



DEPARTMENTAL DIRECTIVE, 2023-003

Date: May 9, 2023

To: Mary Dulacki, Chief Compliance Officer
Denis McCormick, Acting Administrative Investigation Unit Manager

From: Armando Saldate III, Executive Director of Department of Public Safety

Subject: **AIU Complaint Triage and Procedure Directive**

Effective immediately, the Public Integrity Division (PID) Administrative Investigation Unit (AIU) Manager and/or his/her designee shall adhere to the guidelines below:

1. All complaints alleging inappropriate force shall be opened as a formal case.
2. All complaints alleging Prison Rape Elimination Act (PREA) violations against city employees (sworn or civilian), contractors, volunteers, or vendors shall be opened as a formal investigation and routed immediately to the Denver Police Department for criminal investigation.
3. All complaints alleging bias, discrimination, and/or harassment based upon race, color, creed, national origin, gender, sexual orientation, gender variance, disability, religion, or political affiliation shall be opened as a formal case.
4. Upon receipt of a complaint by the PID, all available jail or court facility video, HALO, and/or body worn camera (BWC) footage will be identified and uploaded to IAPro.
 - a. The DSD will be directed to retain all the video footage.
5. Beginning on Monday, May 29, 2023, the AIU will assign an investigator to the DSD Downtown Detention Center Grievance and Incident Review Team (GIRT) during hours aligning with that investigator's 4/10 hour scheduled work week.
 - a. The primary responsibilities of the AIU investigator assigned to the DDC will be to address complaint follow-up immediately and interview in-custody inmates.
 - i. All inmate interviews will be audio recorded with a Department-issued digital audio recorder or the record application on their Department cell phone.
 - ii. These audio recording/s shall be uploaded to the case file.

Department of Public Safety
1331 Cherokee St. #302 | Denver, CO 80204
www.denvergov.org/safety
p. 720-913-6020 | f. 720-913-7028

- b. A DSD Sergeant will partner with the AIU investigator at the DDC for these duties.
 - c. The primary purpose for the AIU investigator is to obtain further information for those grievances or complaints where the triage decision requires more details.
 - d. The AIU investigator should prioritize inmate interviews as soon as practical while the inmates are still in DSD custody.
6. Recognizing that complaints sometimes are illegible, incomprehensible, incomplete, and/or more information is needed to decide if the case will be opened as a formal investigation, the AIU Manager may route the complaint to the AIU investigator assigned to DDC for further information to determine how to proceed.
- a. The Blue Team module within the PID case management system IPro will be utilized for the routing of complaints to and from the Denver Sheriff Department (DSD) and PID AIU.
 - b. The Office of Independent Monitor (OIM) shall have oversight access to Blue Team and visibility of all data in Blue Team.
 - c. Before a final triage determination is made, the OIM will have the opportunity to provide their recommendation.
 - i. If they disagree with the triage decision they may appeal through CCO Mary Dulacki to the EDOS.
7. If the complaint is clearly regarding only a condition/s of confinement, it may be sent to the DSD for their handling through the grievance process and final disposition.
- a. It should be noted clearly in the Blue Team routing if the complaint is being sent over for DSD to conduct follow-up or if the complaint is being sent for DSD disposition to address a condition of confinement only.
 - b. The documentation, video, and final grievance response will be routed back to AIU and the OIM via Blue Team.
8. The OIM through their access to Blue Team and IPro shall have the opportunity at any step in the process to make recommendations regarding the handling of the complaint.
- a. If there is a disagreement between the AIU Manager and the OIM regarding the handling of the complaint, it will be forwarded to the DOS Chief Compliance Officer for a decision.
 - b. If the OIM disagrees with that decision, they may appeal to the EDOS.
 - c. AIU will not complete a case or close the DSD final disposition without the opportunity for the OIM to review, make their recommendations, and appeal if needed.
9. If a complaint is received where the complainant is identified as a DSD inmate, reasonable attempts shall be made to interview the inmate prior to their release from custody.
- a. The interview should be recorded via BWC, digital audio recorder, or City cell phone recorder application.
 - b. If an interview of a DSD inmate cannot be completed prior to the inmate's release, all efforts/attempts to interview the inmate shall be documented in IPro.
 - c. Attempts will be made to contact the formerly incarcerated inmate for a recorded interview.

10. All interviews of subject, witness, involved, or complainant DSD staff conducted by AIU investigators shall be conducted in person, via telephone, or by Teams/Zoom videoconference call.
 - a. The interviews shall be audio recorded.
 - b. Video recording shall be completed if available.
 - c. Garrity rights forms will be completed, signed, and uploaded to IAPro for all interviews.
 - d. Questions or requests for clarification, and/or information to DSD staff via e-mail are no longer permitted.

11. AIU Investigators will ask all questions of interviewees.
 - a. The OIM deputy monitors actively monitoring the interview will have the opportunity to provide recommended questions to the investigator to ask the interviewee prior to the conclusion of the interview.

This directive supersedes all previous policies, procedures, directives, or departmental orders that address AIU process.



Armando Saldate III
Executive Director
Department of Public Safety

CC: Lisabeth Castle, Independent Monitor
Office of the Independent Monitor

Gregg Crittenden, Deputy Independent Monitor
Office of the Independent Monitor

Jeff Holliday, Chief of Staff
Department of Public Safety

Elias Diggins, Sheriff
Denver Sheriff Department

Wendy Shea, Special Counsel to the Department of Public Safety
City Attorney's Office