

Updating and Reinforcing Independent Oversight of Public Safety in Denver

January 16, 2019

Since 2004, Denver has had independent, civilian oversight of the Police and Sheriff Departments. An Office of Independent Monitor (OIM) monitors internal investigations, provides input on discipline, and recommends policies and procedures. A Citizen Oversight Board (COB) evaluates the OIM, makes policy-level recommendations regarding discipline and use of force, and communicates regularly with the community and safety agencies. The COB collected community input over several years on areas of the ordinance where there has been confusion, disagreement on interpretation, and areas that have fallen behind best practices elsewhere. Councilpersons Kashmann, Kniech, and López worked with Legislative Counsel to vet community ideas to improve the ordinance and have proposed changes summarized below.

- 1 Citizen Oversight Board (COB):** Add two members to the COB for more diverse representation, divide appointments between the Mayor (4), City Council (4), and one joint appointment, and clarify removal process and standards.
- 2 Internal Investigation Monitoring:**
 - (A)** 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.
 - (B)** Clarify that the Chief and Sheriff are subject to the same oversight as all other officers/deputies.
- 3 Reports:** Clarify OIM's authority to publish reports on relevant topics.
- 4 Agency Response to Recommendations:** Require agencies to respond in writing to recommendations from the OIM, when requested.
- 5 Transparency:** Ensure any limit on release of material is consistent with state law.
- 6 Monitoring of the Disciplinary Process:** Require clearer procedures for cooperation with OIM investigations, and ensure monitor has opportunity to comment prior to closure of any disciplinary matter.
- 7 Retaliation:** Prohibit retaliation for reporting to/cooperating with OIM.
- 8 Policy Input:** [Discussion on-going on how to approach a more efficient and consistent way for OIM to share input on policy changes].