

# Ensuring a strong framework for the Office of the Independent Monitor

## July 2021

Since 2004, Denver has had independent, civilian oversight of the Police and Sheriff Departments. An Office of the 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 Independent Monitor is currently appointed by the Mayor and functions under the Executive Branch alongside all other City agencies, including the ones they are charged with monitoring. Additionally, the Office of the Independent Monitor is represented in legal matters by another City agency. Conversations with the COB, the former Monitor, and advocacy from community have all raised concerns about how independent the Monitor's office really is, and whether the current structure of it allows the office to effectively act as an oversight body. Councilmembers Torres, Gilmore, and Kniech collaborated with members of the COB on the following ideas to increase the independence of the OIM.

- 1 Monitor appointment authority:** Give the Citizen Oversight Board (COB) the authority to appoint the Monitor, and any interim Monitor, with confirmation by City Council.
- 2 Search committee makeup:** When hiring a new Monitor, update the search committee members to reflect the new role of the COB as the appointing authority and add (1) a mayoral appointment and (2) a person with lived experience in the criminal justice system.
- 3 Community Process:** Require the top three candidates identified to fill an open Monitor position to participate in a community process, the details of which will be determined by the COB.
- 4 Outside Counsel:** Give the Monitor the authority to hire an attorney from outside the City Attorney's Office independent legal advice to the OIM.
- 5 Classification of OIM staff:** Move the staff of the Office of the Independent Monitor to Career Service classification.
- 6 Monitor appointees:** Allow the Monitor up to two (2) appointees within the office in any role.

