



Citizen Oversight Board

2024 Annual Report

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1 Letter from the Board Chair

Greetings,

Welcome to the Denver Citizen Oversight Board's Annual Report for 2024. I'm glad you're here.

We've worked hard to try and create a report that is easy to read and provides context for community members who are interested in Denver's public safety systems, so please don't let its length intimidate you.



In 2024, public safety saw significant developments that required close oversight. To name just a few: the Denver Police Department started using drones, the Chief of Police made national news talking to us about the protests at Auraria Campus, the City created a new Office of Neighborhood Safety, and the Civil Service Commission replaced its Executive Director and then began making changes to the testing process for new police officers.

I'm pleased to report that we made substantial progress in the area of settlement oversight in 2024. We were able to review all settlements involving the Department of Public Safety since 2017, and starting last year, Executive Director of Public Safety Armando Saldate committed to publishing all settlements containing non-monetary terms as well as evidence of the City's compliance with those terms.

Behind the scenes, we also made significant strides with building our skills and expertise in 2024. We revamped our training process for new members and were able to invest in sending five members to a national conference on law enforcement oversight. We also started working to align our internal priorities for the next few years and hope to have a new strategic plan published in 2025.

With all of our impact, we have other areas of advocacy where our work will continue, as you'll see in our recommendations section. We are committed to continuing to work towards addressing our concerns on those issues and seeing meaningful progress in 2025 and beyond.

Lastly, we wish to note that the Board's capacity was limited due to a vacancy that remained unfilled throughout 2024, impacting our ability to fully engage in oversight responsibilities.

Sincerely,
Julia Richman, Chair

2 Introduction

Denver’s Citizen Oversight Board (COB or Board) was created in 2004 and consists of nine community members who are tasked with making recommendations on a wide variety of issues related to public safety. The Board also evaluates the effectiveness of the Office of the Independent Monitor (OIM) and appoints (with City Council’s consent) the head of the OIM, who serves at the pleasure of the Board. In order to do so, the Board is granted regular access to public safety department leaders as well as confidential public safety records. Board members serve four-year terms and appointments are split between the Mayor and City Council, with one joint appointee. By ordinance, the Board is required to annually report on its activities, findings, and recommendations. This Annual Report covers the period from January 1 through December 31, 2024.

The OIM and the COB were created in 2004 as part of the reforms that were demanded in the wake of the fatal 2003 police shooting of Paul Childs, a developmentally disabled teenager. They replaced the Public Safety Review Commission, which was perceived to be ineffective at overseeing internal misconduct investigations of uniformed personnel.

The duties and authorities of the COB are established in the Charter of the City and County of Denver:

Denver Charter § 12.1.1

(B) *The citizen oversight board.* There is hereby created the citizen oversight board, the size, qualifications, composition and appointment of which shall be as provided by ordinance. The functions of the board shall be to:

- i. Assess the effectiveness of the monitor's office;
- ii. Make policy-level recommendations regarding discipline, use of force, and other policies; rules; hiring; training; community relations; and the complaint process;
- iii. Address any other issues of concern to the community, members of the board, the monitor, the manager of safety, the chief of police, the sheriff, or the fire chief;
- iv. Make recommendations as to specific cases as may be prescribed in ordinance;
- v. Exercise such other powers and duties as may be provided by ordinance; and
- vi. In addition to executing the powers and duties assigned to the citizen oversight board, the citizen oversight board shall appoint, by and with the consent of city council, the monitor or any appointee who will serve as monitor in the interim. The monitor shall serve at the pleasure of the citizen oversight board.

Figure 1: Denver COB Charter

The Board’s mission statement is: “To foster change towards cooperative, just and accountable relationships between Denver’s community and law enforcement.”

Complaints and Commendations

The COB can receive complaints against, and commendations of, uniformed law enforcement officers. Complaints and commendations may be submitted by email, mail, over the phone, or through the OIM's online complaint and commendation form. However, the COB has no investigative authority and is required to forward any complaints and commendations to the OIM and the relevant safety agency. The Board can monitor how complaints are handled and make independent recommendations.

Figure 2: Complaints and Commendations

3 Board Activities in 2024

City ordinance requires that the Board meet with the Independent Monitor at least bi-monthly, meet with the Executive Director of Public Safety (EDOS), the Sheriff, and the Chief of Police at least once each quarter, and meet for public comment at least three times each year. We met each of these requirements in 2024.

In 2024, we held 19 formal meetings, most of which were recorded and posted on our YouTube Channel. Fourteen of those meetings included leaders from the Department of Public Safety (DOS). Board Chair Julia Richman also gave a presentation to City Council's Safety, Housing, Education, and Homelessness Committee in April.

We met regularly with community members and organizations in 2024, both in and outside of our official meetings. On four occasions, we set aside time during regular meetings to engage with concerned members of our community. On two occasions, we spoke with a mother whose son died while in the custody of the Denver Sheriff Department (DSD). We also heard from another community member who has filed multiple complaints against police officers and sheriff deputies. She spoke about her frustrations with the complaint process and poor communication from the DOS about the status of her complaints. We heard about public safety issues from a group of business leaders who work near 13th and N Osage Streets in the La Alma/Lincoln Park neighborhood. We also assisted community members who reached out via email, including a mother who was struggling to contact her son who was in DSD custody and had been transferred to the Denver Health Medical Center for care.

The Board changed by two members in 2024. Terrance Carroll chose not to seek reappointment upon the expiration of his term at the start of the year, and Nick Webber stepped down from the Board when he moved outside of the City and County of Denver, as such residence is required by ordinance. City Council appointed Rufina Hernández to replace Mr. Webber in August, and re-appointed Board members Larry Martinez and Alfredo Reyes to four-year terms. The Mayor's Office did not appoint anyone to fill Terrance Carroll's vacant seat in 2024. As a Board composed of community members, we feel the difference when we're not at full strength and we hope the Mayor will prioritize his responsibility to the Board in 2025.

Over the course of 2024, the Board Administrator developed a more comprehensive onboarding and training process for newly appointed Board members, consisting of recorded presentations, providing and reviewing key documents, meetings with relevant officials, and other activities. There are seven

recorded presentations covering a wide range of subjects from the creation of the COB and OIM to overviews of the Denver Police Department (DPD), DSD, and DOS. Members of the community who are interested in learning more can watch them on our YouTube channel.¹

In September, we sent a letter to City leaders following up on our concerns related to the oversight of legal settlements with non-monetary terms, which we originally raised in a letter in November 2023.² For more information about this issue, see Section 7.1 of this report.

As part of their continued training in oversight practices, five Board members and the Board's administrator traveled to Tucson, Arizona in October to attend the National Association for Civilian Oversight of Law Enforcement's (NACOLE) annual conference. Three members were also able to attend a pre-conference training day for members of oversight boards and commissions. The conference provides an opportunity to connect with and learn from civilian oversight practitioners around the country and features multiple programming tracks with sessions focused on subjects such as prison and jail oversight, engaging stakeholders, sharpening oversight skills, and expanding oversight's impact.

Also in October, we began preliminary work to create a new strategic plan for 2025-2026. We met in November and again in December to discuss our priorities and goals for the next few years. The plan will be finalized in early 2025.

In November, City Council approved the City's budget for 2025. Our operations budget will remain unchanged at \$53,125.

¹ YouTube, [COB Onboarding Series](#)

² Citizen Oversight Board, [Open Letter to City leaders about Settlement Oversight](#), November 24, 2023. Citizen Oversight Board, [Settlements Oversight Follow Up Letter](#), September 9, 2024.

4 Review of Public Safety Activities in 2024

The following is not an exhaustive list but is intended to give a sense of the most significant public safety developments that came to our attention in 2024. These include disclosures of non-monetary terms in legal settlements, criminal offenses by uniformed personnel, as well as changes in DPD, DSD, and the Civil Service Commission. These activities are listed for informational purposes and unless otherwise specified, the Board has not taken an official position on them.

4.1 Settlements and Judgments

In 2024, the City spent over \$5.1 million to settle 22 lawsuits related to the conduct of its public safety departments.³ As with prior years, the DPD was responsible for the vast majority of cases (20) and financial payments (\$4.6 million) related to these settlements. In contrast, the DSD had a \$400,000 settlement and the DFD had an \$80,000 settlement in 2024. In addition to financial liability, one of the 2024 settlements contained non-monetary terms. Shortly after the settlement was finalized, the DOS published a copy of the settlement and a related training bulletin on their website.⁴

Half of the DPD's total 2024 settlement liability was the result of one \$2.3 million settlement in which the plaintiff, Mr. Jax Feldmann, alleged that he was permanently blinded in one eye after being shot with a pepperball fired by a DPD officer from a passing vehicle. Although this occurred during the 2020 George Floyd protests, Mr. Feldmann was not a participant in the protests. The DPD was unable to conclusively identify which officer fired the pepperball and did not impose any discipline related to the incident.

A majority of DPD's settlement payments in 2024 were related to the DPD's conduct during the 2020 George Floyd protests. In total, the DPD has now paid roughly \$14.7 million as a result of lawsuits related to its conduct during the protests, with an additional \$14 million verdict pending appeal.

The City also lost one DPD-related lawsuit following a trial and jury verdict in 2024, resulting in a \$4 million judgment against the City. The jury found that two DPD officers violated the rights of Mrs. Ruby Johnson when they improperly obtained and executed a search warrant on her home. The City has appealed the verdict, and neither officer was disciplined by the DPD for their actions. For more information about this issue, see Section 6.1.4 of this report.

4.2 Criminal Offenses by Uniformed Personnel

We are aware of 7 DPD officers and 3 DSD deputies who were charged with, pled guilty to, or were convicted of criminal offenses in 2024. These matters include three cases where two of the subject officers lost their certifications to work as peace officers in the state of Colorado and another officer will likely be decertified:

³ Settlements under \$5,000 do not require approval from City Council ([DRMC Section 20-1\(d\)](#)) and are not included in this data.

⁴ [DOS Non-Monetary Settlements page.](#)

- In January, former officer Brandon Ramos pled guilty to misdemeanor assault for his role in a police shooting in Lower Downtown that injured six bystanders in July 2022. Ramos was sentenced to 18 months of probation and is no longer certified as a Colorado peace officer.
- In January, former officer Dat Truong was charged with misdemeanor harassment for striking a handcuffed juvenile in his patrol car in November 2023. He was convicted in November and sentenced in December to 150 hours of community service and nine months of probation. He resigned from the DPD.
- In April, former officer Adam Glasby pled guilty to misdemeanor assault for body slamming a man and knocking him unconscious while attempting to break up a fight outside a bar in June 2023. Felony assault charges were dismissed as part of the plea deal. Glasby was sentenced to two years of probation and is no longer certified as a Colorado peace officer.

4.3 Denver Police Department

Over the course of 2024, the DPD hired 142 officers, short of the Mayor’s goal of filling 167 positions. This brought their total staffing rate for uniformed positions to approximately 95%.

In February, the Mayor announced the creation of a network of over 100 automatic license plate readers in order to respond to and deter car theft. By the end of 2024, the network of cameras captured nearly two million cars each month, about 80,000 of which were matched to vehicles on national or state hotlists.⁵

Protesters built encampments on university and college campuses across the country in response to the Hamas/Israeli war. In April, the DPD responded to one such encampment at Auraria Campus, assisting campus police and arresting 45 people, less than half of whom were students, according to subsequent reporting.⁶ The encampment tents were not confiscated, and protesters set them up again shortly after the arrests. Following a second request from campus police to help remove the protesters, Chief of Police Ron Thomas declined to do so and made national news when he told the COB that he did not believe it would be lawful to do so and that the current protests did not constitute an unlawful assembly.

In April, the DPD began flying drones for the first time. The DPD acquired five drones over the summer and two more in December using donated funds. These drones are primarily being used to capture accident or crime scenes, locate missing and endangered persons, and assist in the execution of search warrants. The DPD also plans to utilize drones as first responders in the future and send them ahead of officers in response to certain 911 calls. We reviewed the DPD’s drone policy in 2023 and discussed the use of drones with Chief Thomas twice



Figure 3: A demonstration of one of the DPD's Skydio X10 drones in December. Image courtesy of the DPD.

⁵ See: DPD [“Flock Safety Transparency Portal.”](#)

⁶ See: Lauren Scafidi, [“12 more protesters cited for trespassing on Auraria campus Tuesday,”](#) 9News, May 14, 2024. In our May 3, 2024, Board meeting, Chief Thomas told us that on April 26 Auraria Campus Police arrested 40 individuals for trespassing, while DPD arrested five individuals for assaulting or interfering with a police officer.

and with Fire Chief Desmond Fulton once in 2024. We will continue to monitor the use of drones in 2025, especially their use as a first responder.

DPD finalized a new policy in May prohibiting officers from pulling drivers over solely to enforce low-level traffic violations such as expired registrations or a broken taillight. Officers were instructed to focus their efforts on enforcing safety-related violations. As a result of this new policy, traffic stops declined from a high of over 5,750 stops in January to just over 2,000 stops in May.⁷ The new policy also allows for periods of targeted enforcement, which were implemented several times in 2024.

Throughout the year, the DPD also began several programs focused on the Mayor's "Safe City" Goals of reducing gun crime:

In July, the DPD began a new program called "Hot Streets" in which officers conduct frequent and high-visibility patrols in a targeted street segment. The targeted street segments are changed every 28 days. Targeted areas experienced an approximately 85% decrease in violence, which was an approximately 40% decrease beyond those of the control locations that did not receive a month of frequent patrols.⁸

"Hot Streets" serves as the short-term component of the Mayor's "Safe City" Goals of reducing gun crime by 20%. The medium-term component is called the Gun Violence Awareness and Intervention Network (GAIN) and is operated in partnership with the Office of Neighborhood Safety (ONS). It is modelled after programs in other jurisdictions that are called "ceasefire" or "focused deterrence." It started in November and consists of DPD and ONS contacting individuals at high risk of being involved in gun violence and offering them the opportunity to participate in the program. If they accept, those individuals will receive focused case management services and other support to accomplish a set of goals over an 8 – 10-month timeframe, after which the individuals can exit the program. However, if the individual chooses not to participate in the program, they are warned that they will be prosecuted to the full extent of the law upon their next violent offense.

The long-term component of the DPD's efforts to reduce gun violence is called "Place Network Investigations" (PNI). This effort focuses on high-violence neighborhoods for 3-6 years at a time and brings together a wide variety of departments from around the City to implement environmental changes to reduce crime. Intervention examples include improving lighting, adding security cameras, business license and code enforcement, garbage cleanups, and grants to businesses to install environmental improvements that contribute to crime prevention. The neighborhoods also receive a long-term economic development plan through Denver Economic Development and Opportunity (DEDO) before the PNI location is closed. In 2024, the DPD significantly expanded the scope of PNI locations, closing three initial locations that were opened in 2021, and opening seven new ones throughout the City.⁹

⁷ Shelly Bradbury, "[Traffic stops by Denver police plunge nearly 50% after new policy prohibits low-level enforcement](#)," *The Denver Post*, December 9, 2024.

⁸ See: [DPD Presentation](#) to City Council's Safety, Housing, Education, and Homelessness Committee on November 12, 2024.

⁹ Current PNI locations include Paco Sanchez Park, East Colfax, South Oneida, Mississippi/Raritan, Peoria, LoDo, and La Alma/Lincoln Park.

4.4 Civil Service Commission

The Civil Service Commission (CSC) consists of five community members appointed by the Mayor and City Council who oversee an independent agency responsible for vetting all initial applications for police officers and firefighters, managing promotional tests for the same, and hearing appeals of disciplinary orders.

The Commission terminated the employment of former Executive Director Niecy Murray in May and hired Gracie Perez to fill the position in August. Since Perez's arrival, the CSC has made changes to the vetting process focused primarily on reducing bottlenecks and increasing vendor capacity for various medical and psychological evaluations. At the end of the year, the CSC finalized significant changes to the initial standardized test all police applicants are required to take. For example:

- The length of the test has been substantially shortened and now takes approximately 20 minutes to complete instead of over four hours. This was accomplished by removing two of the test's four sections. The "Situational Judgment" and "Public Safety Self-Assessment" sections were removed and the "Report Writing" and "Reading Comprehension" sections remain.
- The test is no longer proctored. To deter cheating, the test typically requires strict compliance with a long list of requirements. Applicants will now have the option to complete the test on their cell phone or tablet at the time and location of their choosing. Candidates that proceed to the polygraph test will be asked whether they completed the test on their own and without assistance.
- The fee to take the test has been reduced from \$65 to \$34.

The DSD made similar changes to their application process at the end of 2023 and saw a significant increase in applications. We will review the impact of these changes in 2025.

4.5 Other

In May, the DSD restarted in-person visits at the County Jail after 20 years without them, becoming the only county in Colorado to offer in-person visitation at a jail. The project began seven years ago, following a recommendation from the OIM and encouragement from the COB, and significant investment was made to have the space feel accessible and welcoming to visiting family members. Unfortunately, the space was rarely utilized in the following months, with only 34 visits over the last seven months of 2024. Sheriff Diggins told us in December that he had appointed a new manager in an effort to expand the use of the visitation space.

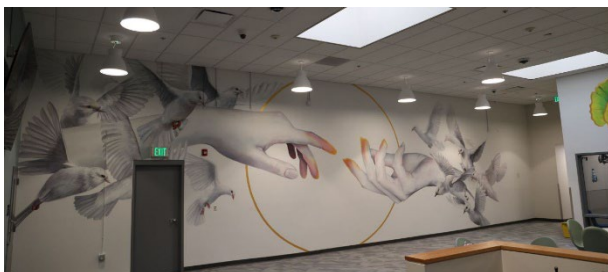


Figure 4: The DSD's in-person visitation space. Image courtesy of DSD.

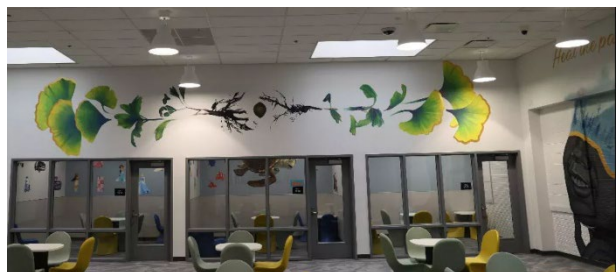


Figure 5: The DSD's in-person visitation space. Image courtesy of DSD.

May also represented the peak in a surge of suspected overdoses in the jails. DSD deputies deployed the opioid overdose reversal drug naloxone 17 times that month, Sheriff Diggins told us in December. The Sheriff took several steps to combat overdoses during the year, including using drug-detecting dogs to patrol all areas of the jail, installing advanced full body scanners, and other non-public actions. By December, naloxone administrations had dropped to just 3 incidents. Naloxone administrations are an imprecise measure of overdoses, however, as deputies are encouraged to immediately administer naloxone to anyone who is unresponsive or in medical distress, and the DSD and Denver Health typically do not perform toxicology screens after nonfatal incidents.

In June, Denver 911 introduced a smart automatic answering service for its non-emergency police line. The technology is intended to help connect callers to the resources they need without requiring a staff member to manually transfer the call. As of September, the service was routing approximately 3% of non-emergency calls. The goal is to eventually handle as much as 40% of non-emergency calls.

The Support Team Assisted Response (STAR) program's vans were equipped with Mobile Data Terminals in September. Connected to the City's Computer Aided Dispatch system, the tablets allow the clinical team to access and review significantly more information about calls for service before arriving. Previously, the STAR team relied on dispatchers to share addresses and call details over the radio. Also in September, the Urban Institute released interim findings of their independent evaluation of the program. The Urban Institute is expected to produce three reports about the STAR program in 2025, including an Outcomes Study, a Cost Study, and a Scaling-up Assessment.¹⁰

In mid-2024, Governor Jared Polis signed HB24-1054, creating a comprehensive set of minimum standards for jails in Colorado, and an oversight commission responsible for updating the standards and assessing compliance with them. Jails will be audited at least every five years and are required to be compliant with all standards by July 1, 2026. Although there are currently no direct penalties for non-compliance, the Colorado Attorney General can conduct independent special assessments of jails and has the ability to intervene using existing powers if they identify a pattern and practice of noncompliance.¹¹

Over the course of 2024, the City moved at least 1,199 unhoused people indoors, for a total of 2,233 such moves since the start of Mayor Johnston's administration. 1,869 people remained indoors by the end of 2024. By the end of the year, the City reported that all large encampments of people experiencing homelessness had been resolved and calls to 311 and 911 about homelessness had been reduced by 45%. In December, the Mayor also announced that the City reached "functional zero" for veterans experiencing homelessness in Denver.

¹⁰ See Sarah Gillespie, Will Curran-Groome, and Amy Rogin, "[Evaluating Alternative Crisis Response in Denver's Support Team Assisted Response \(STAR\) Program: Interim Findings](#)," *Urban Institute*, September 2024.

¹¹ Colorado Jail Standards Commission, "[Report to the Legislative Oversight Committee Concerning Colorado Jail Standards](#)," November 15, 2023.

5 Evaluation of OIM’s Effectiveness

The COB uses a four-pronged approach to evaluate the OIM: 1) a series of quantitative workload and performance measures; 2) an anonymous survey of OIM staff; 3) feedback from DOS leaders; and 4) an assessment from COB members on several specific OIM responsibilities.

Denver Charter § 12.1.1

(A) (ii): *The monitor's office shall:*

actively monitor and participate in any investigations as may be prescribed in ordinance of uniformed personnel;

make recommendations to the manager of safety regarding administrative action, including possible discipline, for such uniformed personnel;

make recommendations regarding policy issues; and

address any other issues of concern to the community, the members of the citizen oversight board ("board") created pursuant to subsection (B) of this section, the city council, the manager of safety, the chief of police, or the sheriff.

For purposes of this article, "uniformed personnel" means all members of the classified service of the Denver police department, all sworn members of the Denver sheriff department, and members of the Denver fire department who are authorized to carry and use firearms on duty.

Figure 6: OIM Charter Language

5.1 Workload and Performance Data

The OIM’s complaint-driven workload has increased significantly in recent years without commensurate increases in staffing. The growth in complaints in 2023 was fueled in large part by the DSD’s rocky rollout of body worn cameras to all deputies. This higher level of complaints continued in 2024. Reviews of investigations and disciplinary cases have also naturally increased, as the higher number of complaints this year and last year work their way through the process.

The OIM also continued to actively monitor a large number of cases despite the elevated workload. The number of cases that the OIM chooses to actively monitor varies significantly from year to year and is based on a variety of different factors including the types of complaints that are made, as well as staff bandwidth.

Mediations, too, can vary from year to year as they are dependent on a variety of factors, including the number of mediation eligible complaints that are filed, as well as agreement from all parties to participate in the process. Fluctuations in the willingness of any group to agree to mediation can lead to significant changes in the total volume of mediations that occur. Even so, for the last few years the

mediation program has operated fairly consistently at about half the scale it had before COVID and the murder of George Floyd in 2020.

The OIM continued to participate in an extensive number of outreach activities in 2024.

The OIM provides more details about each critical incident (officer involved shootings and deaths in custody or during law enforcement contact) in their annual and semi-annual reports.¹²

Table 1: OIM Workload Measures, 2021 – 2024 ¹³

2024 Workload Data	Police	Sheriff	2024 Total	2023	2022	2021
Complaint Monitoring Workload						
Community + Internal Complaints Recorded	418	610	1028	1063	807	656
Total Investigations Reviewed	448	546	994	895	749	627
Actively Monitored Investigations	81	146	227	203	100	58
Disciplinary Cases Reviewed	169	302	471	319	254	217
Completed Mediations	16	0	16	20	12	17
Critical Incidents Monitored						
Officer-Involved Shootings	4	0	4	10	8	7
In-Custody/In-Contact Deaths	6	4	10	16	10	10

* This data does not include deaths due to chronic medical conditions or when officers fire at animals.

¹² [OIM Reports Page.](#)

¹³ Note: The OIM changed how it counts complaints beginning in its 2022 Annual Report. Complaints that were not administratively linked to individual uniformed personnel were previously excluded from the complaints data but are now included.

Table 2: OIM Performance Measures, 2021 – 2024 ¹⁴

Performance Indicator Category	2024	2023	2022	2021
1. Percentage of DPD IAB investigations (full formal investigations and declines) reviewed by OIM prior to case closure.	100%*	100%	99%	96%
2. Percentage of DOS AIU investigations (full formal investigations and declines) reviewed by OIM prior to case closure.	100%	100%	99%	
3. Percentage of DPD disciplinary decisions of IAB cases reviewed by the OIM prior to case closure.	100%	100%	100%	93%
4. Percentage of DSD disciplinary decisions of AIU cases reviewed by the OIM prior to case closure.	100%	100%	100%	
5. Number of <u>community</u> outreach events held/attended by the OIM in a calendar year.	244	256	138	65
6. Number of <u>officer/deputy</u> outreach events held/attended by the OIM in a calendar year.	71	34	35	26
7. Number of complaint/commendation form distribution sites.	81	81	81	80
8. Percentage of community complaints referred to DPD IAB within three business days (for complaints submitted through the OIM).	97%	97%	98%	99%
9. Percentage of community complaints referred to DOS AIU within three business days (for complaints submitted through the OIM).	99%	98%	97%	
10. Percentage of DPD citizen complaints mediated.	5%	7%	5%	7%

* The OIM did not review one IAB investigation prior to closure in 2024 because the case was not routed to the OIM for review.

5.2 OIM Staff Survey

In January 2025, the COB asked the OIM staff to provide their perceptions of the performance of the office’s leadership and the culture of the office. We received responses from a majority of staff members. The questions covered topics related to the work of the office, staff members’ ability to execute their responsibilities, and office leadership, culture, and morale. We used these responses to inform our evaluations of both the effectiveness of the monitor’s office and the Independent Monitor’s performance.

¹⁴ Note: As mentioned in our 2021 Annual Report, the Board did not previously track OIM performance measures related to investigations and discipline involving the DSD. As a result, data prior to 2022 for these categories is not readily available. Additionally, sometimes special circumstances apply to cases, and the OIM may have reviewed or been involved in aspects of a case before the case evolved into something outside the scope of the OIM’s responsibilities.

5.3 Public Safety Feedback

We provided public safety stakeholders with the opportunity to share their feedback on the OIM's performance in 2024. We sent a 10-question survey to department leaders as well as six managers involved in the discipline process. We received responses from the Sheriff and Chief of Police, as well as three leaders involved in the disciplinary process. We used these responses to inform our evaluations of both the effectiveness of the monitor's office and the Independent Monitor's performance.

5.4 Board Assessment

Board members evaluated the Independent Monitor's performance across ten key areas. The following entries reflect the consensus of the Board.

1. Communication with the COB:

The Independent Monitor kept us apprised of significant incidents, investigations, and disciplinary issues. The OIM promptly responded to Board requests for information and provided updates on continuing issues. We are continuing to work with the Independent Monitor to better communicate the information we are seeking and work together to ensure that we make the most of the limited time available to obtain this information during our Board meetings.

2. Monitoring of Investigations:

Monitoring the investigation portion of disciplinary cases is a critically important component of the OIM's work, and where the OIM is best positioned to impact the disciplinary process. We believe that in 2024 the OIM provided thorough and well executed oversight of misconduct investigations and provided recommendations for additional investigative work when appropriate. Additionally, as highlighted in Table 1, the OIM's workload remained elevated in 2024, which it continues to manage well, given its staffing limitations.

3. Monitoring of Discipline:

Monitoring the conduct review portion of disciplinary cases is a very challenging part of the OIM's work, requiring technical expertise, historical knowledge of precedents, and interpersonal skills. Ultimately, the EDOS makes the final disciplinary decisions in serious cases, but the OIM navigates a process of identifying what they believe an appropriate outcome to be, sharing their rationale with DOS personnel, and deciding when to escalate their concerns and when to let the process play out. Taking a strong position in a case sometimes leads to tense professional relationships, and the OIM navigates those as well.

Unfortunately, even if the OIM believes that the DOS is acting unreasonably in a particular case, the OIM is required to comply with the City's deliberative process privilege (as is the COB) and faces significant restrictions if they wish to bring the case to the attention of the public. If the EDOS were

to unilaterally decline to impose discipline in a case where discipline was recommended by the department head and the OIM, there is little that OIM can do.

While the OIM is unable to share its recommendations in particular cases due to the deliberative process privilege, we encourage the OIM to publicly share aggregated data about the extent to which such recommendations are made.

4. Monitoring Critical Incidents:

An OIM staff member is always on call to respond to critical incidents, and once notified, the office responds appropriately. In 2024, the DSD updated its notification procedures for certain critical incidents, improving the OIM's awareness and ability to respond to such incidents.

5. Production of Reports:

The OIM published its annual and semi-annual reports as required by ordinance. We understand that a great deal of the work of the OIM is covered by deliberative privilege and therefore care must be taken in public communications. However, we continue to feel that there is significant room for the OIM to use its reports to better communicate the extent of its work to the public. This could include higher-level policy concerns and recommendations related to the effectiveness of the disciplinary process, aggregate data about the extent to which the OIM returns investigations for additional work, and the extent to which their recommendations are implemented.

6. Production of Policy, Practice, and Training Recommendations:

The OIM did not make any public recommendations related to policy, practice, and training in 2024, although they did make recommendations directly to the DPD, DSD, and DOS.

We continue to encourage the OIM to publicly share their recommendations related to finalized policies and share aggregate data about the policy work they perform each year, including how many of their recommendations were implemented.

7. Outreach to complaint process stakeholders:

As shown above in Table 2, the OIM has further increased the volume of their outreach efforts above and beyond last year's already high levels. This prioritization of community outreach—including with the law enforcement community—is something that we have encouraged and that we believe is essential to effectively addressing matters of community concern. Given the OIM's financial and staffing constraints, we do not expect the OIM to significantly increase the volume of their outreach efforts moving forward. We encourage them to work on finding ways to increase the impact of their outreach efforts.

The OIM has also moved in the right direction as it relates to direct communications with individuals who have active or recently closed complaints. In mid-2024, the OIM stopped bundling their own closure letters with either the DPD or DOS's complaint closure letters and sending both

together. The OIM now sends their own closure letters and the DPD and DOS are responsible for sending their respective letters. This frees the OIM from having to wait for the DPD or DOS before sending a closure letter to the complainant once the case has been closed, and helps community members avoid the perception that the OIM endorses or decides each case's outcome.

While the OIM is legally restricted in what they can share about the details of how a specific complaint was handled, they do have the ability to advocate on complainants' behalf behind the scenes when DOS is unresponsive—as do we. We encourage community members to reach out whenever they have questions or concerns.

8. Oversee Mediation program:

We believe the mediation program is falling short of its potential. The creation of this program was led by the OIM, but the OIM does not manage the program in a traditional sense. Complaint mediation is a multi-stakeholder, consensus-based, opt-in process—which means that any stakeholder can simply decline to pursue it for any reason at any time. It is not clear to us whether there are simply fewer mediation-eligible complaints being filed or if the program needs a smoother on-ramp or structural changes. A careful and holistic review should be undertaken to identify barriers to the program's effectiveness and determine appropriate next steps.

9. Management of OIM:

We are heartened by the positive survey responses of OIM staff related to the importance of the work of the office as a whole and each staff member's feelings of contribution to the office's mission. However, the OIM staff survey for 2024 showed declines in a few areas and the Board is committed to working with the Independent Monitor to address any issues.

We recognize that changes to the work environment—such as requiring staff to return to the office—and holds on needed staffing can present challenges to any workplace. We encourage the Independent Monitor to prioritize developing a strategic and proactive vision for the direction of the office.

10. Overall:

The OIM is tasked with an important, complex, and underappreciated role. We believe they are effectively fulfilling their core monitoring responsibilities, although there is room for improvement in secondary areas related to strategic vision and the extent to which they communicate their work to the community. Staffing constraints have also limited their ability to be more effective.

6 Assessment of Public Safety Disciplinary Processes

By ordinance, the Board is mandated to report on its assessment of the disciplinary processes.¹⁵ This section contains descriptions of our concerns related to the disciplinary processes, as well as progress made in relation to those concerns. As detailed in Appendix A, the disciplinary processes for uniformed personnel in Denver are complex. The Board has long contended that they are too complex, with too much discretion and too many ways for uniformed personnel to avoid discipline for problematic or prohibited conduct.

6.1 Denver Police Department

6.1.1 Police Use of Force Review Board

The DPD's Use of Force Review Board is responsible for reviewing all officer uses of force that involve death, serious bodily injury, or officers discharging their firearm.¹⁶ The review board is composed of five voting members: two DPD Commanders, one member from another Colorado law enforcement agency, and two individuals chosen from a pool of potential community members. The DPD selects and trains the community member participants, and for over ten years they relied on the same two community members who were selected from the DPD's Volunteers In Police Service (VIPS) program.¹⁷ The OIM attends all of the review board's meetings but does not vote on cases.

In our 2022 Annual Report, we highlighted our concerns about the review board's lack of independence and transparency. In December 2023, Chief Thomas began a new process for selecting community members to serve on the review board. New review board members were to be nominated by City Council members and then interviewed by the DPD and OIM before being selected and completing a variety of trainings.

Over the course of 2024, this new process resulted in the selection of just one new community member, and the DPD did not include the OIM in any candidate interviews. It is clear that the DPD needs to make substantial changes to attract qualified community members to serve on the review board, and we believe that OIM should be invited to participate in candidate interviews.

6.1.2 DPD Complaint Closure Letters

The COB regularly receives feedback from community members expressing displeasure with the DPD's poor communication in responding to complaints. A key element of that communication is the closure letter that is sent at the end of the process.

As we detailed in a November 2023 letter to Chief Thomas and as was highlighted in both our 2022 and 2023 Annual Reports, the letters that the DPD sends to complainants—especially in cases where policy violations were sustained and one or more reprimands were issued—are completely inadequate. While there are some limitations on what can be shared about an internal investigation, such limitations do

¹⁵ DRMC [Section 2-384\(a\)](#).

¹⁶ DPD [Operations Manual Section 105.05](#).

¹⁷ The VIPS program allows community members to volunteer their time to perform administrative work for the DPD.

not apply to communicating the outcome of a complaint. In our 2023 Annual Report, we made several detailed recommendations as to what an updated closure letter should include:

1. A summary of the complainant’s allegations and the corresponding policies that were examined for each involved officer.
2. A summary of the actions taken by the DPD’s Internal Affairs Bureau (IAB) to investigate the complaint(s).
3. The finding for each potential policy violation examined, and if any were sustained, the associated discipline and a departmental apology for falling short of their standards.
4. A note of appreciation for taking the time to inform the department of a potential issue.

Over the course of 2024, Chief Thomas told us that DPD was updating the letters to include more information. The DPD did not provide the COB with any draft templates to review or inform us that it had begun to send updated closure letters. However, in reviewing closed case files, we found that the closure letter templates were updated during 2024.

Unfortunately, the new templates are only marginally better than the old ones. Specifically, the updated letters now inform the complainant that if they want more information, they can pay a fee to file a records request and suggest that they start by requesting the case’s “Review and Findings” document. The new letters do not contain any more case-specific information than the old ones did, and an anonymized version can be reviewed in Appendix B.

There continues to be no departmental apology and no way for complainants to know (without paying for the records) if each part of their complaint was adequately addressed. Thus, the DPD has apparently decided not to adopt our reasonable recommendations to improve the content of closure letters. In our view, implementing our recommendations will enhance public trust in law enforcement. The failure to do so undermines that trust. We remain steadfast in our position that case-specific information should be shared with complainants who allege police misconduct.

6.1.3 Sharing of DPD Body Worn Camera Footage

For the past several years, we have recommended that the DPD and DSD provide the OIM with unfettered access to review the vast majority of officers’ bodycam footage.¹⁸ Doing so would allow the OIM to conduct meaningful reviews of officer behavior and ensure that supervisors of uniformed personnel are appropriately reviewing use of force footage and flagging potential policy violations.

We have seen some progress in this area. In 2023, the DPD began consistently providing the OIM with access to footage from critical incidents, allowing them to be better informed as they monitor the interviews that occur shortly thereafter. This was preceded by the DSD’s provision of access to footage from use of force incidents. As a result of that access to DSD footage, the OIM was able to conduct a thorough review in 2024 of whether potential violations of DSD policy were being reported.

¹⁸ In response to the COB’s request that the OIM have full access to this footage, the DOS cited a state law placing strict restrictions on who can access records and interviews related to child sexual abuse cases. We respect that limited restriction.

Unfortunately, in 2024 the DPD declined to provide the OIM with the same level of access to footage from use of force incidents that the DSD provides to the OIM. The DPD claims that their internal review processes are more robust than the DSD's, and therefore the OIM's oversight is unnecessary. We disagree. The value of an independent external review is that it can identify blind spots in internal processes. An external review can also validate the credibility of internal processes, which will enhance the community's trust in law enforcement.

Chief Thomas has publicly stated that he doesn't want to overwhelm the OIM with cases and camera footage. However, the OIM is fully capable of managing their workload, and they can use their discretion to narrow the scope of their reviews as necessary.

We maintain our view that the OIM should have access to and proactively review the vast majority of body worn camera footage even if a formal complaint is not filed relating to an incident. It is concerning that the DPD does not appear interested in taking this significant step towards transparency.

6.1.4 Discretionary Closure of Lawsuit-Related Complaints

In our view, the DPD should not treat a complaint differently because of the existence of a civil lawsuit based on the same alleged misconduct. However, DPD policy allows for complaints to be dismissed on a discretionary basis if the conduct at issue is also the subject of a lawsuit, rather than requiring a decision to be made based on the merits of the complaint and available evidence.¹⁹

*OMS 503.01 Section (5) Paragraph c.:
... Complaints that are subject to judicial, administrative, or other review which will explicitly or implicitly require a finding or ruling on the conduct that is the subject of the complaint may be dismissed. ...*

The purpose of a civil lawsuit is to allow the victims of serious police misconduct to seek remedies for their mistreatment. The purpose of Internal Affairs is to enforce compliance with departmental policies, based on the credible threat of penalties up to and including termination. Internal Affairs has no role in improving the conditions for those who have been hurt by police conduct, and a civil lawsuit has never imposed discipline on an officer.²⁰ Yet this policy gives the DPD the discretion to treat the two processes as interchangeable.

This policy is likely responsible for the fact that the DPD never performed a full internal investigation of the two officers responsible for improperly obtaining a search warrant on Ruby Johnson's home in 2022.

¹⁹ [OMS 503.01 Section \(5\) Paragraph c.:](#)

(5) A COMPLAINT MAY BE DISMISSED FOR THE FOLLOWING REASONS:

c. Judicial or Administrative Review:

The complainant could reasonably be expected to use, or is using, another remedy or channel for the grievance stated in the complaint. Complaints that are subject to judicial, administrative, or other review which will explicitly or implicitly require a finding or ruling on the conduct that is the subject of the complaint may be dismissed. A complaint should be dismissed on this basis only if the alternative channel is reasonably accessible to the complainant and can provide an adequate remedy.

²⁰ Hypothetically, the City could find that the officers acted maliciously and attempt to force the officers to pay up to \$25k of a civil judgment. But the City would likely never pick that fight with the police union and risk employee morale over \$25k.

In 2024, a judge and jury found that the two officers violated Ruby Johnson’s rights and imposed a \$4 million judgment. If these officers did not violate departmental policy, then it is clear that the DPD needs to update their policies. If they did violate policy, then the failure to make a formal finding to that effect will significantly complicate any future effort to hold them accountable should they act similarly in a future case. When community members like Mrs. Johnson receive official letters from DPD leadership declining to conduct a formal investigation into allegations of officer misconduct, it creates distrust of the police and the systems of accountability for police misconduct.

It is unclear how often this policy is relied upon to dismiss complaints, and some investigations do proceed despite the existence of a related lawsuit. At a minimum, the DPD should provide the OIM with an opportunity to review any complaints that may be the subject of civil litigation and provide input on whether it would be appropriate to close the case.

6.1.5 Education Based Discipline

It came to our attention in late 2024 that DPD was about to make major changes to the disciplinary process in which training would replace discipline in a large number of misconduct cases. This policy is referred to as “Education Based Discipline” (EBD). It is our view that such a change requires significant public input and should not be rushed.

Chief Thomas has publicly spoken about his desire to update the DPD's Discipline Matrix, including directly with us. One of the changes he is considering involves a situation where an officer engages in a minor policy violation. In that circumstance, the officer would be required to undergo additional training as opposed to receiving a traditional penalty of fined time or a suspension.

In September, the DPD gave a presentation to community members from a local non-profit consisting of an overview of how EBD would work. The proposed framework would empower a Board of DPD managers or the EDOS to determine if an alleged offense would be eligible to receive education instead of discipline. At that meeting, DPD stated that EBD would likely be applied to two-thirds of discipline cases, an enormous change to the discipline process. The DPD did not provide the COB with a similar presentation in 2024, and we only learned about the existence of the draft framework in December.

Due to the possibility of EBD creating significant changes to the disciplinary process, we believe that there should be more significant community outreach about EBD prior to its implementation, including additional engagement with us.

We will continue to engage with the DPD and DOS on the draft EBD policy and look forward to engaging with the community on the matter.

6.2 Department of Public Safety

6.2.1 Post-Appeal Settlements

In June, a hearing officer for the Civil Service Commission issued a decision overturning discipline for a police officer whom departmental leadership had determined violated policy. The officer had fired his handgun at a fleeing suspect in the median of a major throughfare and instead hit an occupied vehicle travelling behind the suspect. The decision letter indicates that the police officer's partner, who had also been disciplined for firing and hitting an occupied vehicle travelling in front of the suspect, had dropped her appeal as part of an administrative settlement with the DOS.

The settlement document has not been publicly released and we will not comment here on its terms. Rather, we are concerned that the OIM was not consulted prior to the settlement's finalization and given the opportunity to provide comment. This appears to contradict the plain language of DRMC Sec. 2-389(a).²¹

DRMC Sec. 2-389:

... The policies shall ensure that the department of safety and the police, sheriff, and fire departments provide the monitor's office with reasonable notice and opportunity to:

(a) Receive notice and opportunity to comment prior to entering into agreements, whether written or oral, resulting in the closure of internal investigations or the disciplinary process.

It is our understanding that the exclusion of the OIM from disciplinary settlements in the appeals stage is the historical norm, rather than this being an isolated incident. However, the appellate stage of the disciplinary process is still part of the disciplinary process and should not be exempt from this requirement. Although only a small number of cases are resolved in this way, we feel strongly that the OIM should be provided with the opportunity to review and comment on these settlements just like they do in pre-appeal administrative settlements.

6.2.2 Concurrent Criminal and Administrative Investigations

In cases where alleged misconduct by uniformed personnel might violate both departmental policy and criminal law, the DOS delays the entirety of the administrative investigation until the criminal process

²¹ [DRMC Sec. 2-389](#): "The department of safety and the police, sheriff, and fire departments shall cooperate with the monitor's office in actively monitoring, attending and participating in the disciplinary process. The departments shall establish departmental policies regarding that cooperation. The policies shall ensure that the department of safety and the police, sheriff, and fire departments provide the monitor's office with reasonable notice and opportunity to:

(a) Receive notice and opportunity to comment prior to entering into agreements, whether written or oral, resulting in the closure of internal investigations or the disciplinary process;"

has been completed. This practice significantly delays the disciplinary process in these cases and should be changed.

The DOS pauses their administrative investigation when there is a criminal proceeding because of the concern that compelling the employee's testimony before the criminal process is complete allows the employee to argue that the prosecution was tainted by the compelled evidence.²² Since criminal investigations of uniformed personnel are uncommon, the system-level impact is relatively low, although the impact to individual cases can be significant. Criminal investigations often move slowly, so administrative investigators are sometimes left in the awkward position of having to conduct witness interviews a year or more after the incident. Delaying those interviews diminishes their usefulness as memories fade and generally delays the resolution of alleged policy violations.

Many other neighboring jurisdictions—such as Douglas County—do not suspend administrative cases while criminal proceedings are pending and conduct both matters concurrently. This is worth investigating as an option for Denver.²³ EDOS Saldade told us in 2024 that he was open to exploring ways to address our concerns related to this issue. His main requirement was that Denver's District Attorney (D.A.) confirm that any proposed changes would not jeopardize criminal cases.

We have not yet discussed this matter with Denver's newly elected D.A., but our current position is that the DOS should direct administrative investigators to perform some of their work at the same time as a criminal investigation proceeds.

We look forward to working with D.A. John Walsh in 2025 to further explore this issue.

6.2.3 AIU Discipline Backlog

In 2024, the DOS issued 26 Departmental Orders of Discipline imposing discipline greater than a reprimand on DSD deputies. This represents 30% fewer of such orders than were issued in 2023, which is the lowest number of such disciplinary orders that have been issued by DOS since 2008. In particular, only one such disciplinary order was issued between the start of February and the end of May in 2024.

The primary cause of these results appears to be a backlog of cases handled by the DOS's Administrative Investigations Unit (AIU), which is responsible for investigating allegations of misconduct by DSD deputies. We have highlighted concerns about the AIU's operations in our last two Annual Reports, including significant leadership instability in 2023. We also heard public comment from a community member in 2024 who had complaints that have been pending for over a year and a half, and who has yet to even hear from AIU.

²² At issue is the City's use of what is called a Garrity Advisement. A Garrity Advisement allows the City to compel an employee to answer questions in an administrative investigation or face potential termination. The employee has a Constitutional right to avoid self-incrimination, and the Advisement respects that right by exempting anything the subject employee says in that interview from being used in a court of law. For a high-profile example of how granting immunity in a non-criminal investigation can cause problems for a criminal prosecution, see the prosecution of Oliver North following his immunized testimony to Congress related to the Iran-Contra scandal.

²³ Reportedly, two-thirds of Front Range law enforcement agencies conduct simultaneous criminal and administrative investigations. See: Chris Vanderveen and Chris Hansen, "[More than a year after inmate death, deputies involved remain uninvestigated and on the job](#)," *9News*, May 24, 2024.

Over the summer of 2024, the DOS hired Elizabeth Brett to serve as the new Director for AIU. Brett has experience conducting administrative investigations with Chicago’s Civilian Office of Police Accountability. We are hopeful that under her leadership, the AIU will promptly resolve cases and improve its operations.

6.3 Disciplinary Appeals

In 2024, Civil Service Commission hearing officers issued rulings in two disciplinary appeals that were of particular concern to us.

6.3.1 December 2020 Monaco Parkway Shooting²⁴

In June 2024, a Civil Service Commission hearing officer overturned discipline in a case related to a police shooting from December 2020, finding that the DOS’s disciplinary order was “clearly erroneous.”²⁵ We have serious concerns about the hearing officer’s decision and his stated rationale. We are also concerned that this case will serve as precedent to undermine the City’s ability to hold officers accountable for misconduct.

Background

In December 2020, two officers pursued a fleeing suspect who was armed and had murdered two people before fleeing. During their pursuit, both officers made the decision to shoot at the fleeing suspect as he ran through the grassy median of Monaco Parkway. One officer fired once and the other fired three times. None of the rounds hit their intended target; however, two passing vehicles (one in front of the suspect and the other behind) were hit a total of three times. Bullets traveled within three feet of both drivers and barely missed hitting them.

In May 2021, D.A. Beth McCann issued a letter stating that while she found the officers’ conduct concerning, she did not believe it met the high bar of proving to a jury that the officers violated criminal law.²⁶ Following the D.A.’s decision, the case began the administrative review process and was evaluated by the DPD’s Use of Force Review Board, which recommended to Chief Thomas that he find the officers’ conduct to be appropriate. Ultimately, Chief Thomas disagreed with that recommendation and initiated disciplinary actions against the two officers for violating DPD policy, specifically OMS 105.01(8)(b), which prohibits the use of firearms if there is “a likelihood of serious injury” to bystanders.²⁷ He submitted the disciplinary actions EDOS Saldate for final approval.

*OMS 105.01(8)(b):
Officers will not discharge firearms ... where there is a likelihood of serious injury to persons other than the person being apprehended.*

²⁴ This section is based on information that has already been formally released to the public and should not be interpreted as a complete list of the Board’s concerns as it relates to this case.

²⁵ Civil Service Commission, [Appeal # 23 CSC 04](#), June 24, 2024.

²⁶ District Attorney Decision Letter, [RE: Investigation of the shooting death of Larry Hamm](#), May 19, 2021.

²⁷ 105.01: Use of Force Policy; (8) DISCHARGE OF FIREARMS:

(b) Prohibited discharge: Officers will not discharge firearms under the following conditions:

3. Where there is likelihood of serious injury to persons other than the person to be apprehended.

At this point, the COB took the rare step of sending a letter to EDOS Saldate with recommendations related to the case, pursuant to the authority granted to us in DRMC Sec. 2-383(c). Shortly thereafter, the EDOS approved Chief Thomas's orders and issued formal Departmental Orders of Discipline for both officers in September 2023.²⁸ The orders affirmed the Chief's proposal to mitigate the discipline, reducing it from a 10-day suspension to four days, although they were written with a noticeably different tone than typical disciplinary orders.

As is their right, both officers appealed their discipline to the Civil Service Commission, which assigned a hearing officer to the case. One officer—the one who fired once—entered into an administrative settlement with the DOS prior to the hearing. Following the hearing, the second officer succeeded in overturning his discipline. The hearing officer ruled that the disciplinary order was “clearly erroneous” and relied on two primary rationales: (1) that the officer had a clear line of sight to the target and “from his view there was no likelihood of injury to other persons,” and (2) the discipline was inconsistent with prior cases where there was “an evident greater risk of injury” to bystanders.²⁹

Analysis

As for the first rationale, we do not accept that there can be no “likelihood of serious injury” when three of the four fired bullets hit passing cars instead of the target. These were not random ricochets or unforeseeable developments. The hearing officer dismissed that risk because, “from his [the officer's] view” the line of sight was clear. Yet the officer's view was only clear because, as the original disciplinary order notes, he didn't take the time to check for cars before taking a long shot across a busy major street.

In reaching this conclusion, the hearing officer appears to have placed greater weight on the perspective of a DPD commander and the recommendations of the Use of Force Review Board—which the commander served on—than the perspective of the Chief of Police and EDOS. This rationale significantly devalues the experienced judgements of the Chief and EDOS and their roles as decisionmakers.

The hearing officer's second rationale for his decision is far less clear but appears to rely on two main points. The first point is that the DPD reportedly asserted that there have been multiple other cases in which there was “an evident greater risk of injury” to bystanders and no discipline was issued. The hearing officer does not, however, quantify how many of such cases are alleged to exist or provide any specific examples. Assuming that objectively worse cases do exist, it is concerning that prior poor enforcement of a policy means that any appropriate step towards enforcement of that policy would be overturned.

The second point relied on by the hearing officer to support his view of purported inconsistent discipline is that this case was handled differently than most police shootings. The hearing officer appears to believe that a unique procedural history is per se inappropriate, even if it is consistent with policy.

For example, the hearing officer highlights that it took a lengthy period of time for a disciplinary decision to be reached by public safety leaders. But that fact does not mean that the process is improper or the outcome is erroneous, let alone clearly erroneous. Unsurprisingly, imposing discipline takes significantly

²⁸ While EDOS Saldate is ultimately responsible for the decisions of his office, responsibility for disciplinary actions is generally delegated to the DOS's Chief Compliance Officer.

²⁹ See: Civil Service Commission, Appeal # 23 CSC 04, June 24, 2024, p. 4-5.

longer than not imposing discipline, and almost all police shootings (not including accidental discharges) are closed without discipline. We agree that the process is cumbersome and takes too long, but if that is a rationale for not imposing discipline, a great deal of misconduct could be disregarded using that same rationale.

The hearing officer also highlights other aspects of the case, including an unnamed “someone” who influenced the opening of the case and the COB’s letter to EDOS Saldate. The hearing officer’s decision does not consider whether either of those actions was inappropriate in any way. As a result, he implies that our involvement somehow improperly influenced the judgment of departmental leaders. To the contrary, we were created to ensure accountability and our involvement is codified in City Charter. We reject the implication, intentional or otherwise, that our letter undermined the legitimacy of the decision-making process by public safety leaders.³⁰ Effective oversight entities make the decision-making process more robust, not less.

The City’s decision not to appeal such a flawed and erroneous decision to the full Civil Service Commission was quite unfortunate.

6.3.2 Delayed Discipline

In December 2024, a Civil Service Commission hearing officer issued a decision upholding discipline that was imposed on a DPD detective.³¹ The detective received a penalty of two fined days in January 2024 and had appealed the validity of the disciplinary order, alleging that the DOS had missed a 15-day deadline established in City Charter.³² In this case, the Chief’s written order proposing the discipline was signed on October 17, 2023, and the DOS’s order imposing the discipline was issued on January 12, 2024—nearly three months later. The DPD held onto the signed written order for approximately two-and-a-half months, waiting for an email from the DOS’s Chief Compliance Officer notifying the DPD that she was ready to review more cases. The written order was then sent to the DOS on January 3, 2024.

Charter § 9.4.14(B):
The Manager of Safety shall, within fifteen calendar (15) days of the date of the Chief's order, approve, modify or disapprove the written order of disciplinary action. ...

The CSC’s hearing officer ruled that the discipline was valid, and that the Charter language should be interpreted to mean that the 15-day deadline starts whenever the DOS receives the order, and not when the order is signed.

³⁰ We also take issue with the DOS’s Chief Compliance Officer’s speculative testimony that the COB’s position in this case was influenced by the police shooting in LoDo that occurred the month before. That assertion is inaccurate. The Board’s position was based on a careful review of the facts of this case alone.

³¹ CSC Hearing Officer Decision, [Case No. 24 CSC 02](#)

³² [Charter § 9.4.14\(B\)](#): “The Manager of Safety shall, within fifteen calendar (15) days of the date of the Chief’s order, approve, modify or disapprove the written order of disciplinary action. The Manager shall take such action by a written departmental order which shall take effect immediately. In the absence of the Manager of Safety, such departmental order may be issued by a Deputy Manager.”

According to testimony from the hearing, it was standard practice for the DPD to hold onto disciplinary cases until DOS was ready to review more cases. When asked about the practice, EDOS Saldate told us in January 2025 that based on this hearing officer's decision, the practice of coordinating the timing of disciplinary orders would continue. However, he characterized the delay in this case as an outlier and stated that there was not currently any backlog of pending discipline orders.

Setting aside the hearing officer's interpretation of the Charter language at issue, delaying cases for the sake of convenience is concerning to us. Everyone wants the discipline process to move faster—in fact it is something that departmental leadership, the unions, and oversight all agree on. But when delays are treated as inevitable, they can be used as an excuse to justify attempts to impose less or no discipline or investigate fewer allegations, as highlighted in the previous section. Delays should not be used to undermine accountability for conduct that merits investigation or discipline.

The officer involved is further appealing this case to district court, and so the final outcome of his discipline and the validity of this practice remains pending.

7 General Concerns

By Charter, the Citizen Oversight Board is responsible for “[a]ddress[ing] any other issues of concern to the community, members of the board, the monitor, the manager of safety, the chief of police, the sheriff, or the fire chief.”³³ This section describes a variety of such concerns.

7.1 Settlement Compliance and Oversight

In November 2023, we sent an open letter to City leaders highlighting several concerns related to legal settlements that contain particular non-monetary terms, such as changes to DOS policies or practices, conducting investigations, commissioning studies or reports, or other deliverables.³⁴ We were concerned with the City’s lack of transparency when they agree to these terms, and any failure to comply with the letter or the spirit of some terms in a few major cases.

This issue is of particular importance to us because these non-monetary terms are typically related to the perceived root causes of the misconduct being alleged, and their inclusion in a legal settlement document sometimes serves as the catalyst for major structural changes.

Significant progress was made on this issue in 2024. In the Spring, the City provided us with copies of all settlement agreements that the City has entered into since 2017, over 150 in total. Following a review of those records, we were able to confirm that only four of them included non-monetary terms.

EDOS Saldate committed to proactively publishing a copy of any new settlement related to the DOS containing non-monetary terms. In June, he made good on that commitment and created a new web page that now hosts a copy of one such settlement agreement and evidence of compliance with its terms.³⁵

In September, we sent a follow up letter summarizing the progress that was made and requesting that EDOS Saldate’s commitment to disclosure be codified in either ordinance or formal policy.³⁶ We also requested that the City Attorney’s Office or the Clerk and Recorder begin sharing all DOS settlements with us, so that we can independently verify that the DOS’s disclosures contain all applicable settlements.

In October, EDOS Saldate told us that he was in the final stages of creating an official policy requiring the public disclosure of settlement agreements with non-monetary terms related to the DOS. He also stated that the policy will require the publication of the steps the DOS has taken to comply with the relevant settlement terms. We look forward to reviewing the final policy language.

³³ Denver [Charter § 12.1.1\(B\)\(iii\)](#).

³⁴ COB, [Settlements Oversight Letter](#), November 24, 2023.

³⁵ DOS, [“Non-Monetary Settlement Agreements”](#)

³⁶ COB, [Settlements Oversight Follow Up Letter](#), September 9, 2024.

7.2 Office of Neighborhood Safety

On May 13, Mayor Johnston announced the creation of a new Office of Neighborhood Safety (ONS) within the City’s Office of Social Equity and Innovation (OSEI).³⁷ The new ONS is to be staffed with 53 full-time staff transferred from the DOS along with their four associated programs: the Office of Community Violence Solutions, Public Safety Youth Programs, the Assessment-Intake-Diversion (AID) Center, and part of the Support Team Assisted Response (STAR) program. We met with ONS leaders in July and discussed the status of the Office.

The Mayor also announced that the City would create a new Community Advisory Board to advise and shape the work of the ONS. In a presentation to City Council on May 15, OSEI Executive Director Dr. Ben Sanders laid out a six-week timeline for developing the advisory board’s charter and filling it with 12 – 15 members. However, the advisory board was not created in 2024. As the mission of the advisory board may overlap with that of the COB, we are interested in learning more about its scope and focus.

7.3 Correctional Health Care

In 2024, we continued our focus on the relationship between the DSD and the Denver Health and Hospital Authority (Denver Health) and issues arising from Denver Health’s correctional health care.

Following the hiring of a jail medical administrator in late 2023, the DSD has made more data available about Denver Health’s services and how grievances were handled in 2024.³⁸ This is a welcome development, and we believe it will become even more valuable as a historical record is built to which future performance can be compared.

A total of 1,345 medical grievances were submitted in 2024, of which Denver Health sustained 56 cases, and lacked sufficient evidence to make a clear determination in 241 cases. The majority of cases, around 70%, were determined to be unfounded. In 2024, on average Denver Health responded to grievances in 13 days, and all grievances received a response within 30 days. Each grievance was also reviewed by the DSD’s jail medical administrator.

As we have described in previous Annual Reports, there are still areas in which we would like to see more transparency from Denver Health. Specifically, we are interested in data around the timeliness of the provision of prescription medications and eyeglasses for people entering custody. In addition, we continue to have concerns about the City’s lack of access to Denver Health’s internal investigations, as was the case following the 2022 in-custody death of Leroy Taylor. Anything that can be learned about how and why Mr. Taylor’s death occurred should be shared in order for policies and practices to be changed so that tragic and preventable deaths in custody do not occur again.

³⁷ Members of the Denver Task Force to Reimagine Policing and Public Safety were also working to create a similar nonprofit organization prior to the Mayor’s announcement. Their efforts led to the creation of Transforming Our Communities Alliance (TOCA) Colorado later in 2024.

³⁸ Although technically outside the scope of this report, in February 2025 the DSD [published a dashboard](#) with data related to Denver Health’s work in the jails that is substantially responsive to the Board’s prior recommendations.

7.4 Continued DSD Understaffing

The DSD is authorized to employ 875 full-time uniformed personnel and 254 full-time civilians (also called professional staff), not including contracted or on-call workers. It began 2024 with 589 uniformed employees and ended the year with 601, an increase of 12 individuals (to 68.7% capacity). In 2023 the department increased by 19 deputies, in 2022 the department lost 66 deputies.

By policy, all deputies are required to work at least 24 hours of pre-scheduled mandatory overtime each month. However, many are required to work much more than that in both scheduled and unscheduled mandatory overtime. Deputies continue to regularly work 14 and 16-hour shifts, which have significant negative impacts on both employees and those in their custody.

For employees, this can result in decreased physical and mental health, poor morale, and limit their capacity to de-escalate tense situations.³⁹ Inmates may receive less time out of their cells, fewer showers, and fewer opportunities to participate in self-improvement options such as continuing education, job training, or recovery programs.

Civilian staffing levels at DSD are also concerning. The DSD began 2024 with 197 professional staff and ended it with 175, a net decrease of 22 staff (down to 68.9% of capacity).⁴⁰ These positions do not interact directly with people who are in custody. It is troubling that the DSD has not only been unable to improve these staffing rates but has actually experienced a decrease.

Since the start of Mayor Johnston's administration, the City has restricted the civilian hiring process through the use of a Position Review Committee. It is not clear to us whether the committee is a contributing factor to the shortage of civilian hiring. The DPD is also struggling to fill its civilian positions, with only 75% of those jobs occupied despite managing to fill 95% of their sworn officer positions. The Mayor also asked agencies to implement budget cuts in 2024 and 2025, which resulted in the DSD holding over 20 positions vacant, including six positions for mental health therapists.

The DSD and the City as a whole must pay close attention to this serious issue.

³⁹ See for example: Vila, Bryan. [Impact of long work hours on police officers and the communities they serve](#). American journal of industrial medicine. 49. 972-80. (2006). 10.1002/ajim.20333.

⁴⁰ Starting and ending staff numbers provided by the DSD are accurate as of 12/6/23 and 1/6/25, respectively.

8 Recommendations

Per City Charter, the Board is tasked with making “policy-level recommendations regarding discipline, use of force, and other policies; rules; hiring; training; community relations; and the complaint process.”⁴¹

8.1 2024 Recommendations

Based on our assessments and concerns as detailed in this and prior Annual Reports, we believe that implementing the following recommendations would improve both public safety generally and the community’s relationships with public safety agencies.

DPD:

1. The DPD should begin proactively sharing all use of force footage with the OIM, as a step towards unfettered access to BWC footage for OIM.
2. The DPD should remove OMS 503.01 Section (5)c from its Operations Manual and treat all allegations of officer misconduct the same, regardless of whether or not there is a related lawsuit. At a minimum, the DPD should provide the OIM with an opportunity to review any complaints that may be the subject of civil litigation and provide input on whether it would be appropriate to close the case.
3. The DPD should not require complainants alleging police misconduct to pay a fee in order to learn how their complaint was handled. All closure letters should include a summary of the complaint, the names of the subject officers, the potential violations investigated, and the findings for each allegation. If a policy violation is found, the letter should also include the disciplinary outcome and a departmental apology.
4. The DPD should follow through on their commitment to create a public dashboard for their drone program before starting to use drones as a first responder.
5. The DPD should re-evaluate its approach to recruiting community members to serve on its Use of Force Review Board and prioritize the selection of a pool of community members who can serve on it.

DSD:

6. The DSD should build upon its dashboard of Denver Health’s work and include data related to the types of treatment receiving complaints, the timeliness of prescription verification and provision, as well as optometrist visits and the provision of eyeglasses.
7. The DSD should ensure that they have visibility into any of Denver Health’s After Action Reports or internal investigations following serious incidents.
8. The DSD should work to identify the root cause(s) for the net loss of 22 professional staff and the City should eliminate any barriers to hiring qualified individuals for those positions.
9. The DSD should work to encourage the use of their new in-person visitation facility and remove any unnecessary barriers to its utilization.
10. The DSD should continue to invest in overdose prevention efforts for those in custody.

⁴¹ Denver [Charter § 12.1.1\(B\)\(ii\)](#).

DOS:

11. The DOS should pay close attention to the operations of the AIU and ensure that it is equipped to appropriately address the backlog of cases that has developed.
12. The DOS should update their post-appeal settlement practices to ensure compliance with the ordinance requiring the involvement of the OIM in that process.
13. The DOS should ensure that they promptly address any disciplinary orders and mitigate any unnecessary delays in that process.
14. The DOS should finalize a formal policy requiring the publication of any settlements that include non-monetary terms and evidence of compliance with those terms.
15. The DOS should emphasize the importance of better communication with community complainants. This may take several forms, including acquiring a public-facing portal for IAPro, improving training for staff in the disciplinary process, and/or increasing staff capacity.

CSC:

16. The CSC should review the training process for its hearing officers to ensure that they are familiar with Denver's discipline process for police officers, including the role of the COB and OIM. The CSC should also consider using the Monaco Shooting example in its training as a case study in how not to determine the appropriateness of decisions by departmental leadership.
17. The CSC should provide the OIM with an opportunity to participate in the appeals process at both the hearing officer and full commission levels. This could take a number of different forms, with one possible option being allowing them to file a written statement either before the hearing or after the hearing but before a final decision is issued.

Other Recommendations:

- The OIM's budget should be increased correspondingly with safety departments budget increases to ensure that oversight capabilities grow as the size of public safety departments grow.
- For incidents where both criminal and administrative investigations are warranted, the DOS should direct administrative investigators to begin their investigation concurrently with the criminal investigation.
- The STAR program should develop a roadmap for growth.
- The Crime Prevention and Control Commission (CPC) should become a dynamic force for innovation.
- The DOS should increase halfway house capacity.
- The DOS should create a public database of disciplinary orders.
- The ONS should work to maximize the impact of the AID Center.

8.2 Status of 2023 Recommendations

2023.1: The DPD should work expeditiously to complete the selection and training process for new community members on their Use of Force Review Board.

- *Minimal progress. One new member was selected in 2024 and the DPD now accepts nominations from City Council, but little else has changed.*

2023.2: The DPD should implement the Board's suggested changes for all complaint disposition letters.

- *Minimal progress. Letters were nominally updated and now inform complainants that they can pay to request additional information about how their complaint was handled.*

2023.3: In the spirit of working towards the OIM's ability to directly access the vast majority of body-worn camera footage (see: Recommendations 2022.6a and 2021.2), the DPD should follow the DSD's lead in proactively providing the OIM with direct access to footage of all use of force incidents via evidence.com.

- *No progress. Chief Thomas declined to implement this recommendation, limiting independent oversight of use-of-force incidents.*

2023.4: The DSD should continue to make every effort to improve both financial and non-financial retention initiatives.

- *Modest progress with uniformed staffing levels, but civilian staffing levels decreased.*

2023.5: In the absence of changes to the City's contract with Denver Health that would mandate modifications to Denver Health's policies or practices in the jails, the DSD should improve transparency around the performance of Denver Health's services in the jails, to include the data below in a public facing dashboard and have regular meetings with Denver Health about interventions necessary to address identified trends:

- Actual vs. authorized staffing levels for medical personnel.
 - The timeliness of prescription verification and provision of prescribed medication.
 - The timeliness of optometrist screenings when requested and the provision of eyeglasses when appropriate.
 - Number of requests for medical care received and timeliness of responses.
 - Number of medical complaints received, the associated outcomes, and the timeliness of those outcomes.
- *Substantial progress. Sheriff Diggins told the Board in September that he hoped to publish a dashboard related to Denver Health's performance by the end of 2024. The dashboard was published in February 2025 and includes items a, d, and e.*

2023.6: The DSD should implement the Board's prior recommendations (2022.4a-c) related to increased oversight of how Denver Health handles inmate complaints about medical care:

2022.4a: The DSD should require Denver Health to provide it with written summaries of how complaints against Denver Health staff are addressed and resolved. If the DSD is not

satisfied by how the complaint was addressed, the DSD should contractually reserve the right to conduct additional investigative work with the full cooperation of Denver Health staff.

2022.4b: The DSD should publish aggregated data about complaints related to medical care and their outcomes on an at least annual basis.

2022.4c: The scope of administrative investigations into in-custody deaths should be expanded to include the conduct of any contract personnel involved. Any contractual barriers to this should be identified and eliminated.

- *Substantial progress. The DSD published a dashboard in February 2025 that included data about the outcomes and timeliness of medical grievances. That data is responsive to Recommendation 2022.4b and demonstrates at least partial implementation of 2022.4a. Progress towards 2022.4c remains unclear.*

2023.7: The DSD should implement the Board’s prior recommendations (2021.5-7) related to improvements in Denver Health’s treatment care process, especially for inmates with pre-existing prescriptions and treatment plans from outside providers.

- *No progress.*

2023.8: The DOS should implement the Board’s prior recommendation (2022.5a) to acquire and implement a public-facing module for the IAPro database, allowing members of the public to easily submit and check the status of their complaints.

- *No progress. EDOS Saldate told the Board that the price of the module has increased and may cost in the vicinity of \$100,000. EDOS Saldate also disagreed with the value of the module as a customer service tool.*

2023.9: The DOS should work to create a publicly accessible database of disciplinary orders for uniformed personnel.

- *No progress, although the Board had several conversations with EDOS Saldate about this recommendation in 2024.*

2023.10: The DOS should continue to explore and prioritize additional options for expanding the City’s halfway house capacity, with the goal of reaching 550 beds in 2025.

- *Slow progress. The City obtained a new 100-bed facility in 2024, but its full impact has not been felt as another 100-bed facility was closed for renovations at the same time. It is planned for that facility to re-open in the second half of 2025 which should bring the City’s halfway house capacity up to 363 beds.*

2023.11: The City should work to maximize the impact of the AID Center, by:

- a. Prioritizing the expansion of operating hours into the evening.
- b. Addressing any barriers to DPD’s ability to deflect potential arrests to the AID Center.
- c. Continuing to partner with the judiciary and the Denver District Attorney to host warrant clearing events, outreach court, and similar programming.

- *Some progress. Warrant clearing events and other valuable programming have continued throughout 2024, although the operating hours have not been expanded. As part of the Mayor’s “Roads to Recovery” priority, an official pilot program was initiated in the first part of 2024 with two of DPD’s Homeless Outreach Teams, which resulted in 37 people being transported to the AID Center in lieu of arrest. The pilot program ended in December.*

2023.12: The City should better amplify and support the work of the Crime Prevention and Control Commission’s innovative programs.

- *Some progress. The Commission significantly updated its bylaws in 2024, including changes to its membership and committee structures. The commission is working to improve their supervision of existing contracts and their data collection procedures.*

2023.13: The Denver Department of Public Health and Environment (DDPHE) should create a clear strategic roadmap for the growth of the STAR program to include the funding, time, and staff capacity necessary to reach various milestones such as being able to respond to at least 90% of STAR-eligible calls or providing 24/7 service. The roadmap should also explore potential areas of growth for the program, such as expanding the list of eligible call types, inter-departmental partnerships, and cross-jurisdictional partnerships.

- a. Denver 911 should share a clear timeline and roadmap for the creation of a separate 911 dispatching channel for STAR, including the provision of Mobile Data Terminals for the STAR vans.
 - b. Mayor Johnston and City Council should work together to fund an expansion of the STAR program’s budget in 2025.
- *Some progress. STAR vans received Mobile Data Terminals in 2024, and the City is providing some additional funding for STAR in 2025. The STAR program still lacks a strategic roadmap.*

2023.14: Per the Board’s November 2024 letter to City leaders, the City should create an ongoing, transparent process for demonstrating to the public their compliance with any policy or practice related to settlement terms involving law enforcement conduct.

- *Substantial progress. The COB was able to review all settlements related to public safety departments from the past seven years, and EDOS Saldade has begun publishing copies of settlements with non-monetary terms online. A formal policy requiring the DOS to continue publishing future settlements is near completion.*

Appendix A: Overview of Denver’s Law Enforcement Discipline System

The DOS is headed by the Executive Director of Public Safety (EDOS) and staffed with civilians. The EDOS is a Mayoral appointee and is responsible for, among other things, managerial oversight of the Denver Police Department (DPD), Denver Sheriff Department (DSD), Denver Fire Department (DFD), 911 Emergency Communications Division, and a variety of safety programs. The Mayor also appoints the heads of the DPD, DSD, and DFD.

Public safety employees are split into two separate personnel systems. DSD deputies and most civilian employees are part of the career service system, and police officers and firefighters are part of the civil service system. Although these two systems have significant differences, the work of the COB and OIM is primarily focused on employees who are authorized to carry badges and guns, and for the purposes of this report are collectively described as “uniformed personnel.” The City employs a total of approximately 2,200 uniformed personnel, consisting of roughly 1550 police officers, 640 sheriff deputies, and 11 fire investigators. These uniformed personnel are subject to a more complex disciplinary process than other employees, as will be described below.

Any member of the public can file a complaint against any uniformed personnel that they believe has acted improperly. Complaints can be filed anonymously and can be made by anyone, including witnesses or those who heard about an incident from someone else. The complainant does not need to know the names or badge numbers of the individual(s) who are the subject(s) of the complaint, nor do they need to cite the specific policies they believe were violated.

Complaints against uniformed personnel can be submitted to the COB, the OIM, or directly to the applicable department’s internal investigative office. The easiest way to file a complaint or commendation related to the DPD or DSD is through the OIM’s online form.⁴² The DFD hosts its own online form for complaints or commendations related to its personnel.⁴³

Historically, the police, sheriff, and fire departments all had their own offices that were responsible for investigating allegations of misconduct concerning uniformed personnel and recommending appropriate discipline. This is still the case for the DPD and DFD. However, the DSD’s internal affairs function was replaced in 2019 by a Public Integrity Division (PID) staffed by civilians and housed within the DOS.

Each of the police, sheriff, and fire departments splits the internal affairs function into two separate teams. The first team is composed of investigators who are responsible for gathering evidence and conducting interviews. In the DPD and DFD, the team of investigators is grouped under the label of the Internal Affairs Bureau (IAB). In the PID, they are called the Administrative Investigations Unit (AIU). The second team is responsible for evaluating all the available evidence and making judgment calls related to whether a policy was violated and if so, how severe the violation was. This function is called “Conduct Review” and the corresponding teams in the DPD, DFD, and PID are called the Conduct Review Bureau (sometimes Office), Board, and Unit, respectively.

Once a complaint is submitted, it must go through several stages before any discipline can be imposed:

⁴² [OIM’s online form.](#)

⁴³ [DFD’s online form.](#)

1. **Triage:** This stage is managed by the investigations team and consists of an initial review to determine whether the complaint can be closed quickly without conducting a formal investigation. Complaints may be closed at this stage (commonly referred to as a “decline”) for a variety of reasons, including duplicate complaints, complaints against policies rather than individuals, and complaints against civilian employees or employees of other jurisdictions. In these instances, investigators complete a preliminary investigation and gather evidence that is readily available, typically including incident reports, body worn camera or security footage from DOS facilities, and sometimes an interview with the complainant. If the footage clearly demonstrates that the alleged actions did not occur or did not violate policy, the complaint can be declined. If, after the preliminary review, the conduct in question is determined to be at worst a very minor violation or consist of poor performance rather than a policy violation, the complaint may be handled as an “informal,” and sent to a supervisor to debrief with the subject without a formal investigation or any official findings being made. If the issue is primarily related to poor communication or a misunderstanding, the case may also be handled through mediation. All involved parties (complainant, subject, OIM, and Internal Affairs) must agree to mediation for it to occur.
2. **Formal Investigation:** This stage is also managed by the investigations team and consists of investigators taking a more active role in finding evidence. While a preliminary investigation focuses on evidence that already exists and is readily available, during a formal investigation, investigators are expected to interview everyone involved and search for evidence that may be held by third parties like medical records or security camera footage from nearby businesses. If necessary, investigators may also interview subject matter experts. The OIM typically reviews the investigation file once it is completed and can make recommendations for additional work. For certain cases, the OIM may choose to “actively monitor” the investigation and review each step being taken, including being present for interviews. When the OIM actively monitors an investigation, they can make recommendations at any time. If the investigators decline to implement the OIM’s recommendations, the OIM can either escalate the issue to departmental leadership/the EDOS, defer to the investigators and allow the process to proceed, or conduct a supplemental investigation of their own.
3. **Conduct Review:** Once all available evidence has been gathered, it is presented to the appropriate conduct review team. This team reviews the evidence and is responsible for making initial findings about whether or not there is sufficient evidence to believe it is “more likely than not” that a policy violation occurred. If the conduct review team recommends sustaining a policy violation, they must then determine the appropriate severity level or “conduct category” and whether or not there were significant mitigating or aggravating circumstances. The OIM is able to review the conduct review team’s initial recommendations and make recommendations of their own if they disagree.
4. **Leadership Decision:** The recommendations from the conduct review teams and the OIM, if applicable, are presented to departmental leadership. If departmental leadership wants to move forward with any discipline more severe than a reprimand, they must hold a “Contemplation of Discipline Hearing” at which all involved parties are present and able to correct the record if

necessary.⁴⁴ If departmental leadership still wishes to move forward with discipline greater than a reprimand following the Contemplation of Discipline Hearing, they must submit a written disciplinary request to the EDOS, who has the final say and can approve, modify, or decline the requested discipline.

5. **Appeals:** Uniformed personnel are able to appeal their discipline to the overseers of their respective personnel system. Deputies may appeal to the Career Service Board, and police officers and firefighters may appeal to the Civil Service Commission. Both personnel systems assign a hearing officer to hold a hearing and make an initial decision, although those decisions can be further appealed to the full Board or Commission by either the EDOS or the subject personnel. Cases can also be appealed through the court system if a party believes applicable law was not followed.

This process is intended to ensure that complaints will be handled properly, that any resulting investigation will be thorough, and that public safety leaders will hear an external perspective before they make any disciplinary decisions. The OIM is tasked with reporting on overall trends in complaints and discipline, which can inform policy recommendations.

The Board is not directly involved in each step of the investigatory and disciplinary process like the OIM but is able to review confidential records and provide recommendations for both specific cases and general policies as it sees fit. The Board is also tasked with independently evaluating the effectiveness of the OIM and the oversight process.

⁴⁴ The Sheriff is also able to issue formal notices of improvement.

Appendix B: DPD Closure Letter for Sustained Complaints

Below is a copy of a letter that the DPD sent in late 2024 to a community member whose complaint resulted in sustained policy violations. The highlighted portions denote standard language from the prior version of letters like this one before some changes were made to the form in late 2024.

[REDACTED]

Your complaint initiated on October 11, 2023, case number [REDACTED] was investigated by the Denver Police Department Internal Affairs Bureau and then forwarded to the Conduct Review Bureau of the Denver Police Department for final review and recommendations.

The standard of proof to determine that a violation of policy occurred requires a preponderance of evidence, which means that it is more likely than not to have occurred. To reach a finding, all available evidence is reviewed. Evidence can consist of statements from the complainant, civilian witnesses, subject and witness officers, as well as photographs, documents, and video, to include body worn camera video. This review considered all available evidence, and it was determined there was a preponderance of evidence to show a violation of Denver Police Department policy had occurred. Appropriate disciplinary action will be taken with respect to the involved officer in accordance with the Denver Police Department Discipline Handbook.

Thank you for bringing your concerns to our attention. It is through input from citizens such as yourself that we are better able to identify training and disciplinary needs of the Department. It is hoped that any future contacts with members of the Denver Police Department are more positive in nature.

You may request records related to your complaint at www.denvergov.org/policerecords. Please select the "Civil Liability" tab located in the middle of the page. Utilizing the Investigation Report option, please fill out as much information as possible, reference your case number (provided above) and pay the initial fee. Most cases contain numerous files which would increase the fee. The Review and Findings document addresses all evidence gathered in the case and is generally covered by the initial fee, dependent on the number of pages and any redaction required by statute. It is recommended to comment in the notes section, "I am requesting the Review and Findings".

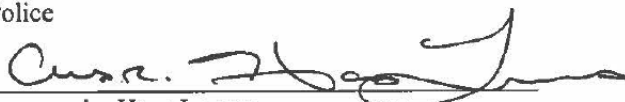
The Denver Police Department Operations Manual can be found at https://www.denvergov.org/content/dam/denvergov/Portals/720/documents/OperationsManual/OMSBook/OM_Book.pdf

The Denver Police Department Discipline Handbook can be found at <https://www.denvergov.org/content/dam/denvergov/Portals/720/documents/discipline-handbook/handbook-final.pdf>

Sincerely,

Ron E. Thomas
Chief of Police

By:


Commander Hans Levens
Conduct Review Bureau

Appendix C: Board Membership



Julia Richman, Chair, currently serves as the Senior Vice Chancellor for Operations and Strategy Implementation at the University of Denver, where she aligns DU's leadership model with proven best practices to support the institution's strategic vision. Julia has experience overseeing large institutions as they optimize operations. She was named Outstanding Woman in Business by the Denver Business Journal in 2022, was a Colorado Governors fellow and graduate of Leadership Denver. Previously, Julia served as Deputy Executive Director of the Colorado Governor's Office of Information Technology, Chief Innovation and

Technology Officer for the City of Boulder and a Senior Manager with Deloitte Consulting. Richman was born and raised in Colorado's metro area. She received her MPP from the University of Chicago and AB from Dartmouth College.

Tymesha Watkins is a native of Denver and an accredited software engineer and activist. She is passionate about working with our youth and providing opportunities for them to explore STEM fields. She has served as the Engineer in the Classroom Lead. She is an advocate for racial equality and developing platforms that normalize diverse and inclusive environments. With that focus in mind, she led a strategic planning group to develop and maintain diversity-centric hiring pipelines at her previous organization. She is a current commissioner on Denver African American Commission. She holds a Master of Science Cyber Technologies from University of Maryland University College and a Bachelor of Science in Aviation Management Technologies from Metropolitan State University of Denver.



Karen Collier is a proud native of Colorado. She attended both public and parochial elementary, junior high, and high schools throughout the Denver Metropolitan area. Karen obtained an Associates Degree from Mile Hi Court Reporting College and retired from a 32-year career as a Court Stenographer for the Second Judicial District of the Denver District Court in 2009. Since her retirement, she has committed to achieving social justice, having worked on the board and grant-making committee of the Chinook Fund, a philanthropic organization seeding community-led, systemic change by mobilizing resources for grassroots social justice

groups across Colorado; co-founder and board chair of Out4Life Colorado, delivering HIV prevention services to the African-American communities in the Denver Metro Area; past board president for The Center for Trauma and Resilience; The Center; volunteering with Rainbow Alley, its LGBTQ+ youth outreach program; and One Colorado, as co-chair for the People of Color Caucus. In addition to the appointment to the Citizen Oversight Board, she serves as a co-chair of Park Hill Congregational Church UCC's partnership with the Women's Homelessness Initiative; a program of the Capital Hill United Ministries, providing daily lunches to women who access services at the St. Francis Center.

Rufina Hernández retired from her position as the Associate Director of the Office of Equal Opportunity at the University of Denver (DU) in 2021, having previously served as the Executive Director of the Colorado Civil Rights Division. A graduate of the Georgetown University Law Center, Hernández has a long career of civil rights advocacy. She honed her skills as a trial attorney with the Legal Aid Society of Metropolitan Denver and has litigated class action lawsuits involving consumer protection and represented domestic violence assault victims in civil court. In 1989 she was appointed as the Assistant Dean of Students at University of Denver Law School. Subsequently she went on to be selected as the Executive Director of the State Bar of New Mexico, becoming the first Latina in the nation to lead a state bar organization. Her career also encompassed work as the executive director of the Latin American Research and Service Agency (LARASA), the director of the National Education Association's Human and Civil Rights department, and director of the Campaign for High School Equity in Washington DC. Her most recent volunteer activities include a three-year term on the Civil Service Commission for the City and County of Denver and serving as a board member for Disability Law United, a disability rights legal advocacy organization.



Larry Martinez is a proud native-born Coloradan, raised in the inner city of Denver. He has been an active community member all his life. As a youth Larry performed anti-drug theater with the West Side Drug-Free Youth Team and worked with several community groups on cultural awareness and professional development. Larry has worked with Denver Inner City Parish (a secular human services organization, known as DICI) for 20 years. During that time, he directed youth out-of-school time programs, food pantries, senior-citizens' programs, community dinners, gift distributions, and sober living facilities. Larry is currently Executive Director of DICI and a former director of DICI at College View, a Denver Parks and Rec center operated by DICI for 9 years. Larry also serves on the board of NEWSED CDC. He is married and a proud father of four wonderful children.

David Martinez is a first-generation college graduate. He attended Colorado State University where he majored in Political Science. He is a proud Chicano organizer who grew up in the Westside of Denver. David has participated in, and has been critical of, our legal and political institutions in meeting the material and spiritual needs of communities. Currently, David is a research and program manager at Ednium: The Alumni Collective. Ednium's mission is to mobilize public school alumni as a powerful force to change the way cities educate and reinvest in its homegrown talent. During his organizing work, David has helped organize brown and black folks who maneuver our differing institutions in their path for liberation in genuine manners. He helped organize and facilitate the first Colorado Latino Political forum for U.S Congressional District 8. He also worked with the UCLA Latino Public Policy Institute to create a Latino lens for Proposition FF (Healthy School Meals For All).





Alfredo Reyes is the proud son of Mexican immigrants and a proud Denverite born-and-raised on the Westside. Alfredo is currently the Executive Director of the Latino Cultural Arts Center (LCAC), a project he helped conceptualize that integrates social impact with economic empowerment to the benefit of artists, educators, youth, and families. He also served as the Co-Chair of the Commission of Cultural Affairs at Denver Arts and Venues. His expertise spans fundraising, pedagogy, politics, real estate activation, youth development and community-building, among others. He is a graduate of Denver Public Schools and the recipient of the prestigious Gates Millennium Scholarship, which funded 10 years of undergraduate and graduate studies. Alfredo earned a B.A. from The Colorado College in Political Science and Spanish. He received a professional certificate in Mediation at the University of Denver before achieving an M.A. in Educational Foundations, Policy and Practice from CU Boulder, School of Education, and then spending three years in a doctoral program at UC Santa Cruz in Education Research. With his free time, Alfredo loves to ride his Bianchi road bike, travel (to over 15 countries so far!), cook, create art, and spend time with his loved ones.

Stefan Stein is the Mountain West Chairman and Colorado Partner in Charge of the law firm Taft Stettinius & Hollister. He represents clients in complex litigation, internal investigations, and government investigations and enforcement matters. Stefan previously served as Deputy General Counsel and Chief Ethics & Compliance Officer of Qwest Communications. He also served as a federal prosecutor in Los Angeles for seven years where he was the Deputy Chief of the Public Corruption & Government Fraud unit. Stefan has been actively involved in community service throughout his legal career. Stefan formerly served as a Board member and Vice Chair of the Colorado Nonprofit Development Center which is a fiscal sponsor for over 60 charitable organizations in Colorado. In addition, Stefan previously served as a Board member and Chair of the Governance Committee of the Jewish Community Center of Denver. He was also a longtime Board member as well as the Interim CEO of Urban Peak, which provides a convergence of services to homeless youth and youth at risk of becoming homeless. Stefan holds a Bachelor's degree in Economics from Stanford University and a law degree from the University of Michigan.



Staff



Daniel Van Schooten was hired as the Board's administrator in 2021. In that capacity, he manages administration, logistics, and finances on the Board's behalf, including the training of new members. He also serves as the Board's primary liaison with both the city and community. Previously, he worked for the Project On Government Oversight, a nonpartisan, nonprofit federal government watchdog group. His responsibilities there included investigating federal whistleblower allegations and coordinating a training program for congressional staff. He holds Bachelor's degrees in Economics and International Relations from Wheaton College.

Appendix D: Contact Information

The Board looks forward to working with both the community and the Department of Public Safety over the next year. Members of the public are always welcome to join the Board's twice-monthly meetings and various special events or provide their thoughts to the Board through one of the options below. The Board's 2025 meeting schedule is available on our website, as are copies of recent reports, meeting minutes, and meeting recordings. Older records are available upon request.

The Board regularly shares updates via the following channels:

- Website: www.denvergov.org/COB
- Facebook: <https://www.facebook.com/DenverCOB/>
- Twitter: https://twitter.com/denver_cob
- YouTube: https://www.youtube.com/@Denver_COB
- Email List: <https://eepurl.com/dnUb9D>
- Linktree: <https://linktr.ee/DenverCOB>



Connect with the Board

<https://linktr.ee/DenverCOB>

You can contact the Board in any of the following ways:

- Email: COB@DenverGov.org
- Leave a voicemail at: (720) 913-3150
- Social Media (listed above)
- Mailing Address:
Citizen Oversight Board
c/o Office of the Independent Monitor
201 W. Colfax Ave., 9th Floor
Denver, CO 80202