



OFFICE OF THE INDEPENDENT MONITOR

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THE INDEPENDENT MONITOR ANNOUNCES THE ISSUANCE OF ITS 2007 ANNUAL REPORT

The Office of the Independent Monitor (OIM) publicly released its 2007 Annual Report on Monday, March 17, 2008. The report details investigations of 2007 officer-involved shootings and in-custody deaths, complaint investigations and findings, the status of OIM goals, and issues and concerns identified by the Independent Monitor over the past year.

The mission of the OIM is to provide fair and objective oversight of public safety and ensure transparency and accountability. The OIM is responsible for (1) monitoring and participating in investigations of sworn police and sheriff personnel; (2) making recommendations to the Manager of Safety, Chief of Police and Undersheriff/Director of Corrections regarding case findings and discipline; and (3) making broader policy recommendations.

“This report demonstrates the City of Denver’s commitment to providing transparency and accountability to the public regarding the Police and Sheriff Departments’ efforts to police themselves and hold their employees accountable for their conduct,” said Independent Monitor Richard Rosenthal. The Independent Monitor added: “Whatever criticism I may have lodged regarding the Department of Safety in this report must be tempered by the fact that the Police and Sheriff Departments have, overall, done an excellent job in policing themselves and holding themselves accountable during the course of the year.”

Officer-Involved Shootings and In-Custody Deaths

There were seven on-duty officer-involved shootings, two DPD in-custody deaths, and one officer-involved traffic collision that resulted in the death of a civilian. Five officer-involved shootings were found to involve no policy violations. One shooting resulted in the imposition of discipline for failing to call out the shooting, another shooting is still pending administrative review by the Manager of Safety. One in-custody death was found to be “in-policy,” the second in-custody death is still pending administrative review. The officer-involved traffic collision resulted in a misdemeanor criminal filing by the District Attorney against the involved officer.

There were eight in-custody deaths in the County Jail during 2007. Four were by suicide and four were as the result of pre-existing medical conditions. Six of the in-custody deaths did not involve any policy violations; one in-custody death investigation is still pending, another in-custody death case is pending possible imposition of discipline.

In the last five years, the number of officer-involved shootings has ranged from three to ten annually. The average number of shootings over the past five years has been seven per year. There was only one officer-involved shooting fatality in 2007.

Issues and Concerns Identified by the Independent Monitor in this Year's Report:

1. The Police Department has had difficulties in imposing timely discipline in serious cases due to delays in scheduling of Disciplinary Review Boards and Chief's Hearings.
2. Overall timeliness of officer-involved shooting administrative reviews has drastically improved. However, the Chief of Police and the Manager of Safety have taken more than six months to review an officer-involved shooting where the Monitor expressed concerns with the officer's tactics. Despite the fact that the incident was nearly one year ago, the Manager of Safety has not made a finding.
3. The DPD has allowed officers who have lied during the course of internal investigations to continue to work in assignments which require the officers to testify in court on a regular basis.
4. The Police and Sheriff Departments do not, as a matter of practice, terminate employees who have repeatedly lied during the internal affairs investigation and disciplinary processes.
5. The Sheriff Department does not put officers on administrative leave, even after the Undersheriff/Director of Corrections has concluded that an officer should be terminated or when a recommendation for termination is probable.
6. The Colorado Fraternal Order of Police Legal Defense Fund provides its Denver sheriff deputy members (who have been suspended without pay for misconduct) an option to be reimbursed for lost pay in lieu of proffering an appeal, thereby undermining the Department's ability to impose discipline.

The Community-Police Mediation Program:

Fifty-nine mediations were conducted during 2007, a 44% increase from 2006, making Denver the second largest community-police mediation program in the country. Complainant and officer satisfaction with the mediation process and outcome increased significantly between 2006 and 2007 and even more significantly when compared to the traditional internal affairs complaint handling process.

The OIM's Annual Report, and its executive summary, can be accessed online at www.denvergov.org/oim.

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