



**DENVER**

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INDEPENDENT MONITOR

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2016 Annual Report Presentation  
City Council Safety, Housing, Education &  
Homelessness Committee

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March 22, 2016

**Nicholas E. Mitchell**  
Independent Monitor



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## **KEY OIM RESPONSIBILITIES:**

- Conduct **outreach** to community and law enforcement;
- Make recommendations for improving **policy, practices, and training**;
- Monitor officer-involved **shooting and in-custody death** investigations;
- Monitor and make recommendations **on IAB investigations and disciplinary findings**; and
- Cultivate DPD officer/community member dialogue through **mediation**.



**CONDUCT OUTREACH TO COMMUNITY AND LAW  
ENFORCEMENT**



## **2016 OUTREACH ACHIEVEMENTS**

- Outreach Events
  - 150 presentations or events with groups in the community;
  - 79 law enforcement outreach events.
- Youth Outreach Program
  - Partnering with the DPD, local public schools and universities, and a number of community organizations.
  - 11 youth-officer forums held in 2016, reaching 359 youth and 42 DPD officers.
  - 177 officers trained in adolescent development and de-escalation strategies; 11 with train-the-trainer certification.



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## **2016 OUTREACH ACHIEVEMENTS**

- Voters Support Placing the OIM in City Charter
  - Denver’s residents have long history of supporting civilian oversight.
  - 72% of voters voted yes on Referred Question 2B.



**MAKE RECOMMENDATIONS FOR IMPROVING  
POLICY, PRACTICES, AND TRAINING**



## **IMPROVING POLICY AND PRACTICE:**

Oversight must be proactive, not just reactive to complaints.



“Citizen complaint investigations . . . should examine the causes of the inappropriate behavior with a focus on preventing its occurrence.”<sup>1</sup>

<sup>1</sup> POLICE PROFESSIONALISM INITIATIVE OF THE UNIVERSITY OF NEBRASKA AT OMAHA, INVESTIGATING CITIZEN COMPLAINTS IS DIFFERENT 11 (September 2004).



## **OIM PARTICIPATION IN THE DPD'S DEMOGRAPHIC DATA COLLECTION STEERING COMMITTEE**

- DPD effort will allow assessment of whether racial profiling exists
  - The OIM participates in the:
    - » Steering Committee devising recommended plan for demographic data collection
    - » Data Collection Subcommittee tasked with formulating plan and analyzing data, specifically:
      - Providing recommendations on contents of contact card;
      - Providing technical advice to Subcommittee; and
      - Monitoring implementation of data collection program and data analysis





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## **ONGOING PARTICIPATION IN REFORM OF THE DSD**

- DSD Reform Implementation Group formed in 2015
  - Use of Force (“UOF”) and Internal Affairs Action Group co-chaired by Independent Monitor and Former Manager of Safety Al LaCabe;
  - Developed new UOF Policy requiring de-escalation and revises system for reporting UOFs;
  - Recommended changes to Discipline Handbook include:
    - » Revisions to conduct categories for added clarity
    - » Updates to range of discipline for inappropriate force and failure to report UOF.



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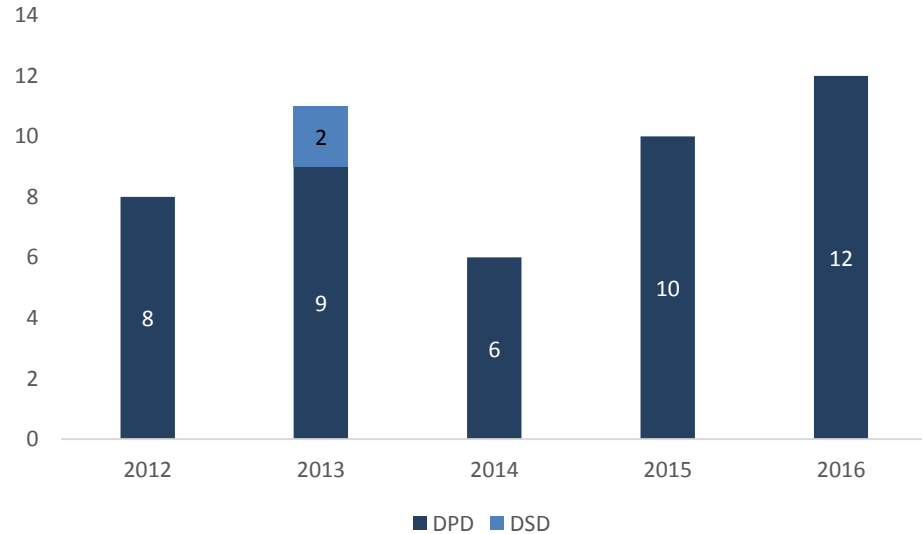
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**MONITOR OFFICER-INVOLVED SHOOTING AND IN-  
CUSTODY DEATH INVESTIGATIONS**



## 2016 OFFICER-INVOLVED SHOOTINGS

- Twelve officer-involved shootings
  - Increase from 2015





## **2016 IN-CUSTODY DEATHS**

- Four in-custody deaths
  - DPD (1):
    - One death caused by complications from intoxication
  - DSD (3):
    - One suicide by hanging (County Jail)
    - One death resulting from medical conditions (DHMF)
    - One suicide from self-inflicted gunshot while on work release



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**MONITOR AND MAKE RECOMMENDATIONS ON IAB  
AND DISCIPLINARY INVESTIGATIONS**



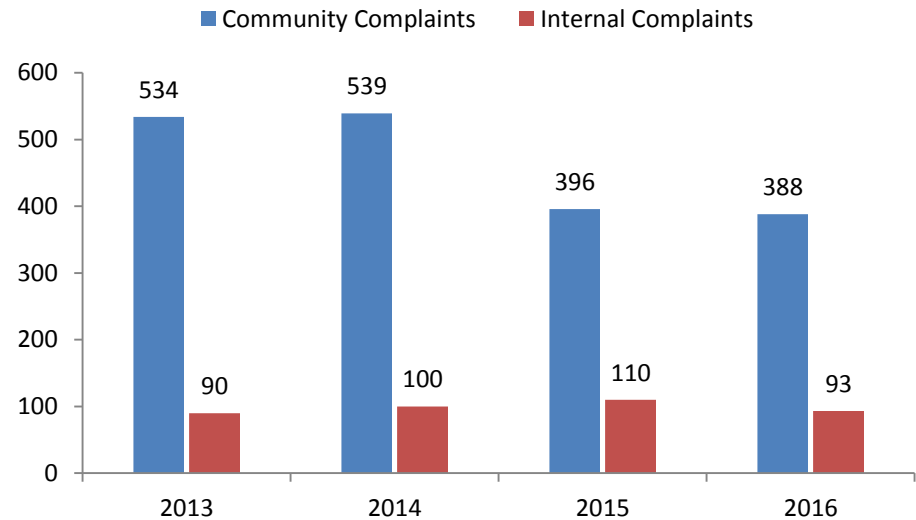
## **INTERNAL AFFAIRS/DISCIPLINARY OVERSIGHT**

- The OIM reviews IAB investigations in an attempt to ensure that they are thorough, complete, and fair to both community members and officers/deputies;
- Makes recommendations on findings and discipline.



## COMPLAINTS AGAINST DPD OFFICERS

- 388 community complaints in 2016
  - 2% decrease from 2015;
  - Responsibilities to serve public (28%);
  - Duty to Obey Departmental Rules and Mayoral Executive Orders (21%);
  - Discourtesy (17%);





## **DPD: DISCIPLINE AND COMMENDATIONS**

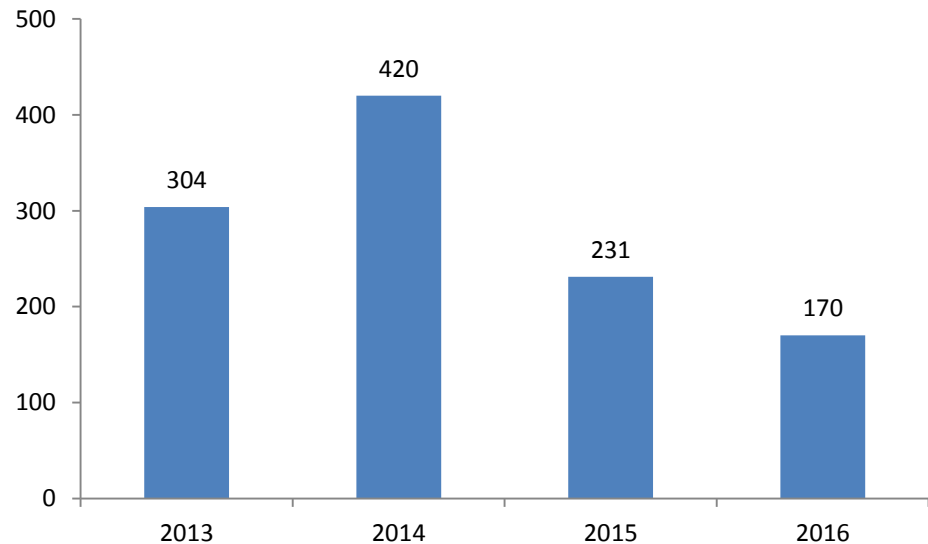
- Discipline
  - 2 officers terminated;
  - 11 officers resigned pending investigation/discipline;
  - 19 officers suspended.
- Commendations
  - 412 awarded to officers.





## COMPLAINTS AGAINST DSD DEPUTIES

- 170 complaints recorded
  - 26% decrease from 2015;
  - Inappropriate Force (12%);
  - Disobedience of Rule (9%).





## **OIM INITIATES REVIEW OF DSD GRIEVANCE AND COMPLAINT HANDLING**

- The OIM previously reported on issues associated with intake of inmate complaints by the DSD;
- A large number of complaints marked as requiring investigation not entered into IAB's database (2015 Semiannual Report);
- The OIM met with the EDOS and IAB personnel to request copies of complaints;
- The OIM requested complaints and additional documents in 2016 to facilitate review of grievance and complaint handling.



## **DSD DISCIPLINE AND COMMENDATIONS**

- Discipline
  - 6 deputies terminated
    - 2 on probationary status;
  - 4 deputies resigned pending investigation/discipline;
  - 33 deputies suspended.
- Commendations
  - Commendation data were not available for this report.

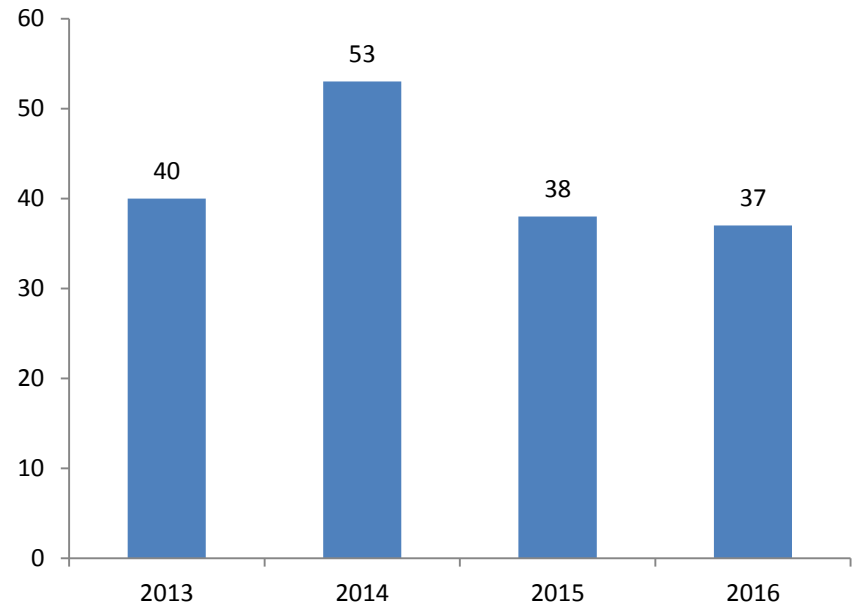


**CULTIVATE DPD OFFICER/COMMUNITY MEMBER  
DIALOGUE THROUGH MEDIATION**



## OIM/DPD MEDIATION PROCESS

- 37 mediations completed in 2016
- Satisfaction Rates
  - 82% of community members satisfied with mediation process;
  - 83% of officers satisfied with mediation process.





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# QUESTIONS?

## CONTACT INFORMATION:

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