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2 **BY AUTHORITY**

3 ORDINANCE NO.
4 SERIES OF 2018

COUNCIL BILL NO.18-0694
COMMITTEE OF REFERENCE:
Charter Review Committee

6
7 **A BILL**

8
9 For an ordinance submitting to a vote of the qualified and registered electors of the City
10 and County of Denver at a special municipal election to be held in conjunction with the
11 state general election on November 6, 2018, a proposed amendment to the Charter of
12 the City and County of Denver concerning the qualifications for lateral hires to the
13 Denver Police Department

14
15 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

16
17 **Section 1.** There is hereby submitted to the properly qualified and registered electors of the
18 City and County of Denver for their approval or rejection at a special municipal election to be
19 conducted at the same time and in conjunction with the state general election to be held in the City
20 and County of Denver on November 6, 2018, a proposed amendment to the Charter of the City and
21 County of Denver, as follows:

22
23 **Effective upon publication and filing with the Secretary of State pursuant to the**
24 **Constitution and laws of the State of Colorado, the following sections of Article IV of**
25 **the 2002 Charter of the City and County of Denver shall be and are hereby amended to**
26 **read as follows:**

27
28 **Amend Part 3 of Article IX by deleting the language stricken and adding the language**
29 **underlined to read as follows:**

30 **§ 9.3.11 – Eligible registers, for original appointment and promotional appointment;**
31 **requisition and certification.**

32 (E) *Original appointment.* The Commission shall establish rules to provide for the requisition
33 by the Manager of Safety, and the certification to the Manager of Safety, of applicants for
34 original appointment.

35 **(i) *Appointment of certified peace officer and firefighter with a minimum of three***

1 ~~**years patrol experience of firefighter with a minimum of three years full-time**~~
2 ~~**firefighting experience.**~~ An applicant to the Classified Service of the Denver Police
3 Department who is currently certified as a peace officer and who has a minimum of three
4 years of patrol experience as a law enforcement officer may receive original appointment in
5 the Police Department upon meeting all qualification and examination standards
6 established by the Commission and the Department of Safety, upon being certified to the
7 Manager of Safety, and upon receiving written approval of the Chief of the Police
8 Department and the Manager of Safety. An applicant to the Classified Service of the
9 Denver Fire Department who has a minimum of three years of full-time firefighting
10 experience may receive original appointment in the Fire Department upon meeting all
11 qualification and examination standards established by the Commission and the
12 Department of Safety, upon being certified to the Manager of Safety, and upon receiving
13 written approval of the Chief of the Fire Department and the Manager of Safety. (ii)
14 Appointment of an active Reserve Police Officer. An active Reserve Police Officer of the
15 Denver Police Department who has met all of the qualifications and requirements of the
16 Denver Police Department reserve officer training program and has been designated a
17 Reserve Officer may receive original appointment in the Police Department upon meeting
18 all qualification and examination standards established by the Commission and the
19 Department of Safety, upon being certified to the Manager of Safety, and upon receiving
20 written approval of the Chief of the Police Department and the Manager of Safety. An
21 applicant to the Classified Service of the Denver Police Department who is currently
22 certified as a Colorado peace officer or out-of-state equivalent, and has a minimum of 2
23 years' experience on the date of application (not including time employed as a
24 corrections/detention officer), excluding time served during prior police academy training,
25 may at the discretion of the Chief of Police or designee, start the Denver Police Academy at
26 the rate of pay for Police Officer 2nd grade. The recruit, after successful completion of the
27 Denver Police Academy, followed by continued employment as a Denver police officer for a
28 period of (9) months of service (following graduation), shall become a Police Officer 1st
29 grade at the start of the following pay period, regardless of the completion date in the 9th
30 month.

31
32 An applicant to the Classified Service of the Denver Police Department who is currently
33 certified as a Colorado peace officer or out-of-state equivalent and has a minimum of 4
34 years' experience on the date of application (not including time employed as a
35 corrections/detention officer), excluding time served in a prior police academy, may at the
36 discretion of the Chief of Police or designee, start the Denver Police Academy at the rate of
37 pay for Police Officer 1st grade.

38 The Chief of Police will evaluate applicants with prior law enforcement experience and
39 peace officer certification on a case-by-case basis in assessing and determining suitability
40 for hiring at an elevated pay grade.

41 An applicant to the Classified Service of the Denver Fire Department who has a minimum of
42 three years of full-time firefighting experience may receive original appointment in the Fire
43 Department upon meeting all qualification and examination standards established by the
44 Commission and the Department of Safety, upon being certified to the Manager of Safety,
45 and upon receiving written approval of the Chief of the Fire Department and the Manager of
46 Safety.

1 These appointments shall have no impact regarding required time served in the Denver Fire
2 or Police Departments for the purpose of seniority and promotional testing requirements of
3 the Civil Service Commission.

4 The standards set forth are separate from City Charter 9.5.5 (A)(B) and 9.6.6 (A)(B)(C)(D)
5 which addresses pay standards for those who do not qualify as a Lateral Firefighter or
6 Lateral Police Officer.

7
8 **Amend Part 6 of Article IX by deleting the language stricken to read as follows:**

9 **§ 9.6.6 – Police Officer Ranks and Grades.**

10 ~~(D) Applicants who are employed under the terms of Section 9.3.11(E)(i) shall be~~
11 ~~appointed to Police Officer Recruit until such time as that member has successfully~~
12 ~~completed the Police Academy and is certified as a peace officer by the State of Colorado~~
13 ~~at which time the Manager of Safety, at his or her discretion, may appoint the member as a~~
14 ~~Police Officer 4th Grade or may appoint the member based upon merit, experience, or~~
15 ~~record to:~~

16 ~~(i) The rank of Police Officer at 3rd grade, if that member has less than five years of prior~~
17 ~~experience;~~

18 ~~(ii) The rank of Police Officer at 2nd grade, if that member has more than five years of prior~~
19 ~~experience but less than eight years of prior experience; or~~

20 ~~(iii) The rank of Police Officer at 1st grade, if that member has eight or more years of prior~~
21 ~~experience.~~

22 ~~If the member serves as a Police Officer at 3rd grade or a Police Officer at 2nd grade, the~~
23 ~~member shall serve a full year at such grade before advancement to the next grade. The~~
24 ~~Police Officer retained or appointed to a grade as described herein shall have no right to~~
25 ~~seek review of that decision before the Civil Service Commission, Chief of the Police~~
26 ~~Department, or the Manager of Safety. Appointments made pursuant to this Section shall~~
27 ~~be considered original appointments and shall require completion of a full nine month~~
28 ~~probationary period after having successfully completed the Police Academy.~~

29 **Section 2.** The ballot for said election shall carry the following designation, which shall be
30 the title and submission clause:

31
32 **REFERRED QUESTION _____**

33
34 Shall the Charter of the City and County of Denver be amended to promote greater
35 flexibility in the hiring of lateral recruits for classified service in the Denver Police
36 Department?
37

38 **Section 3.** Each elector voting at the election and wishing to vote for or against the

1 amendment shall indicate the elector's choice by appropriately marking the ballot.

2 **Section 4.** The proper officials of the City and County of Denver as are charged with duties
3 relating to the election shall, before the election, issue such calls, make such certifications and
4 publications, give such notices, make such appointments, and do all such other acts and things in
5 connection with the submission of this Charter amendment to the registered electors of the City and
6 County of Denver at the election as are required by the Constitution and laws of the State of
7 Colorado and the Charter and ordinances of the City and County of Denver.

8 **Section 5.** The ballots cast at such election shall be canvassed and the results ascertained,
9 determined, and certified in accordance with the requirements of the Constitution and laws of the
10 State of Colorado and the Charter and ordinances of the City and County of Denver.

11 **Section 6.** If any section, paragraph, clause, or other portion of this ordinance is held to be
12 invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance shall
13 not be affected.

14
15 COMMITTEE APPROVAL DATE: June 27, 2018.

16 MAYOR-COUNCIL DATE: July 2, 2018 By Consent.

17 PASSED BY THE COUNCIL _____ 2018
18 _____ - PRESIDENT

19 APPROVED: _____ - MAYOR _____ 2018

20 ATTEST: _____ - CLERK AND RECORDER,
21 EX-OFFICIO CLERK OF THE
22 CITY AND COUNTY OF DENVER
23

24 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2018; _____ 2018

25
26 PREPARED BY: Kirsten J . Crawford, Assistant City Attorney; DATE: _____
27

28 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
29 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
30 ordinance. The proposed ordinance **is not** submitted to the City Council for approval pursuant to §
31 3.2.6 of the Charter.
32

33 Kristin Bronson, City Attorney

34 BY: Kirsten J Crawford, Assistant City Attorney

35 DATE: _____

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