

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2021

COUNCIL BILL NO. 21-0882

COMMITTEE OF REFERENCE:

4 Safety, Housing, Education, and Homelessness

5
6 A BILL

7 **For an ordinance amending the process for screening candidates to fill future**
8 **vacancies in the director of the office of the independent monitor in connection**
9 **with revisions to the charter structure of the monitor if approved by electors at**
10 **a special municipal election to be held in conjunction with the coordinated**
11 **election of November 2, 2021.**
12

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

14 **Section 1.** That section 2-372, D.R.M.C. shall be amended by deleting the language stricken
15 and adding the language underlined, to read as follows:

16 **Sec. 2-3721. Appointment, qualification, and removal of monitor and staff**
17 **Screening committee for recommendations of appointment to monitor position.**

18 (a) ~~The mayor shall direct the recruitment for the monitor's position with the assistance of~~
19 ~~the Office of Human Resources or other entity designated by the mayor.~~

20 (b) ~~Prior to the appointment of any person to the position of monitor, the mayor shall~~
21 ~~appoint a screening committee to interview and evaluate candidates for the position. The citizen's~~
22 ~~oversight board shall identify a screening committee within 60 days of any vacancy in the director~~
23 ~~of the office of the independent monitor. For vacancies arising after January 1, 2022, The~~
24 ~~screening committee shall consist of the following ~~five (5)~~ seven (7) persons:~~

25 (1) The chairperson of the board, who shall be the chairperson of the screening
26 committee;

27 (2) A member of city council as selected by the city council president;

28 ~~(3) A current or retired judge as selected by the mayor;~~

29 ~~(4) The Office of Human Resources Executive Director; and~~

30 ~~(5) A person with extensive knowledge of internal police investigations or the monitoring~~
31 ~~of internal police investigations but who has never been employed by the Denver police, sheriff, or~~
32 ~~fire departments as selected by the mayor.~~

33 (3) A representative appointed by the mayor;

34 (4) A current or retired judge as selected by the citizen's oversight board;

35 (5) The Office of Human Resources Executive Director;

1 (6) A person with extensive knowledge of internal police investigations or the monitoring
2 of internal police investigations but who has never been employed by the Denver police, sheriff, or
3 fire departments as selected by the citizen's oversight board; and

4 (7) A community representative who was personally, previously justice-involved, as
5 selected by the citizen's oversight board.

6 ~~(eb) The screening committee shall forward to the mayor~~ citizen oversight board the
7 names of up to three (3) candidates, who will then participate in a community process. Whose
8 ~~names shall be available to the public.~~

9 ~~(dc) Within 30 days of the completion of the community process, the mayor~~ citizen
10 oversight board shall nominate for appointment the monitor from the list of names submitted by the
11 screening committee, unless the ~~mayor~~ citizen oversight board decides not to ~~appoint~~ nominate any
12 of those candidates, in which case the ~~mayor~~ citizen oversight board shall request the screening
13 committee to provide additional names, who will then be vetted through a community process until
14 a proposed nominee is selected for appointment. The citizen's oversight board by affirmative vote
15 of a majority of all the authorized membership shall nominate a candidate for appointment to the
16 director of the office of independent monitor. Such appointment shall be subject to the consent of
17 council acting by resolution.

18 ~~(d) The appointment of the monitor by the mayor shall not be effective unless and until~~
19 ~~confirmed by the city council acting by ordinance.~~

20 ~~(f) The monitor shall serve at the pleasure of the mayor. Prior to any removal of the~~
21 ~~monitor by the mayor, the mayor shall consult with the city council and the board regarding his or~~
22 ~~her intention to remove the monitor.~~

23 ~~(g) The staff of the monitor's office shall be hired by the monitor and shall serve at the~~
24 ~~pleasure of the monitor.~~

25 ~~(hd) Neither the monitor nor any employees of the monitor's office shall have formerly~~
26 ~~been employees of the Denver police, sheriff, or fire departments.~~

27
28 **Section 2.** That sections 2-371 and 2-377 are hereby repealed and that Article XIII be
29 renumbered accordingly.

30 **Section 3.** If any section, paragraph, clause or other portion of this ordinance is held to be
31 invalid or unenforceable for any reason, the validity of the remaining portion of this ordinance shall
32 not be affected.

33 **Section 4.** This ordinance shall only be effective after certification of passage by electors
34 of a referred question revising charter section 2.6.7 at a special municipal election to be held in

1 conjunction with the coordinated election of November 2, 2021, and upon publication and filing of
2 such results with the Secretary of State.

3
4 COMMITTEE APPROVAL DATE: August 4, 2021

5 MAYOR-COUNCIL DATE: N/A

6 PASSED BY THE COUNCIL _____ August 16, 2021

7 *Steve Filmore* _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER
12

13 NOTICE PUBLISHED IN THE DAILY JOURNAL _____; _____

14
15 PREPARED BY: Kirsten Crawford, Assistant City Attorney DATE: August 5, 2021

16
17 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
18 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
19 ordinance. The proposed ordinance **is not** submitted to the City Council for approval pursuant to §
20 3.2.6 of the Charter.
21

22 Kristin M. Bronson, Denver City Attorney

23
24 BY: *Jonathan Griffin*, Assistant City Attorney DATE: Aug 5, 2021