

Ensuring Transparency in Public Safety Settlement Agreements

Non-monetary Settlement Compliance and Office of the Independent Monitor Legislation

Councilmember Jamie Torres & Councilmember Stacie Gilmore

August 6, 2025

Health and Safety Committee

Agenda

Background & Problem

COB Recommendations & Ordinance Goals

Ordinance Summary

Supporting Case Examples

What This Means for Denver

Next Steps

“To ensure lasting transparency and community trust, the Citizen Oversight Board recommends the disclosure of non-monetary settlement obligations be established in a formal policy and potentially in an ordinance.”

— *Julia Richman, Chair*
Denver Citizen Oversight Board
September 9, 2024

Background & Problem

Citizen Oversight Board (COB) letters (Nov 2023, Sept 2024) raised concerns.

\$17.3M in legal settlements since 2022; many lacked transparency on non-monetary terms.

COB reviewed 150+ settlement agreements (2017–Q1 2024).

Only four included non-monetary terms—but compliance and disclosure were inconsistent.

- No requirement for public disclosure of non-monetary terms.
- No independent verification of compliance.
- Public dashboard created voluntarily by DOS—but not codified or subject to oversight.

COB Recommendations & Ordinance Goals

- Establish formal policy—or ordinance—requiring disclosure of non-monetary settlement terms.
- Require City Attorney or Clerk & Recorder to provide settlement agreements to COB & OIM for oversight.
- Codify and require disclosure of non-monetary settlement obligations.
- Ensure oversight and accountability through independent review.
- Align policy with COB's transparency mission.

Ordinance Summary

Amends Chapter 2, Article XVIII:

Sec. 2-390: Access to Records by OIM

Requires full cooperation from DOS, DPD, DSD, and DFD.

Mandates written explanations for delays or denials.

Allows OIM participation in policy development.

Requires proactive notice of policy/practice changes.

New Disclosure Requirements

Within 30 days of final settlement or Council approval:

- City Attorney must forward full agreement to OIM & COB
- Applies to:
 - Allegations of improper conduct by public safety personnel
 - Agreements that require affirmative departmental action

Exclusions

- Does NOT apply to settlements of discipline/disqualification appeals initiated by uniformed personnel.

Supporting Case Examples

Michael Marshall (2018) \$4.65M + non-monetary terms (mental health reforms, reporting)

City failed to consistently report and preserve compliance documents

Jamal Hunter (2014)

\$3.25M + independent investigations

No final report delivered on CAO investigation despite engagement

Emily Rice (2008)

\$3M + "Emily's Protocols" (training and medical care changes)

Training video diminished incident's seriousness; compliance questionable

What This Means for Denver

Strengthens oversight of public safety settlements

Enhances public trust through transparency

Prevents neglect of systemic reform obligations

Protects institutional memory and accountability

“Improving oversight of settlement agreements will meaningfully contribute to both better operational outcomes and a greater degree of community trust in City government and the Department of Public Safety.”

*—Julia Richman, Chair
Denver Citizen Oversight Board
November 24, 2023*

Next Steps

Health & Safety Committee: August 6th, 2025

Mayor-Council: August 12th, 2025

City Council 1st Reading: August 18th, 2025

City Council 2nd Reading: August 25th, 2025



Questions?