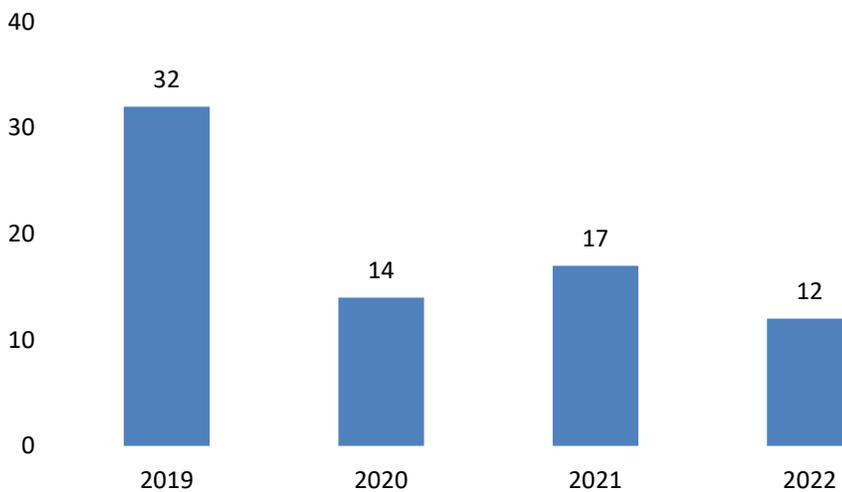
■ On July 30, 2021, an officer was stopped in another jurisdiction for speeding and failing to drive in a single lane. A preliminary breath test indicated that he had a blood alcohol content (“BAC”) of 0.122. The officer was arrested for Driving Under the Influence and later accepted a plea agreement that included a lesser charge of Driving While Ability Impaired and 12 months of probation. The officer was suspended for 10 days for Conduct Prohibited by Law.

■ In 2021, an officer failed to participate in a firearms proficiency test that the DPD requires of officers two times every calendar year. This was the third time in the previous five years that the officer failed to participate. The officer was suspended for 10 days for violating the DPD Training, Programs, and Services Policy.²¹

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 2.3 presents the number of completed community-police mediations in 2022 and the previous three years. Between 2020 and 2022, the number of completed officer mediations decreased from previous years, in part, because the COVID-19 pandemic made in-person mediations difficult.²²

Figure 2.3: Completed Community-Police Mediations, 2019–2022



Timeliness

Table 2.4 reports the mean processing time, in days, for complaints recorded by IAB in 2022 and the previous three years.²³ These figures exclude the number of days required for the OIM to review triage decisions, investigations, and discipline. In 2022, the mean processing time for all IAB cases was 85 days, compared to 82 days in 2021. Complaints still open when the OIM extracted data for this report had an average age of 117 days.

Table 2.4: Mean Case Processing Times in Days for Recorded Complaints, 2019–2022

Case Type	2019	2020	2021	2022
All IAB Cases	39	71	82	85
Declined/Administrative Review/Informal/Service Complaint/Mediation	25	50	63	60
Full Formal Investigations	81	101	116	119

Complainant Demographics and Complaint Filing Patterns

Table 2.5 presents the demographic characteristics of the 322 community members who filed complaints against DPD officers in 2022 (note that a single complaint can be associated with multiple complainants).²⁴ The majority of complainants filed only a single complaint, while 2% filed 2 or more complaints.²⁵

Table 2.5: Complainant Demographics and Filing Patterns, 2022

Gender	Count	Percentage
Male	119	37%
Female	107	33%
Unknown	96	30%
Total	322	100%
Race	Count	Percentage
White	98	30%
Black	57	18%
Hispanic	16	5%
American Indian/Alaska Native	1	< 1%
Asian/Pacific Islander	1	< 1%
Unknown	149	46%
Total	322	100%
Age	Count	Percentage
18 and Under	1	< 1%
19 - 24	17	5%
25 - 30	38	12%
31 - 40	84	26%
41 - 50	51	16%
51+	56	17%
Unknown	75	23%
Total	322	100%
Number of Complaints Filed	Count	Percentage
One Complaint	315	98%
Two or More	7	2%
Total	322	100%

Officer Complaint Patterns

Complaints per Officer

Table 2.6 reports the number of complaints recorded against individual DPD officers from 2019 through 2022. This table includes community and internal complaints (regardless of the findings) but excludes most scheduled discipline complaints and complaints against non-sworn employees. In 2022, 75% of DPD sworn officers did not receive any complaints, 20% received 1 complaint, and approximately 5% received 2 or more complaints.

Table 2.6: Complaints per Officer by Year Recorded, 2019–2022

Number of Complaints	2019	2020	2021	2022
0	78%	77%	77%	75%
1	17%	18%	18%	20%
2	4%	3%	4%	4%
3	1%	1%	1%	1%
4	< 1%	< 1%	< 1%	< 1%
5	0%	0%	0%	< 1%
6+	0%	0%	0%	< 1%
Total Sworn Officers	1,542	1,543	1,472	1,452

Inappropriate Force Complaints per Officer

Table 2.7 shows the number of inappropriate force complaints recorded against individual DPD officers from 2019 through 2022. In 2022, about 3% of DPD officers received 1 inappropriate force complaint and less than 1% of officers received 2 or more inappropriate force complaints.

Table 2.7: Inappropriate Force Complaints per Officer by Year Recorded, 2019–2022

Number of Complaints	2019	2020	2021	2022
0	96%	96%	98%	97%
1	4%	4%	2%	3%
2	< 1%	< 1%	< 1%	< 1%
3	0%	< 1%	0%	< 1%
Total Sworn Officers	1,542	1,543	1,472	1,452

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Sustained Complaints per Officer

Table 2.8 reports the number of complaints with at least one sustained specification for individual officers between 2019 and 2022 grouped by the year the complaints were closed. In 2022, approximately 7% of officers had 1 sustained complaint and approximately 1% had 2 or more sustained complaints.

Table 2.8: Sustained Complaints per Officer by Year Closed, 2019–2022

Number of Complaints	2019	2020	2021	2022
0	94%	94%	95%	92%
1	5%	6%	5%	7%
2	< 1%	< 1%	< 1%	1%
3	< 1%	0%	0%	< 1%
4	< 1%	0%	0%	0%
Total Sworn Officers	1,542	1,543	1,472	1,452

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, or e-mailing or faxing a commendation to the OIM. 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 forms are located.

Table 2.9 presents the number and type of commendations awarded to DPD officers in 2022. The most common commendations recorded in 2022 were Commendatory Action Reports and Official Commendations. Table 2.10 provides definitions for select commendations.

Table 2.9 Commendations Awarded to DPD Officers in 2022

Commendation Type	Count
Commendatory Action Report	163
Official Commendation	62
Unassigned	13
Chief’s Unit Citation	11
Police Merit Award	11
Commendatory Letter	10
Lifesaving Award	10
STAR award	9
Citizen Letter	2
Community Service Award	2
Total	293

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Table 2.10: 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 their 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 their 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 their 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 their 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.
STAR Award	Awarded to an individual who, through exceptional tactics, acts to successfully resolve a critical incident, thereby promoting a culture of safety and professionalism to which all officers should aspire. The tactics displayed or performed must be conspicuously effective and above the standard expected.
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

Merit Award

During the summer of 2021, a detective received a tip regarding a person potentially involved with manufacturing illegal narcotics and identity theft. The detective conducted extensive surveillance for several weeks and collected enough information to obtain a search warrant. During the search of the apartment, the detective found the dismantled components of a methamphetamine lab and documents related to unauthorized credit accounts and stolen identities. The detective was able to reach out to numerous victims across the country that were unaware that their identities had been compromised. A federal grand jury indicted the person on multiple counts related to illegal narcotics and identity theft. The detective was awarded a Merit Award for his extensive investigative efforts.

Commendatory Action Letter

On February 14, 2022, a woman from out of state reported that her son texted her saying he was going to take his life. An officer went to her son's apartment and worked with the Denver Fire Department ("DFD") to get him to a hospital. The officer called the woman several times to provide updates and visited her son in the hospital. The woman said that her son survived due to the officer's actions. The officer received a Commendatory Action Report.

Lifesaving Award

On October 18, 2021, a corporal responded to the rooftop of a parking structure where a young woman made verbal indications that she intended to jump. The corporal asked her to come down from the ledge. An officer arrived a short time later and attempted to establish a rapport with the woman. Although they were unsuccessful in convincing the woman to climb down from the ledge, the corporal and officer were able to pull the woman off the ledge to safety. The woman was placed into protective custody without further incident. The corporal and the officer received Lifesaving Awards.

Community Service Award

On December 20, 2021, two officers responded to a young man's call of a stolen bicycle. The officers were not able to recover the bicycle or locate the person who stole it, but they purchased a new bicycle for the young man using their own money. The officers received Community Service Awards for their thoughtfulness and for raising the spirits of a young man and his family.

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Official Commendation

On May 29, 2022, community members flagged down officers after a man collapsed outside the front door of a store. The officers found the man on the ground, who was blue, unresponsive, and bleeding from a head injury due to the fall. After discovering the man was not breathing, one of the officers initiated cardiopulmonary resuscitation (“CPR”) and continued chest compressions until the DFD arrived. The man was transported to the hospital after 12 minutes of CPR at the scene. The man survived the medical emergency, and the officer was awarded an Official Commendation for his prompt emergency efforts that saved the man’s life.

Official Commendation

On September 17, 2022, an officer arrived at the scene of a crash where a car had rolled onto its driver side and was smoking. Bystanders created an opening in the windshield, and the officer pulled the driver out through the hole and placed her on the roadway, ensuring that she was far away from the still-smoking car. The officer was awarded an official commendation for his quick thinking and preventative measures to ensure the safety and wellbeing of the driver.

Commendatory Letter

On July 12, 2022, a detective assisted with a US Army Reserve Operational Group Training Exercise. The US Army Reserve Operational Group greatly appreciated the detective’s law enforcement skill, knowledge, and professionalism. The training helped to ensure that soldiers are better equipped to meet their missions in support of Department of Defense requirements around the globe. The detective received a Commendatory Letter.

Star Award

On September 19, 2022, an officer responded to an active shooter call at a high school, which was later determined to be fabricated. At the time, the officer believed that a person had already shot students and was moving through the school to shoot more. He arrived at the high school and entered the building in less than two minutes after the call aired. The officer did not wait for backup and carried only his handgun, even though dispatch said the person may have been using a rifle. The officer was awarded the Star Award for promoting a culture of safety and professionalism to which all officers should aspire.

3 Denver Sheriff Department Monitoring

Introduction

The OIM is responsible for monitoring and reporting about patterns in DSD complaints and commendations.²⁶ Since 2019, these complaints have been handled by the DOS Professional Integrity Division, with its Administrative Investigations Unit (“AIU”) conducting investigations and Conduct Review Unit (“CRU”) making initial findings regarding whether there were any potential policy or procedural violations. In this chapter, we review information about DSD complaints, investigations, findings, discipline, and commendations.

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.

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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 AIU.

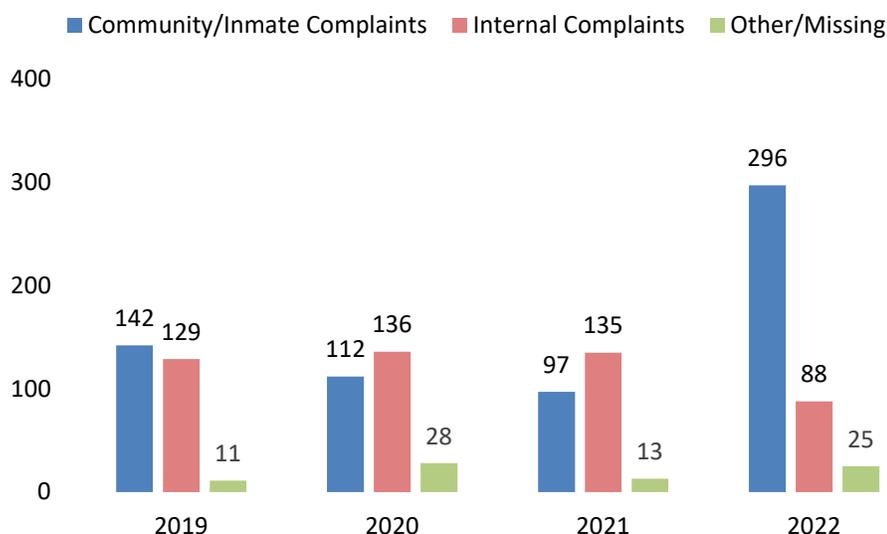
Scheduled Discipline Complaints

Scheduled discipline complaints are generally minor, such as when a DSD deputy misses a shooting qualification.²⁷ Discipline for these types of offenses is imposed according to a specific, escalating schedule. With the exception of 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 2022

Figure 3.1 reports the number of complaints recorded in the AIU records management database (“IAPro”) in 2022 and in the previous three years.²⁸ 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, but they do include complaints involving violations of the DSD’s BWC Policy.²⁹ AIU recorded 296 community and inmate complaints in 2022, more than 3 times as many as were recorded in 2021. Internal complaints recorded by AIU decreased by 35%, from 135 in 2021 to 88 in 2022.

Figure 3.1: Complaints Recorded by Complaint Type, 2019–2022



The increase in community and inmate complaints is driven, in part, by updates to AIU’s approach to complaint triage. In March 2021, the OIM learned that AIU had been employing a triage process through which it referred certain misconduct complaints to the DSD, rather than opening them into formal cases. The complaints referred to the DSD were not entered into IAPro and instead were recorded in separate spreadsheets. As a result, these misconduct complaints were not included in the data presented in previous OIM reports.

In the second half of 2021, the OIM worked closely with AIU and other DOS staff to update this triage process. In 2022, AIU recorded all complaints, even those referred to the DSD, into IAPro. OIM staff reviewed the complaints referred to the DSD and identified those that alleged deputy misconduct. These misconduct complaints referred to the DSD, which were generally filed by community members and inmates, are included in Figure 3.1 and throughout the rest of this chapter.

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.³⁰ Table 3.1 reports the most common specifications recorded against DSD deputies in 2022 and the previous three years. The most common specification was “unassigned.” Because AIU does not currently enter a specification for complaints it refers to the DSD, 28% of the specifications associated with complaints recorded in 2022 were “unassigned” at the time the OIM extracted data for this report. The second 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.³¹

Table 3.1: Most Common Specifications, 2019–2022

Specification	2019	2020	2021	2022
Unassigned	17%	10%	11%	28%
Disobedience of Rule	19%	20%	19%	14%
Inappropriate Force on a Person	9%	15%	12%	11%
Sexual Misconduct with a Prisoner	1%	3%	7%	7%
Discourtesy	2%	1%	1%	5%
Performance of Duties	1%	1%	0%	3%
Complete Reporting	0%	2%	6%	2%
Discrimination, Harassment, and Retaliation	2%	2%	3%	2%
Full Attention to Duties	6%	4%	2%	2%
Conduct Prejudicial	6%	6%	1%	2%
Humiliating, Cruel, or Harassing Treatment of Prisoners	1%	2%	1%	2%
All Other Specifications	37%	33%	35%	22%
Total Number of Specifications	586	534	475	624

Complaint Location

Table 3.2 reports the location of the incidents about which complaints were recorded in 2022 and the previous three years. The largest percentage of recorded complaints (70%) related to incidents occurring at the Van Cise-Simonet Detention Center (“DDC”). This is not unexpected since the DDC houses the greatest number of inmates in DSD custody.³²

Table 3.2: Location of Complaints, 2019–2022

Location	2019	2020	2021	2022
DDC	68%	68%	64%	70%
County Jail	20%	15%	17%	16%
Other Location	11%	15%	18%	9%
Missing Location	2%	2%	1%	5%

Intake Investigations, Screening Decisions, and Outcomes

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 AIU, which conducts an intake investigation and makes a screening decision. An intake investigation is a type of “triage” process where 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 telephonic or in-person interview with 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.

If a complaint is opened into a formal AIU case, it is assigned to an AIU investigator.³³ 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 investigation once the AIU has completed its work. There are several common outcomes from these AIU investigations.

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Decline

A complaint can be declined during the investigation stage when there is no credible evidence of misconduct by an identifiable DSD deputy and further investigation is unlikely to reveal evidence of misconduct or identification of a DSD deputy.

Informal

This outcome does not necessarily indicate that the deputy engaged in misconduct, but that their conduct resulted in a debriefing to better understand the rules. These complaints can be handled as an informal.

Resolved

A complaint is considered resolved if the subject deputies resigned, retired, or were otherwise determined to be disqualified from sworn service while the investigation was pending.³⁴ No further action was deemed necessary for these complaints.

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.

Disciplinary Review

Complaints that are not declined, mediated, or addressed in another manner are generally given to 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 recommendations on findings for each specification. There are generally four findings on formal investigations:

- Sustained - The subject deputy's actions were found by a preponderance of the evidence to have been in violation of the policy, procedure, rule, regulation, or directive in question.
- Not Sustained - There is insufficient evidence to either prove or disprove the allegation.
- Unfounded - The evidence indicates that the subject deputy's alleged actions relating to the policy, procedure, rule, regulation, or directive in question did not occur.

- Exonerated - The evidence indicates that the alleged actions of the subject deputy were within the policies, procedures, rules, regulations, and directives.

In 2022, the DOS Public Integrity Division closed 369 complaints. Table 3.3 reports the final disposition of the complaints filed by community members and inmates and internal complaints filed by AIU and DSD employees.³⁵ The majority of community/inmate complaints closed in 2022 were declined after an initial intake investigation (86%), while a much smaller percentage of internal complaints were closed as declines (19%).³⁶ Internal complaints were much more likely to result in a sustained finding than community/inmate complaints. Specifically, 55% of internal complaints closed in 2022 resulted in at least 1 sustained finding, while 7% of community/inmate complaints resulted in a sustained finding.

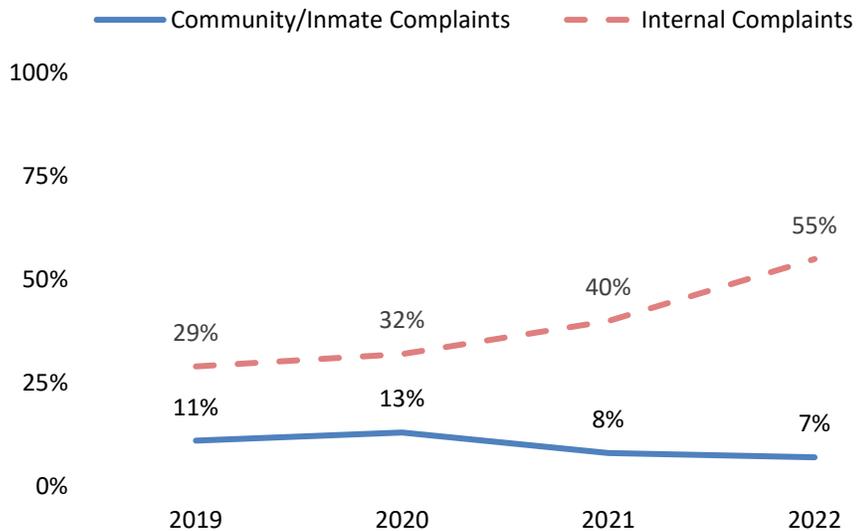
Table 3.3: Outcomes of Closed Complaints, 2022

Outcome	Community/Inmate Complaints	Internal Complaints
Declined	86%	19%
Resolved/Transferred to HR	1%	2%
Mediation	0%	0%
Informal	3%	9%
Not Sustained/Exonerated/Unfounded	3%	15%
Sustained	7%	55%

Figure 3.2 presents the percentage of complaints with at least one sustained specification by the year complaints were closed. The percentage of community/inmate complaints with one sustained specification decreased from 8% in 2021 to 7% in 2022. The percentage of internal complaints with one sustained specification increased from 40% in 2021 to 55% in 2022.

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Figure 3.2: Complaints that Resulted in One or More Sustained Specifications, 2019–2022



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 their 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, a representative from the CRU and DOS, an Assistant City Attorney, and a representative from the OIM 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. If the OIM disagrees with the proposed final disciplinary outcome of a case, the case is automatically forwarded to the Executive Director of Safety for review.³⁷ 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 2019 through 2022.³⁸ The most common forms of discipline in 2022 were written reprimands and suspensions.

Table 3.4: Discipline Imposed by Year Complaint Closed, 2019–2022

Discipline	2019	2020	2021	2022
Termination	2	5	2	4
Resigned/Retired Prior to Discipline	3	6	6	1
Suspension	33	39	38	28
Written Reprimand	59	24	24	35
Notice of Improvement	0	0	8	18

Significant Disciplinary Cases Closed in 2022³⁹

Terminations

■ On July 30, 2021, a deputy who was transporting an inmate scraped a van’s side panel against a pillar in the DDC parking garage, leaving several large scratches. She stopped the van, finished parking, and examined the side panel. After escorting the inmate into the DDC intake area, the deputy backed the van out of its parking spot, struck the driver’s side mirror against the pillar, abruptly stopped, and drove out of the parking garage. She did not file a report or tell her supervisor about the damage to the van. During the investigation into the incident, the deputy claimed to have no knowledge that she caused the damage. The deputy was suspended for a total of four days for negligent operation of a motor vehicle and failing to report damage of city property and was terminated for commission of a deceptive act. The deputy appealed to the Career Service Board and entered into a settlement agreement with the DOS that reduced her penalty to a 90-day suspension.

■ On August 6, 2021, AIU received a complaint alleging that a deputy was bringing drugs and cell phones into the jail. During an investigation into the allegation, AIU discovered that, on at least two separate occasions, a deputy allowed two inmates to have food delivered from outside the jail. The deputy exchanged text messages with a family member of one of the inmates prior to the deliveries and gave the contents to the two inmates. The second delivery contained drugs, and another inmate in the housing unit used the drugs and attempted suicide. The investigation also revealed that the deputy had extended additional privileges to the two inmates and had contact with the family member after the second delivery about potential employment opportunities. The deputy was terminated for prohibited associations, favors, and transactions; failing to prevent the introduction of contraband to the jail; and conduct prejudicial. The deputy appealed the

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termination and entered into a settlement agreement with the DOS that allowed him to resign rather than be terminated.

■ On December 7, 2021, a captain reported that a deputy appeared to be violating a public health order related to wearing a mask within the jail. The investigation revealed that, while working on duty in a housing unit, the deputy had gone extended periods of time without wearing a surgical mask, used his personal cell phone without authorization, failed to complete required rounds, left a cleaning closet open and unattended, failed to enforce the inmate dress code, and fallen asleep. The deputy, whose penalty was increased due to his discipline history, was terminated but entered into a settlement agreement with the DOS whereby he was suspended for 21 days and the termination was held in abeyance for two years on the condition that he, among other things, commit no further serious rule violations.

■ On February 19, 2022, a deputy sent an unwelcomed e-mail to a female colleague that contained personal questions, such as whether she was dating anyone, and referred to her by an offensive nickname. The deputy, whose penalty was increased due to his discipline history, was terminated for violating the DOS Equal Employment Opportunity Policy and Prohibition of Harassment and Discrimination. The deputy entered into a settlement agreement with the DOS whereby he was suspended for 14 days and the termination was held in abeyance for two years on the condition that he, among other things, commit no further serious rule violations.

Resignations

■ In August 2020, a deputy allegedly sexually assaulted an intoxicated coworker. The deputy resigned prior to a disciplinary finding in the case.

Other Significant Cases, Including Suspensions of Ten or More Days

■ On March 8, 2021, several deputies escorted a newly arrived and handcuffed inmate to a DSD intake cell. They explained to the inmate that they needed to take his fingerprints and ordered him to kneel on the floor of the cell. While on the cell floor, the inmate balled his fist, refused to open his hand for the fingerprints to be taken, and began rolling on the ground. One of the deputies (“Deputy A”) wrapped an Orcutt Police Nunchaku (“OPN”) around the inmate’s leg, and another deputy (“Deputy B”) wrapped an OPN around the inmate’s wrist and continued to apply pressure until the inmate stopped moving. The force applied by Deputy B

caused the inmate to develop suspected compartment syndrome and possible nerve damage. Deputy B was suspended for ten days for using inappropriate force. Deputy B appealed the suspension.

■ On April 10, 2021, an off-duty deputy used his DSD badge to enter a hospital through an entry that was not open to the public. The deputy was not in uniform and carried a firearm. He demanded to speak with his son-in-law, who was a security officer working in the hospital, in order to obtain a key that the son-in-law had to his home. The deputy used profanity when discussing his son-in-law and, when asked for his name, refused to provide it. The deputy was suspended for 10 days for conduct prejudicial.

■ On April 25, 2021, several deputies escorted a newly arrived inmate, who was in a wheelchair and wearing handcuffs and leg irons, to a DSD intake cell. The deputies placed him on the floor of the cell and started to remove the inmate's handcuffs. The inmate pulled his arms away from the deputies and began rolling from side to side, kicking his legs, and attempting to bite the deputies. One of the deputies ("Deputy A") wrapped an OPN around the inmate's ankle, and another deputy ("Deputy B") wrapped an OPN around the inmate's wrist and continued to apply pressure until the inmate's handcuffs and leg irons were removed. The force applied by Deputy B fractured the inmate's wrist. Deputy B was suspended for ten days for inappropriate force on a person. He entered into a settlement agreement with the DOS whereby seven days of his suspension were held in abeyance for one year on the condition that he, among other things, commit no further serious rule violations.

■ On April 26, 2021, a deputy drove a motorcycle while intoxicated and was injured in an accident. A test determined that his BAC was 0.271. The deputy did not report to the DSD or AIU that he was under investigation for DUI until approximately three months after the accident. He entered into a settlement agreement with the DOS, pursuant to which he was suspended for a total of 30 days for conduct prohibited by law and failing to report that he was under criminal investigation. The settlement agreement held 20 days of the suspension in abeyance for two years on the condition that he, among other things, maintain sobriety and commit no other serious misconduct.

■ On June 12, 2021, several deputies escorted an inmate, who was handcuffed behind his back, from a DPD vehicle to a DSD intake cell. Two deputies ("Deputy A" and "Deputy B") placed the inmate on the ground on his stomach and ordered him to remain there so that they could search him and remove the handcuffs. The inmate attempted to roll over and stand up. Deputy A wrapped an OPN around

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the inmate's arm, and Deputy B applied his OPN to the inmate's ankle. The inmate attempted to pull his arms and legs away from Deputies A and B, and they continued to apply pressure through the OPNs until the inmate stopped struggling. The force with which Deputy A used the OPN caused the inmate to develop compartment syndrome and potential nerve damage. The deputy was suspended for fourteen days for using inappropriate force.

■ On June 13, 2021, a deputy told an inmate he was going to enter the inmate's cell to look for a pair of missing glasses. The inmate, who the DSD had flagged as having severe mental health issues and had attempted to fight another inmate earlier that day, refused to let the deputy into the cell. Rather than stepping back, contacting a supervisor, and developing a plan to search the cell, the deputy entered the cell. When the deputy walked past the inmate, the inmate pushed the deputy and tried to throw coffee on him. The deputy grabbed the inmate by the arm, turned him around, and pushed him up against the wall. During the altercation, the inmate sustained an injury to his forehead. The deputy was suspended for ten days for disobeying a rule requiring deputies to develop a planned course of action with their supervisors before entering the cell of an inmate when the use of force is likely.

■ On September 15, 2021, a deputy ("Deputy A") was processing an inmate in the intake area of the DDC. The inmate became agitated and punched a nearby window. Deputy A and another deputy ("Deputy B") grabbed the inmate, and the inmate reached for Deputy A's neck. Deputy A began punching the inmate in the head. Deputy B and two other deputies ("Deputy C" and "Deputy D") helped restrain the inmate by holding his arms and forcing him to the ground. Even though the inmate's arms were being controlled by Deputies B, C, and D, Deputy A continued to punch the inmate until Deputy C told him to stop. The deputy was suspended for 42 days for inappropriate force on a person. He entered into a settlement agreement with the DOS whereby 17 days of his suspension were held in abeyance for two years on the condition that he, among other things, commit no further serious rule violations.

■ On September 23, 2021, a deputy attempted to evict a resident from an apartment. When the resident did not open the door to the apartment, the deputy had a maintenance worker drill the lock and kick the door open. The deputy ordered the resident out of the apartment and allowed the apartment complex staff to move all of her property to the front lawn. Later that day, it was discovered that the writ of restitution ordering the eviction stated that it was not to be executed until September 25, 2021, two days later. The deputy was suspended for 10 days

for violating a rule requiring deputies to confirm key dates on writs of restitution before executing them. He appealed and entered into a settlement agreement with the DOS that reduced his penalty to an 8-day suspension.

■ On November 28, 2021, a deputy escorted a newly arrived inmate, who was handcuffed behind her back, to a DSD intake cell. The deputy ordered the inmate to kneel on a bench within the cell, and the inmate pulled away from the deputy and began to turn toward her. The deputy swept the inmate's legs out from under her, causing the inmate to fall to the ground while handcuffed behind her back. The inmate did not sustain any injuries. The deputy, whose penalty was increased due to her discipline history, was suspended for forty-three days for using inappropriate force. She entered into a settlement agreement with the DOS whereby thirty-three days of her suspension were held in abeyance for one year on the condition that she, among other things, commit no further serious rule violations and complete refresher training on use of force and de-escalation tactics.

■ On December 28, 2021, a deputy ordered an inmate to return to a cell on the second floor of a housing unit. The inmate walked halfway up the stairs and then refused to return to the cell. The deputy called for support, and the sergeant entered the housing unit. The deputy told the sergeant that the inmate refused to return to the cell. The sergeant grabbed the inmate around the chest and carried him up the stairs. At the top of the stairs, the inmate went limp, and the sergeant dragged the inmate by his arm and then his shirt collar to the cell. During the incident, the sergeant failed to activate his BWC. The sergeant was suspended for 10 days for using inappropriate force when he did not attempt to de-escalate the situation before carrying the inmate up the stairs or reassess the situation once the inmate had gone limp at the top of the stairs. He also received a notice of improvement for failing to activate his BWC.

■ On January 6, 2022, a deputy and a woman, who was a Denver County Court employee, were having a discussion in an otherwise empty courtroom. The woman brought up the possibility of cutting her hair. Without the woman's permission, the deputy reached over, ran his fingers over her scalp, gathered some of her hair, and tugged on it. The deputy was suspended for 14 days for violating a DSD Department Order prohibiting sexual harassment. He appealed to the Career Service Board and entered into a settlement agreement with the DOS that reduced his penalty to a 12-day suspension.

■ On February 26, 2022, an inmate moved all of his belongings to a new bed without approval from the housing unit deputy ("Deputy A"). Deputy A approached the bed and found the inmate had covered himself from head to toe

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with a bed sheet. When she tried to speak with him about going back to his assigned bed, he refused to move. Deputy A called another deputy (“Deputy B”) for assistance. Deputy B responded and talked to the inmate about moving back to his assigned bunk. The inmate refused and continued to cover himself with the bed sheet. Deputy B then ordered the inmate to show his hands, and the inmate refused. Deputy B removed the sheet from the inmate’s face and sprayed him with OC aerosol. The inmate fell from the upper bunk to the floor, and Deputy B handcuffed him behind his back. A sergeant and two other deputies (“Deputy C” and “Deputy D”) arrived. The sergeant decided to take the inmate to a medical unit, but the inmate refused to stand up and walk. Deputies B and C lifted the inmate by his elbows and carried him, along with Deputy D, to the housing unit’s sallyport. Deputy B received a ten-day suspension for inappropriate force when he deployed his OC spray onto the inmate’s face. Deputy C received a two-day suspension for lifting and carrying the inmate by the elbow instead of underneath the shoulders. The sergeant received a two-day suspension for failing to correct the deputies’ improper lifting and carrying of the inmate by his elbows.

■ On April 9, 2022, an off-duty sergeant attended a birthday party at the house of a member of DSD’s command staff. After leaving the party and driving home, he lost control of his vehicle and drove into a field, where the vehicle flipped over at least once. After his accident, the sergeant submitted to a breath test by the Colorado State Patrol that indicated his blood alcohol content was 0.134. He was charged with Careless Driving and Driving a Vehicle with Blood Alcohol Content of 0.08 or more. The sergeant pled guilty to Driving While Ability Impaired (“DWAI”) and was sentenced to, among other things, a suspended sentence of thirty days in jail, twelve months of probation, and twenty-four hours of community service. The sergeant was suspended for fourteen days for conduct prohibited by law. The sergeant appealed to the Career Service Board and entered into a settlement agreement with the DOS that reduced his penalty to a 13-day suspension.

■ On June 2, 2022, a captain directed a deputy who was working in the DDC to wear his mask, as was required by a public health order. The deputy refused and, without obtaining approval, left the DDC seven hours before his shift was scheduled to end. The deputy was suspended for a total of 10 days for abandoning his post and disobeying a lawful order.

Appeals of Significant Discipline Imposed Prior to 2022 and Filed With and/or Decided by the Career Service Board in 2022⁴⁰

■ On April 30, 2020, a Denver Health employee requested an investigation into a DSD captain about inappropriate comments he had made over prior months. The captain stated, among other things, that he wanted to “pimp her out” at a conference and that, if he were her husband, he would make her have children. The captain was suspended for a total of 14 days for violating DSD rules regarding sexual harassment and employee relationships. He appealed, and a Hearing Officer affirmed the suspension. The captain appealed that decision to the Career Service Board, which affirmed the Hearing Officer’s decision, written decision to follow.

■ On July 6, 2020, a deputy and sergeant opened an inmate’s cell door to talk to him about completing the jail intake process. The inmate requested a phone call. The sergeant stepped into the doorway and explained that they needed to complete the intake process first. The inmate walked towards the doorway, and the sergeant told him to step back. The inmate initially stepped back, but again stepped toward the sergeant at the doorway. The sergeant shoved the inmate to the ground. Then, instead of leaving and closing the cell door, the sergeant entered the cell further and shoved the inmate to the ground again as the inmate began to stand up. The sergeant was suspended for 14 days for using inappropriate force when he entered the cell and pushed the inmate a second time. He appealed, and a Hearing Officer affirmed the suspension. The sergeant appealed that decision to the Career Service Board, which affirmed the Hearing Officer’s decision.

■ On September 15, 2020, a deputy led an orientation training for Denver Health employees who would be working with the DSD. The deputy began the training by saying he would share stories from his experience and that, if the attendees were easily offended, he was “sorry but get the fuck over it.” During the training, he made comments about “flaming homosexuals,” cracking an inmate’s head open, and the potential consequences of shooting and killing a former inmate. He also made comments that appeared to excuse the use of inappropriate force exhibited in videos shown to the attendees. The deputy was suspended for 10 days for conduct prejudicial. He appealed his suspension and subsequently entered into a settlement agreement with the DOS that reduced his penalty to an 8-day suspension.

■ On November 27, 2020, a deputy (“Deputy A”) working in the Lindsey-Flannigan Courthouse conducted a preliminary search of an individual who had been remanded into DSD custody. Deputy A removed items from the individual

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and placed them into a property bag being held by another deputy (“Deputy B”). Deputies A and B escorted the individual to the inmate processing area, and Deputy A conducted another search and placed several additional items into a property bag. Another deputy (“Deputy C”) reviewed the contents of these property bags, including syringes and empty methadone bottles, moved them into a different property bag, and finished processing the individual’s property. Deputies A, B, and C did not remove and dispose of these items as required by policy. When the individual was released several days later, a DSD employee who was handling the property bag was stuck by one of the syringes.

Deputy A was suspended for four days. He appealed, and a Hearing Officer affirmed the suspension. Deputy A initially appealed that decision to the Career Service Board but later withdrew the appeal before a decision was made. Deputy B retired prior to a disciplinary finding. Deputy C, whose penalty was increased due to her discipline history, entered into a settlement agreement with the DOS and was suspended for 30 days. Deputy C served a 15-day suspension and the other 15 days were held in abeyance on the condition that she, among other things, commit no other serious misconduct for 2 years.

■ On March 8, 2021, a deputy (“Deputy A”) handcuffed a man being remanded into custody behind his back. Deputy A and another deputy (“Deputy B”) escorted him out of the courtroom and into a corridor. When entering the corridor, the man turned towards Deputy A, and Deputy A pressed the man against the wall of the corridor. Deputy A then picked the man up and took him to the ground face first. The man was unable to break the fall because of the handcuffs, and Deputy A allowed a portion of his body weight to fall on the man during the takedown. Deputy A continued to apply pressure to the man despite his complaints that he was significantly injured. Deputy A was terminated for using inappropriate force. He appealed, and a Hearing Officer affirmed the termination. Deputy A appealed that decision to the Career Service Board, which affirmed the Hearing Officer’s decision. Deputy A appealed the Career Service Board’s decision to the Denver District Court.

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 in 2022 and during the previous three years.⁴¹ These figures exclude the number of days required for the OIM to review triage decisions, investigations, and discipline. Cases recorded in 2022 were closed within an average of 80 days. Complaints still open at the time the OIM extracted data for this report had an average age of 94 days.

Table 3.5: Mean Case Processing Times in Days for Recorded Complaints, 2019–2022

Case Type	2019	2020	2021	2022
All AIU Cases	90	76	80	80
Declined/Informal/Referred/Resolved/Mediation	53	53	50	68
Full Formal Investigations	175	103	102	110

Complainant Demographics and Complaint Filing Patterns

Table 3.6 presents the demographic characteristics for the 241 inmates and community members whose complaints were recorded and opened into AIU cases in 2022.⁴² Table 3.6 also reports the number of complainants with multiple complaints against DSD deputies. Most complainants filed only a single complaint (83%).⁴³

Table 3.6: Complainant Demographic and Filing Patterns, 2022

Gender	Count	Percentage
Male	123	51%
Female	57	24%
Unknown	61	25%
Total	241	100%
Race	Count	Percentage
White	77	32%
Black	68	28%
Hispanic	5	2%
American Indian/Alaska Native	3	1%
Asian/Pacific Islander	2	1%
Unknown	86	36%
Total	241	100%
Age	Count	Percentage
19 - 24	12	5%
25 - 30	38	16%
31 - 40	71	29%
41 - 50	32	13%
51+	29	12%
Unknown	59	24%
Total	241	100%
Number of Complaints Filed	Count	Percentage
One Complaint	200	83%
Two or More	41	17%
Total	241	100%

Deputy Complaint Patterns

Complaints per Deputy

Table 3.7 reports the number of complaints recorded against DSD deputies from 2019 through 2022. In 2022, 63% of DSD deputies had no complaints recorded against them, 24% received 1 complaint, and 13% had 2 or more complaints.

Table 3.7: Complaints per Deputy by Year Recorded, 2019–2022

Number of Complaints	2019	2020	2021	2022
0	72%	72%	69%	63%
1	19%	20%	23%	24%
2	7%	5%	6%	9%
3	1%	2%	1%	2%
4 or More	1%	1%	1%	2%
Total Sworn Officers	749	720	640	574

Inappropriate Force Complaints per Deputy

Table 3.8 shows the number of inappropriate force complaints recorded against individual DSD deputies from 2019 through 2022. In 2022, 7% of DSD deputies received 1 complaint that included an inappropriate force specification.

Table 3.8: Inappropriate Force Complaints per Deputy by Year Recorded, 2019–2022

Number of Complaints	2019	2020	2021	2022
0	95%	93%	93%	92%
1	5%	5%	6%	7%
2	< 1%	1%	1%	1%
3 or More	< 1%	< 1%	< 1%	< 1%
Total Sworn Officers	749	720	640	574

Sustained Complaints per Deputy

Table 3.9 reports the number of complaints with at least one sustained specification for individual deputies between 2019 and 2022 grouped by the year the complaints were closed. In 2022, 84% of DSD deputies had no sustained complaints, 14% had 1 sustained complaint, and fewer than 2% had more than 1 sustained complaint.

Table 3.9: Sustained Complaints per Deputy by Year Closed, 2019–2022

Number of Complaints	2019	2020	2021	2022
0	89%	92%	90%	84%
1	10%	7%	9%	14%
2	1%	1%	1%	1%
3 or More	0%	< 1%	< 1%	< 1%
Total Sworn Officers	749	720	640	574

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, or e-mailing or faxing a commendation to the OIM. 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 2022.⁴⁴ The most common commendations recorded in 2022 were Personal Responsibility in Delivering Excellence (“PRIDE”) Awards and Exemplary Service Awards.

Table 3.10 Commendations Awarded to DSD Deputies in 2022

Commendation Type	Count
PRIDE Award	65
Exemplary Service Award	40
Employee of the Month	18
Sheriff's Commendation	16
Community Service Award	12
Lifesaving Award	11
Merit Award	4
Unit Citation	3
Chief's Commendation	1
Employee of the Quarter	1
Total	171

Highlighted Commendations

- Two sergeants developed forms, reports, and a process to allow DSD facilities to create rosters in the absence of a scheduling system that had been compromised by a cyber-attack. The sergeants received Merit Awards.
- Two deputies notified a man that he was being evicted from his apartment. The man became upset and attempted to jump out of a fourth-floor window. The deputies were able to grab the man and pull him to safety. The deputies received Lifesaving Awards.
- Two sergeants and a deputy found an inmate hanging by a sheet in her cell. They moved her to the ground and administered chest compressions until nursing staff arrived. The sergeants and deputy received Lifesaving Awards.
- A deputy entered a cell and found an inmate who was unresponsive. The deputy administered chest compressions, and the inmate began to breathe again. The deputy received a Lifesaving Award.
- A deputy was instrumental in developing behavioral health programming for a restrictive housing unit. He also went beyond his assigned duties to address inmate needs and assist the mental health staff working with inmates in the unit. The deputy received a PRIDE Award.
- An older woman was dropped off at the DSD vehicle impound facility looking to retrieve her vehicle. She was confused, frustrated, and stated that she could not

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drive the vehicle and did not know how she would be able to get it back home. After realizing that her vehicle was not in DSD custody, a captain and deputy helped her track down the vehicle's location and get her vehicle back home safely. The captain and the deputy received PRIDE Awards.

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.⁴⁵ 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

In this chapter, we summarize every shooting that either occurred in 2022 or which the DPD’s Use of Force Review Board evaluated in 2022 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 2022.⁴⁶

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Figure 4.1 reports the number of DPD OISs from 2018 to 2022. In 2022, there were 8 shootings involving DPD officers. Table 4.1 presents characteristics of the officers involved in the intentional OISs that occurred in 2022, and Table 4.2 contains results, locations, and characteristics of community members involved in those shootings.

Figure 4.1: DPD Intentional Officer-Involved Shootings by Year, 2018–2022

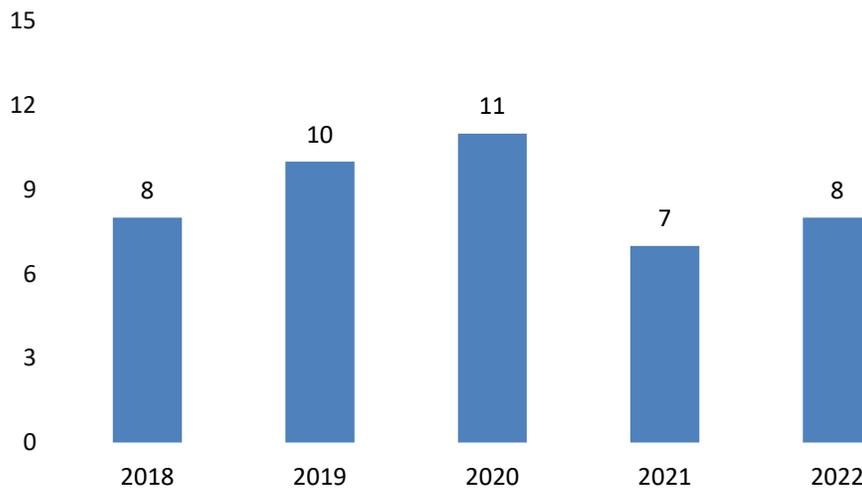


Table 4.1: 2022 Officer-Involved Shootings, DPD Officer Characteristics

Intentional Shootings (OISs)	
Total Officer-Involved Shooting Incidents	8
Officers Involved	26
Rank of Officers	
Officer	18
Detective	3
Sergeant	3
Corporal	2
Years of Service of Shooting Officers	
0-5 years	12
6-10 years	9
11-15 years	1
16-20 years	2
21+ years	2
Assignment of Shooting Officers	
District 1	2
District 2	2
District 3	1
District 4	4
District 5	6
District 6	4
Division Chief of Patrol	1
Fugitive Unit	3
Gang Unit	2
Metro/SWAT Section	1
Race/Gender of Shooting Officers	
White Male	11
Hispanic Male	8
Black Male	3
White Female	2
Asian Male	1
Hispanic Female	1

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Table 4.2: 2022 Officer-Involved Shootings, Results, Locations, and Community Member Characteristics⁴⁷

Intentional Shootings (OISs)	
Total Officer-Involved Shooting Incidents	8
Community Member Subjects	9
Results of Shots Fired	
Community Member Fatalities	3
Community Member Non-Fatal Injuries	3
No Community Member Injuries	3
Location of Shooting Incidents	
District 1	2
District 2	0
District 3	1
District 4	0
District 5	1
District 6	3
Outside of Denver	1
Race/Gender of Community Members	
Hispanic Male	6
White Male	2
Black Male	1

Critical Incidents: Denver Police Department

In all critical incidents occurring in Denver, 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 Colorado Department of Public Safety may respond as well.⁴⁸ 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 watches the interviews by video and may suggest additional questions at the conclusion of each officer interview. The DPD may ask those questions. After the criminal investigation is complete, the administrative review process begins. If the DPD IAB conducts any further interviews, the OIM may actively monitor that investigation.

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 to determine whether the shooting was in 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 CRO recommends discipline greater than a written reprimand, the involved officer is given the option to present mitigating information at a Chief’s Hearing. Both the Chief’s disciplinary recommendation and that of the OIM are then forwarded to the DOS for consideration.

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

DPD Officer-Involved Shootings in 2022

Incident #1

On March 2, 2022, officers from a nearby jurisdiction notified the DPD that they had a tracked a man with a warrant for attempted murder to a business in Denver where the man's wife was employed. DPD officers responded to the area, determined that the man's vehicle was parked at the rear entrance of the business, and took up posts nearby to wait for him to exit. When the man and his wife exited the business, two flashbang devices were deployed. The man briefly stopped but was able to open the front passenger door of his vehicle and get inside. An officer grabbed the handle of the door and tried to open it, but the man was able to lock the door. A sergeant and technician approached the vehicle and saw the man pull a handgun out of the glove box and point it at them. The sergeant and technician both fired their weapons at the man, who was struck multiple times but survived.

The Denver District Attorney reviewed the incident and declined to file charges against the sergeant and technician. The District Attorney prepared a detailed letter reviewing the shooting.⁴⁹ The administrative review into the incident was pending during this reporting period.

Incident #2

On June 4, 2022, a DPD officer was involved in an OIS. The administrative review into the incident was pending during this reporting period.

Incident #3

On July 14, 2022, DPD officers were involved in an OIS. The administrative review into the incident was pending during this reporting period.

Incident #4

On July 15, 2022, DPD officers responded to a report of a domestic violence incident at a home. When they arrived at the home, the officers briefly spoke with a woman over the phone who confirmed that a man with a knife inside the home would not allow her to leave. The call abruptly ended, and the officers heard screaming from inside the home. They kicked the door open and found the man on a staircase holding the woman from behind with a knife near her throat. The

officers ordered the man to drop the knife and let the woman go, but he refused. For more than six minutes, the officers continued to urge the man to release the woman, who was bleeding from her neck and losing consciousness. The man then began pulling the woman further down the stairs, and an officer (“Officer A”) fired his rifle from the top of the stairs. The man was struck and died from the wound.

The Denver District Attorney reviewed the incident and declined to file charges against Officer A. The District Attorney prepared a detailed letter reviewing the shooting.⁵⁰ The administrative review into the incident was pending during this reporting period.

Incident #5

On July 17, 2022, three DPD officers were involved in an OIS. The Denver District Attorney presented the shooting to a grand jury, and the grand jury indicted one of the involved officers and concluded that the actions of the other two were legally justified. The District Attorney prepared a news release describing the outcome.⁵¹ The administrative review into the incident was pending during this reporting period.

Incident #6

On August 10, 2022, a DPD officer was involved in an OIS. The administrative review into the incident was pending during this reporting period.

Incident #7

On September 29, 2022, DPD officers were involved in an OIS. The administrative review into the incident was pending during this reporting period.

Incident #8

On November 28, 2022, DPD officers were involved in an OIS. The administrative review into the incident was pending during this reporting period.

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Deaths During DPD Contact in 2022

Incident #1

On May 21, 2022, a person died after being contacted by DPD officers. The administrative review into the incident was pending during this reporting period.

Incident #2

On June 13, 2022, an individual died of an apparent self-inflicted gunshot wound during an interaction with DPD officers. The administrative review into the incident was pending during this reporting period.

Incident #3

On July 11, 2022, an individual died of an apparent self-inflicted gunshot wound during an interaction with DPD officers. The administrative review into the incident was pending during this reporting period.

Incident #4

On October 12, 2022, a person died after being contacted by DPD officers. The administrative review into the incident was pending during this reporting period.

Incident #5

On October 19, 2022, an individual died of an apparent self-inflicted gunshot wound during an interaction with DPD officers. The administrative review into the incident was pending during this reporting period.

Incident #6

On November 4, 2022, an individual died of an apparent self-inflicted gunshot wound during an interaction with DPD officers. The administrative review into the incident was pending during this reporting period.

DPD Critical Incidents Closed in 2022⁵²

Closed Incident #1

On January 1, 2020, DPD officers responded to a 911 call regarding a weapons complaint at a house. The officers spoke with an individual who had fled the house after being threatened and assaulted by a roommate. The individual asked the officers for assistance getting back into the house and informed the officers that

two others lived there. After receiving no response from inside the house, officers entered with their guns drawn and began to ensure that it was safe for the individual and other residents to return. As one officer (“Officer A”) moved from a mud room toward the garage, a man charged him with a knife. Officer A fired his weapon at the man. Another officer (“Officer B”) had just entered the mud room when he heard the gunshots. Officer B saw the man continue to move toward Officer A and fired. The man dropped the knife and fell to the ground. He had been struck several times and died of 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.⁵³ The DPD’s Use of Force Review Board met on January 26, 2022 and determined the shooting to be in-policy.

Closed Incident #2

On January 6, 2020, DPD officers followed a stolen vehicle into a neighboring jurisdiction. When a person left the vehicle, an officer (“Officer A”) chased him into a street. Two other officers and a sergeant joined Officer A and attempted to arrest the person. The person disobeyed the officers’ commands, pulled a handgun from his jacket pocket, and pointed it at his own head. He backed away from the officers, crossed a median, and attempted to carjack a vehicle. The vehicle drove away, and the person turned and pointed his handgun at the sergeant and Officer A. The sergeant attempted to fire his weapon, but it had a mechanical malfunction and did not fire. Officer A fired his weapon at the person. The person was struck and died from the wounds.

The District Attorney for the 18th Judicial District reviewed the incident and declined to file charges against the involved officers. The District Attorney prepared a detailed letter reviewing the shooting.⁵⁴ The DPD’s Use of Force Review Board met on January 26, 2022 and determined the shooting to be in-policy.

Closed Incident #3

On January 26, 2020, DPD officers located a vehicle driven by a person who was suspected of multiple aggravated robberies and had four active arrest warrants. The vehicle sped away, and the DPD used a helicopter (“Air One”) to maintain visual contact with the vehicle. The vehicle drove into a neighboring jurisdiction and stopped at an apartment complex. When a DPD patrol car approached the vehicle, it sped off, began driving into oncoming traffic, and collided with another car. The suspect jumped out of the vehicle and carjacked a different car at gunpoint. He

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drove off in the stolen car until he lost control and hit a curb. He then exited that car, pointed a gun at the driver of a minivan, and attempted to open the driver's door. After failing to open the minivan door, the suspect approached an SUV and held that driver at gunpoint. A nearby officer left his patrol car, ran towards the suspect, and fired his weapon at the suspect who was still holding the SUV driver at gunpoint. The driver moved away from the SUV, and the suspect then pointed his gun at the officer. The officer continued firing his weapon. The suspect was struck and died from the wounds.

The District Attorney from the 17th Judicial District reviewed the incident and declined to file charges against the involved officer. The District Attorney prepared a detailed letter reviewing the shooting.⁵⁵ The DPD's Use of Force Review Board met on January 26, 2022 and determined the shooting to be in-policy.

Closed Incident #4

On May 1, 2020, an officer observed a vehicle driving at a high rate of speed and requested assistance from Air One to help track it. A corporal heard the request and drove to the area to provide support. The officer followed the vehicle and attempted to stop it. The vehicle slowed to a stop, a passenger got out, and the vehicle sped away. The officer stopped to identify the passenger, and Air One continued to monitor the vehicle. The vehicle stopped in a parking lot, and the driver and another passenger exited and began walking. The corporal drove to the area, got out of his patrol car, and told the driver and passenger to put their hands in the air. The driver put his hands up, turned, and began to run. The corporal pursued the driver on foot. The driver reached for a handgun, and the corporal drew and discharged his weapon. The driver was struck 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.⁵⁶ The DPD's Use of Force Review Board met on January 26, 2022 and determined the shooting to be in-policy.

Critical Incidents: Denver Sheriff Department

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 may respond to the scene of the incident for a walk-through and debriefing from command staff. Major Crimes Unit detectives interview witnesses and involved deputies and collect video and documentary evidence. 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 AIU to commence the administrative review. The OIM confers with AIU to determine whether further investigation is necessary. Once all relevant evidence is gathered, the case may be submitted to the DOS CRU to determine whether there were any 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") or if the OIM disagrees with the CRU's recommended findings, the case may be 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 their 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 further 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 2022

Incident #1

On February 9, 2022, a sergeant and a deputy escorted an inmate with health concerns to the medical unit of the DDC. Medical staff returned the inmate to his housing unit. Later that day, the sergeant and another deputy found the inmate unresponsive in his cell. A medical emergency was announced, and the deputy began administering chest compressions. Paramedics transported the inmate to Denver Health Medical Center (“DHMC”), where he died from natural causes, related, in part, to pulmonary emphysema and chronic renal failure. AIU investigated the incident and determined that the deputies involved did not violate any policies or procedures.

Incident #2

On July 21, 2022, a deputy conducting a round to check on the status of inmates in a housing unit found an inmate hanging from the sprinkler inside his cell. The deputy announced a medical emergency and requested assistance. The deputy took the inmate down and began administering chest compressions. Paramedics transported the inmate to DHMC, where he died as a result of the incident. AIU investigated the incident and determined that the deputies involved did not violate any policies or procedures.

Incident #3

On October 12, 2022, an inmate died while in the custody of the DSD. The administrative review into the incident was pending during this reporting period.

Incident #4

On October 28, 2022, an inmate died after contact with DSD deputies. The administrative review into the incident was pending during this reporting period.

DSD Critical Incidents Closed in 2022⁵⁷

Closed Incident #1

On June 4, 2021, a deputy found an inmate sitting on the floor of his cell with one end of a bed sheet tied around his neck and the other tied around the top of a bunkbed. The deputy announced a medical emergency and requested assistance. The inmate was cut free from the bed sheet, and the deputy began administering chest compressions. Paramedics transported the inmate to DHMC, where he died

as a result of the incident. AIU investigated the incident and determined that the deputies involved did not violate any policies or procedures.

Closed Incident #2

On June 21, 2021, a man was injured in a motorcycle accident and transported to DHMC. The man had an outstanding warrant and was placed in DSD custody while being treated at DHMC. Several hours later, the man died as a result of his injuries. AIU investigated the incident and determined that the deputies involved did not violate any policies or procedures.

Closed Incident #3

On June 23, 2021, a deputy began working in a housing unit but did not immediately conduct a round to check on inmates. Approximately 20 minutes later, the deputy began conducting a round and found an unresponsive inmate. The deputy announced a medical emergency and requested assistance. Paramedics transported the inmate to DHMC, where she died from the combined effects of alcohol, drugs, and several preexisting health conditions. The deputy received a written reprimand for disobeying a rule requiring deputies to conduct a round immediately after assuming a post.

Closed Incident #4

On July 7, 2021, a deputy (“Deputy A”), conducting a round to check on the status of inmates in a housing unit, walked past an inmate’s cell without looking in it. Several hours later, another deputy (“Deputy B”) conducted a round in the housing unit and failed to walk past the inmate’s cell. During the next several rounds, Deputies A and B either walked past the cell without looking in or turned their head slightly toward the cell without stopping. Approximately 49 minutes after Deputy A last passed by the inmate’s cell without breaking pace, he returned to serve the inmate dinner. When he entered the cell, Deputy A found the inmate laying down and unresponsive on the bottom bunk bed. Deputy A announced a medical emergency and requested assistance. DHMC nurses began chest compressions, but the inmate died from the combined effects of drugs and preexisting health conditions. Deputies A and B were suspended for ten days for failure to complete required rounds.

Closed Incident #5

On September 24, 2021, a deputy found an inmate hanging from bed sheets tied to the top of a bunkbed. The deputy announced a medical emergency and requested assistance. The inmate was cut free from the bed sheet, and another deputy began

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administering chest compressions. Paramedics transported the inmate to DHMC, where she died as a result of the incident. AIU investigated the incident and determined that the deputies involved did not violate any policies or procedures.

Closed Incident #6

On November 25, 2021, a deputy found an inmate who had used bed sheets to tie a noose and hang himself. The deputy cut the inmate free and began administering chest compressions. Paramedics arrived and attempted to save the inmate, but he died as a result of the incident. AIU investigated the incident and determined that the deputies involved did not violate any policies or procedures.

Closed Incident #7

On December 7, 2021, a deputy (“Deputy A”) called for staff from the mental health unit to check on an inmate who had banged his head and thrown feces on a cell window. Approximately 25 minutes later, mental health staff had not yet arrived, and Deputy A conducted a round to check on the status of the inmates in the housing unit, including the inmate who had banged his head on the cell door. Another deputy (“Deputy B”) arrived at the housing unit while Deputy A was conducting the round and learned about the situation. Deputy B called to determine when mental health staff would arrive and, approximately 15 minutes later, conducted her first round of the housing unit. Several minutes later, mental health unit staff member arrived, checked on the inmate, and found him hanging from a bed sheet in his cell. The inmate was cut free from the bed sheet, and Deputy B and two nurses administered chest compressions. The inmate was transported to DHMC, where he died as a result of the incident. AIU investigated the incident, and CRU determined that there was insufficient evidence to either prove or disprove that Deputy B violated any policies or procedures.

Endnote

¹ Sworn DPD and DSD staff, including supervisors, are collectively referred to as “officers” and “deputies,” respectively, unless otherwise noted.

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

³ Not included in this count are an additional 67 DPD Internal Affairs Bureau investigations into complaints about DSD deputies that were reviewed by the OIM.

⁴ Denver Revised Municipal Code Art. XVIII § 2-373(a).

⁵ The OIM does not generally report on incidents where an officer or deputy discharges a firearm at an animal.

⁶ In this count, the OIM does not generally include incidents where a community member dies of natural causes.

⁷ 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.

⁸ 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).

⁹ Denver Revised Municipal Code Art. XVIII §§ 2-371(b), 2-374, 2-386.

¹⁰ 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 Jan. 12, 2022).

¹¹ The data reported in this chapter, which do not include complaints against DPD civilian employees, 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 a dynamic, live database, the recorded complaint, allegation, and outcome numbers will fluctuate over time and are subject to revision. Changes in coding or analysis of complaints, specifications, findings, and discipline may also lead to discrepancies between historical data presented in this report and data presented in previous OIM reports. A significant change in this report is how the OIM handles complaints that are not linked to a subject officer in IAPro. The OIM excluded these complaints in previous reports but includes them in this report. The data included in this chapter were last retrieved from IAPro on February 7, 2023.

¹² 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

Endnotes

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.

If a complaint states a general concern with police policy or services, rather than an allegation of misconduct against a specific officer, there is no specification to record. For these complaints, we report the specification as a “service complaint.”

¹³ Percentages presented in Table 2.1 and other tables and figures in this report may not sum to 100 due to rounding.

¹⁴ DPD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Rules and Regulations, at 12 (effective Jan. 12, 2022).

¹⁵ DPD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Rules and Regulations, at 14 (effective Jan. 12, 2022).

¹⁶ A Chief’s meeting may also be held in certain other cases where no discipline is recommended.

¹⁷ Memorandum from Executive Director of Safety Murphy Robinson to Deputy Director of Safety Mary Dulacki, et al. (June 3, 2020) (on file with author).

¹⁸ 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.

¹⁹ The actual number of officers who resigned or retired while an investigation or discipline was pending is higher than the total reported in Table 2.3. 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.

²⁰ Complaints with significant discipline closed in 2022 may not be included in this section if they were summarized in the OIM’s [2021 Annual Report](#).

²¹ While complaints alleging that an officer failed to participate in a firearms proficiency test are generally treated as scheduled discipline, this complaint was not because of the officer’s prior discipline history.

²² Data on completed mediations come from Community Mediation Concepts, the organization that conducts police/community member mediations.

²³ 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 triage, 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.

²⁴ Regarding the “unknown” data category in Table 2.5, it should be noted that complainants can choose not to provide their demographic information when filing complaints.

²⁵ 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.

²⁶ Denver Revised Municipal Code Art. XVIII §§ 2-371(b), 2-375(a).

²⁷ Scheduled discipline violations include Unauthorized Leave, Failure to Participate in Required Firearms Qualification/Training, and Refusal to Work Mandatory Overtime. *See* DSD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Appendices G, H, and J (updated Apr. 14, 2022).

²⁸ Unless otherwise noted, the data for this chapter, which do not include complaints against DSD civilian employees, were obtained from the AIU 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 AIU’s data. Finally, though the OIM can make recommendations, it is not the final arbiter of what allegations to record in IAPro and against which deputies. Consequently, 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. Changes in coding or analysis of complaints, allegations, findings, and discipline may also lead to discrepancies between historical data presented in this report and data presented in previous OIM reports. A significant change in this report is how the OIM handles complaints that are not linked to a subject deputy in IAPro. The OIM excluded these complaints in previous reports but includes them in this report. The data included in this chapter were last retrieved from IAPro on February 7, 2023.

²⁹ 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 Dec. 14, 2022).

In 2022, cases related to the Public Health Order requiring vaccination of City and County of Denver employees were also handled as scheduled discipline. They are not included in the counts and percentages presented in this chapter.

³⁰ 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 AIU 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.

³¹ DSD Discipline Handbook: Conduct Principles and Disciplinary Guidelines, Appendix F, at 9 (updated Dec. 14, 2022).

³² DSD, *Average Daily Jail Population – June 2021 to Present* (last accessed Feb. 9, 2023), <https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Sheriff-Department/Data-Statistics#section-2>.

³³ 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

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concluded or if the District Attorney decides not to file charges, the case will be turned over to the Professional Integrity Division for completion of the administrative investigation to determine if any internal procedures or policies were violated.

³⁴ On November 23, 2021, the DOS issued a directive requiring that when subjects of complaints resign before the complaints are closed, the investigations be completed and findings made.

³⁵ Of the complaints closed in 2022, 14 are not included in Table 3.3 because they had a complaint type of “Other/Missing.” These complaints had outcomes of Declined (6), Resolved/ Transferred to HR/Other Agency (1), Informal (1), Not Sustained/Exonerated/Unfounded (1), and Sustained (5).

³⁶ In IAPro, complaints that AIU referred to the DSD had a variety of dispositions, including “DSD Handled” and “Resolved.” The OIM recoded all of these complaints as “Declined” to reflect the fact that the DSD determined that there was no credible evidence of misconduct and that further investigation was unlikely to reveal any such evidence.

³⁷ Memorandum from Executive Director of Safety Murphy Robinson to Deputy Director of Safety Mary Dulacki, et al. (June 3, 2020) (on file with author).

³⁸ 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.

³⁹ Complaints with significant discipline closed in 2022 may not be included in this section if they were summarized in the OIM’s [2021 Annual Report](#).

⁴⁰ 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 12, 2023.

⁴¹ 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 triage, 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.

⁴² 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.

⁴³ 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.

⁴⁴ Data on DSD commendations were provided directly by the DSD.

⁴⁵ 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.

⁴⁶ The Denver Sheriff Department did not have any OISs during the time period under consideration.

⁴⁷ Table 4.2 does not include information about the bystanders who were struck during the officer-involved shooting that occurred on July 17, 2022.

⁴⁸ DPD Operations Manual Section 105.4(5).

⁴⁹ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (Apr. 14, 2022), <https://www.denverda.org/wp-content/uploads/decision-letter/2022/041422-Decision-Ltr-Vincent-Martinez-March-2-2022.pdf>.

⁵⁰ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Ron Thomas (Nov. 16, 2022), <https://www.denverda.org/wp-content/uploads/decision-letter/2022/111622-Decision-Letter-Chaz-Gallegos-071522-2.pdf>.

⁵¹ Denver District Attorney's Office, Denver Police Officer Indicted and Charged in LoDo Shooting Incident (Jan. 4, 2023), <https://www.denverda.org/news-release/denver-police-officer-indicted-and-charged-in-lodo-shooting-incident/>.

⁵² Critical incidents closed in 2022 may not be included in this section if they were summarized in the OIM's [2021 Annual Report](#).

⁵³ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (Aug. 24, 2020), <https://www.denverda.org/wp-content/uploads/news-release/2020/082420-Decision-Letter-for-OIS-of-Gerardo-Antonio-Conchas-Bustos-FINAL.pdf>.

⁵⁴ Decision Letter from District Attorney George H. Brauchler to Denver Police Chief Paul Pazen (June 24, 2020), <https://www.da18.org/2020/07/report-of-jan-6-2020-shooting-in-aur/>.

⁵⁵ Decision Letter from District Attorney Dave Young to Denver Police Chief Paul Pazen (Apr. 13, 2020), <https://adamsbroomfieldda.org/userfiles/2358/files/OIS-01-26-20.pdf>.

⁵⁶ Decision Letter from Denver District Attorney Beth McCann to Denver Police Chief Paul Pazen (June 18, 2020), <https://www.denverda.org/wp-content/uploads/decision-letter/2020/Decision-Letter-Officer-Involved-Shooting-of-William-Debose-May-1-2020-B.pdf>.

⁵⁷ Critical incidents closed in 2022 may not be included in this section if they were summarized in the OIM's [2021 Annual Report](#).

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 <https://www.denvergov.org/Government/Departments/Office-of-the-Independent-Monitor>.
- **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:** 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. Complaints and commendations can also be left in an OIM drop box at 101 W. Colfax Avenue.
- **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 <https://www.denvergov.org/Government/Departments/Office-of-the-Independent-Monitor>.
- **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:** The DSD accepts complaints and commendations by telephone at 720-865-3888. Complaints and commendations can also be left in an OIM drop box at 101 W. Colfax Avenue.
- **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

The following is a list of locations where, in recent years, community members could find OIM complaint/commendation forms. If you have any difficulty finding a complaint/commendation form, please contact the OIM at 720-913-3306 or oim@denvergov.org.

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**
- **Department of Safety AID Center – 1370 Elati 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**



DENVER

OFFICE OF THE
INDEPENDENT MONITOR

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