



**OIM Ordinance  
Updates Since Our Last SAFETY Meeting on (1/16/19)  
January 30, 2019**



# 1. Changes to the Citizen Oversight Board Appointment Process

- A nominating committee will be formed.
- The committee will be comprised of (1) appointment from the Mayor, (1) appointment from Council, and (1) joint appointment. It will be responsible for vetting and recommending new members for appointment.
- The committee must consider COB input on skills/representation gaps, share advertisements for openings with the COB



# 8. Policy Input

## **BACKGROUND**

- OIM is not consistently engaged in policy revision up front, inefficient, and creates community tensions.

## **PROPOSED REVISION**

- Departments to provide opportunity to participate in any working groups involving stakeholders convened to give input on policies related to monitor's purview
- Departments to provide reasonable notice and opportunity to make recommendations before implementing a new/changed policy related to monitor's purview



# Other Changes/Clarifications

- More detail on filling new seats and future openings (alternating Council/Mayor until final seat changes – final will be joint)
- Wording change on commenting prior to agreements involving discipline “receive notice and opportunity to comment”
- Corrected some inconsistencies in timelines for department to report incidents to monitor, in titles of agencies/board



# Remaining Proposals



## 2. Internal Investigation Monitoring

### **BACKGROUND**

- No requirement for prompt notice of investigations.
- Confusion based on who is leading an investigation into wrongdoing.
- Inconsistency of oversight between rank and file and top leadership.

### **PROPOSED REVISION**

- Require prompt notification to the OIM of incidents requiring monitoring and associated interviews.
- Provide notice of criminal charges against covered personnel.
- Ensure monitoring powers are consistent regardless of which department investigates.
- Clarify that the Chief and Sheriff are subject to the same oversight as all other officers/deputies.



# 3. Reports

## **BACKGROUND**

- Not explicit that monitor has “authority” to issue reports beyond those required in the ordinance.

## **PROPOSED REVISION**

- Clarify OIM’s authority to publish reports on relevant topics.



# 4. Agency Response to Recommendations

## **BACKGROUND**

- No requirement that agencies respond to OIM recommendations.

## **PROPOSED REVISION**

- Require agencies to respond in writing to recommendations from the OIM, when requested.





# 5. Transparency

## **BACKGROUND**

- Ordinance language on disclosure / confidentiality not tightly enough aligned with the laws that govern.

## **PROPOSED REVISION**

- Ensure any limit on release of material is consistent with state law (CORA, Criminal Justice, Deliberative Process, etc.).



# 6. Monitoring of Disciplinary Process

## **BACKGROUND**

- No policies on what notice should look like.
- Some discipline changed, dismissed without monitor input.

## **PROPOSED REVISION**

- Require clearer procedures for cooperation with OIM monitoring of investigations.
- Ensure monitor has opportunity to comment prior to closure of any disciplinary matter.



# 7. Protection from Retaliation

## **BACKGROUND**

- Ordinance does not prohibit retaliation.

## **PROPOSED REVISION**

- Prohibit retaliation for reporting to/cooperating with OIM.



# Tentative Schedule

If approved today, Mayor Council: **Tuesday, February 5**

First Reading: **Monday, February 11**

Second, Final Reading: **Tuesday, February 19** (due to President's Day holiday on Monday)





Questions?



# Appendix



# Introduction

- Denver independent, civilian oversight of the Police and Sheriff since 2005. Only minor changes since.
- Strong public support for office – 72% in 2016 charter vote.
- Changes ensure system meets community expectations, fosters public trust in public safety agencies.



# Background on COB

The Citizen Oversight Board (COB):

- Evaluates the OIM.
- Makes policy-level recommendations regarding discipline and use of force.
- Communicates regularly with the community and safety agencies.

Much of the input forming the basis of these recommendations came from the COB/other engaged community members and organizations.

