



Independent Monitor Comments to Citizen Oversight Board  
8/26/10—Public Forum

I would be remiss in my duties if I did not acknowledge the current controversies revolving around the Denver Police and Sheriff Departments and certain uses of force that have been recently publicized.

As virtually everyone in the City is aware, on Monday August 16<sup>th</sup>, I released a report which was critical of a decision made by the Manager of Safety relating to a use of force and “departing from the truth” case that was caught on HALO video.

Given that the Manager’s disciplinary decision in that case and another case involving similar issues have been rescinded, I am no longer able to publicly comment on the specific facts of either case. This is because I will be required to make recommendations to the Manager of Safety on both cases and the ordinance which created the Monitor’s Office requires that I maintain confidentiality with respect to cases where a final decision has not been made. This same obligation relates to the in-custody death investigation relating to the death of Marvin Booker. My office will be actively monitoring the investigation into Mr. Booker’s death after the District Attorney reaches his decision as to whether criminal charges should be filed against any of the involved deputies.

I am hopeful that the re-evaluation of the two DPD cases by the new Manager of Safety will result in reasonable and just decisions which will withstand public scrutiny and scrutiny by the Civil Service Commission and which will follow the rules established by the Department's disciplinary matrix which was a key component of the disciplinary reforms adopted by the Department in October of 2008.

For the last five years, I have been monitoring the Denver Police and Sheriff Departments. The stated mission of my office is: “to provide “fair and objective oversight of the uniformed personnel of these departments and to ensure public confidence in the ability of these departments to police themselves.”



My office's responsibilities include monitoring and participating in internal affairs investigations of complaints against police officers, reviewing command findings for reasonableness and making recommendations on findings and discipline to the Chief of Police, the Director of Corrections and the Manager of Safety. My office is involved in monitoring complaints from their inception until the case is closed by the Department. Myself and my staff sit in on interviews, suggest additional questions and request further investigation as necessary; we review completed investigations to make sure they are thorough and fair, and we provide advice and consult to the Chief of Police, the Director of Corrections and the Manager of Safety in order to ensure reasonable and appropriate decisions as to whether officers need to be disciplined and, if so, what discipline is appropriate.

In addition, I am required by Ordinance to issue annual public reports and also to issue "ongoing status reports"... "regarding the sufficiency of investigations, determinations as to whether department rules and policies have been violated, and the appropriateness of disciplinary sanctions." These reports are issued only after a final decision has been made by the Chief of Police or the Manager of Safety.

Having monitored the Denver Police and Sheriff Departments for the last five years, I do not believe that either of these Departments are in any way "out of control." While I urge our citizens to remain informed and involved, I do not believe that it is fair to suggest that the incidents that have been recently publicized are indicative of Departments that are not committed to protecting and serving our community.

I will continue to serve my essential functions by ensuring that our City leaders and the public are informed if unreasonable decisions on cases are made, but I will also continue to work with both Departments to try to ensure that the decisions that are made have integrity and will be able to withstand reasonable scrutiny.