

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. 25-1117
COMMITTEE OF REFERENCE:
Health and Safety Committee

5 A BILL

7 **For an ordinance amending Article XVIII of Chapter 2, concerning the disclosure**
8 **of non-monetary settlement terms to the Office of the Independent Monitor and**
9 **the Citizen Oversight Board.**
10

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

12 **Section 1.** That chapter 2, article XVIII of the Code shall be amended by adding the language
13 underlined, to read as follows:

14 **Sec. 2-390. - Monitor access to records and other items.**

15 (a) The department of safety, police department, sheriff department, and fire department
16 and all employees of those departments shall fully cooperate with the monitor's office by providing the
17 monitor's office, within a reasonable amount of time, complete access to department of safety, police
18 department, sheriff department, and fire department records, information, documents, files, reports,
19 evidence, databases, and all other items, whether in paper, electronic, or other form, that the monitor's
20 office requests in order to perform its duties set forth in the provisions of this Article XVIII, but not
21 including documents protected by the attorney-client privilege or the attorney work product privilege or
22 any document that must not be disclosed to the monitor's office pursuant to federal, state, or local law
23 or federal or state regulation.

24 (b) If, in response to a request from the monitor's office records, and/or information cannot
25 be produced at all or produced within a reasonable amount of time, a written explanation, sufficiently
26 detailed for an understanding of why the records and/or documents cannot be produced, shall be
27 promptly provided. The monitor's office shall not be required to pay the department of safety, police
28 department, sheriff department, or fire department for copies of the materials set forth in this section
29 2-390 including copies of documents previously supplied by the departments, provided that OIM may
30 not use those departments as a printing service to make multiple copies of individual documents.

31 (c) The department of safety, police department, and sheriff department shall provide the
32 monitor or his or her designee with an opportunity to participate in any committee or working groups
33 involving external stakeholders convened to draft or revise policies or practices concerning matters
34 within the purview of the monitor's office.

1 (d) The department of safety, police department, and sheriff department shall provide the
2 monitor or his or her designee with reasonable notice and an opportunity to make recommendations
3 before implementing an existing or adopting a new substantive policy or practice concerning matters
4 within the purview of the monitor's office. When a policy or practice necessitates an immediate
5 revision or implementation due to a change in the law, the monitor will be notified as soon as
6 practicable about the change.

7 (e) The city attorney's office shall, within thirty (30) days of final execution of a settlement
8 agreement resolving litigation, or approval of city council pursuant to section 20-1, whichever is later,
9 forward a copy of the full agreement to the monitor's office and the board, if the settlement agreement
10 resolves legal claims made in civil litigation alleging that any member of the classified service of the
11 police department, any sworn member of the sheriff department, or any member of the fire department
12 authorized to carry and use firearms on duty, was engaged in improper or unlawful conduct in the
13 exercise of their duties or while acting under color of law and includes settlement terms that require
14 the department of safety, police department, sheriff department or fire department to take affirmative
15 action including, but not limited to, training requirements, reporting requirements, policy changes, or
16 commitments to refrain from engaging in a specific action or activity.

17 (f) Nothing in this section shall be construed to apply to settlement agreements made to
18 resolve appeals of discipline or disqualification initiated by uniformed personnel.

19
20 COMMITTEE APPROVAL DATE: _____, 2025.
21 MAYOR-COUNCIL DATE: _____, 2025.
22 PASSED BY THE COUNCIL _____ 2025
23 _____ - PRESIDENT
24 APPROVED: _____ - MAYOR _____ 2025
25 ATTEST: _____ - CLERK AND RECORDER,
26 EX-OFFICIO CLERK OF THE
27 CITY AND COUNTY OF DENVER
28

29 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2025; _____ 2025

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31 PREPARED BY: Jonathan Griffin, Assistant City Attorney; DATE: August 4, 2025
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33 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
34 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
35 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
36 3.2.6 of the Charter.

1
2 Katie J. McLoughlin, Interim City Attorney
3
4 BY: _____, _____ City Attorney

DATE: _____

DRAFT