

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. 25-1117
COMMITTEE OF REFERENCE:
Health and Safety

5 A BILL

7 **For an ordinance amending Article XVIII of Chapter 2, concerning the disclosure**
8 **of non-monetary settlement terms to the Office of the Independent Monitor and**
9 **the Citizen Oversight Board.**
10

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

12 **Section 1.** That chapter 2, article XVIII of the Code shall be amended by adding the language
13 underlined, to read as follows:

14 **Sec. 2-390. - Monitor access to records and other items.**

15 (a) The department of safety, police department, sheriff department, and fire department
16 and all employees of those departments shall fully cooperate with the monitor's office by providing
17 the monitor's office, within a reasonable amount of time, complete access to department of safety,
18 police department, sheriff department, and fire department records, information, documents, files,
19 reports, evidence, databases, and all other items, whether in paper, electronic, or other form, that
20 the monitor's office requests in order to perform its duties set forth in the provisions of this Article
21 XVIII, but not including documents protected by the attorney-client privilege or the attorney work
22 product privilege or any document that must not be disclosed to the monitor's office pursuant to
23 federal, state, or local law or federal or state regulation.

24 (b) If, in response to a request from the monitor's office records, and/or information cannot
25 be produced at all or produced within a reasonable amount of time, a written explanation, sufficiently
26 detailed for an understanding of why the records and/or documents cannot be produced, shall be
27 promptly provided. The monitor's office shall not be required to pay the department of safety, police
28 department, sheriff department, or fire department for copies of the materials set forth in this section
29 2-390 including copies of documents previously supplied by the departments, provided that OIM may
30 not use those departments as a printing service to make multiple copies of individual documents.

31 (c) The department of safety, police department, and sheriff department shall provide the
32 monitor or his or her designee with an opportunity to participate in any committee or working groups
33 involving external stakeholders convened to draft or revise policies or practices concerning matters
34 within the purview of the monitor's office.

35 (d) The department of safety, police department, and sheriff department shall provide the

1 monitor or his or her designee with reasonable notice and an opportunity to make recommendations
2 before implementing an existing or adopting a new substantive policy or practice concerning matters
3 within the purview of the monitor's office. When a policy or practice necessitates an immediate
4 revision or implementation due to a change in the law, the monitor will be notified as soon as
5 practicable about the change.

6 (e) The city attorney's office shall, within thirty (30) days of final execution of a settlement
7 agreement resolving litigation, or approval of city council pursuant to section 20-1, whichever is later,
8 forward a copy of the full agreement to the monitor's office and the board, if the settlement agreement
9 resolves legal claims made in civil litigation alleging that any member of the classified service of the
10 police department, any sworn member of the sheriff department, or any member of the fire
11 department authorized to carry and use firearms on duty, was engaged in improper or unlawful
12 conduct in the exercise of their duties or while acting under color of law and includes settlement
13 terms that require the department of safety, police department, sheriff department or fire department
14 to take affirmative action including, but not limited to, training requirements, reporting requirements,
15 policy changes, or commitments to refrain from engaging in a specific action or activity.

16 (f) Nothing in this section shall be construed to apply to settlement agreements made to
17 resolve appeals of discipline or disqualification initiated by uniformed personnel.

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COMMITTEE APPROVAL DATE: August 6, 2025

MAYOR-COUNCIL DATE: August 12, 2025

PASSED BY THE COUNCIL 08/25/2025

Amursh P. Henderson - PRESIDENT

APPROVED: *Michael C. Johnston* - MAYOR 08/28/2025
Michael C. Johnston (Aug 28, 2025 13:08:07 MDT)

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL _____; _____

PREPARED BY: Jonathan Griffin, Assistant City Attorney; DATE: August 4, 2025

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

Katie J. McLoughlin, Interim City Attorney

BY: *Jonathan Griffin*, Assistant City Attorney DATE: 08/14/2025