



OFFICE OF THE INDEPENDENT MONITOR

March 15, 2007- FOR IMMEDIATE RELEASE

Contact No.: 720-913-3306

Richard Rosenthal, Independent Monitor

THE INDEPENDENT MONITOR ANNOUNCES THE RELEASE OF ITS 2006 ANNUAL REPORT

The Office of the Independent Monitor (OIM) released its 2006 Annual Report March 15, 2007 to the public. The report details investigations of 2006 officer-involved shootings and in-custody deaths, the status of OIM goals, the complaint handling and disciplinary processes for the Denver Police and Sheriff Departments, and OIM initiatives.

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 Director of Corrections regarding case findings and discipline; and (3) making broader policy recommendations.

Independent Monitor, Richard Rosenthal remarked, "I believe that this Annual Report will show that we have accomplished our mission and provided transparency into the police and sheriff departments as it has never existed before."

Officer-Involved Shootings and In-Custody Deaths

There were 11 officer-involved shootings in 2006, including 3 fatalities, 3 injuries, 5 misses (including 2 suicides). Of 11 shootings, one was found to be "out of policy."

There were 4 in-custody deaths, two of which were suicides in Denver's jails, one of which was a medical death, and one of which followed a DPD arrest (due to cocaine intoxication). There was no misconduct found for three of the in-custody deaths. The medical death on January 18, 2006 is currently under investigation.

In the medical in-custody death, DSD is investigating whether appropriate rounds were conducted. In the Report, the Monitor expresses concerns about Denver Health nurses refusing to cooperate with the Sheriff's internal investigation. In addition, there is discussion regarding the insufficiency of the contract between Denver Health and the City.

Further, the Monitor highlights concerns with obtaining Homicide Reports in a timely fashion and concern with the Manager of Safety's timeliness in issuing public reports involving police shootings.

The Imposition of Discipline

In the Report, the OIM notes that, generally, DPD and DSD recommendations regarding imposition of discipline were reasonable and appropriate with a few exceptions. The Report highlights these exceptions including a use of force case in which an officer was videotaped improperly using a TASER against a citizen. The OIM also noted with approval a case wherein the police department agreed with an OIM recommendation to sustain an officer for committing an act of domestic violence, even though he had not been arrested or charged with a crime. The OIM noted a concern regarding a Sheriff Deputy who was not terminated for lying to Internal Affairs, even though substantial discipline was imposed. District 1 officers were commended for initiating an Internal Affairs investigation into the possible sexual misconduct of one of their officers.

OIM Goals and their Status

Goal: To establish the Monitor's Citizen-Police Mediation Program as the largest per-capita program in the nation.

Status: The OIM completed 40 mediations in 2006 making it the largest per-capita program in the country. Both complainant and officer satisfaction with the process increased dramatically. Complainant satisfaction with the mediation process rose from 12% to 59% and officer satisfaction jumped from 12% to 70%.

Goal: To assist the DPD and DSD in the implementation of a new Early Intervention System, which identifies potentially problematic patterns among officers/deputies.

Status: The OIM assisted DPD in creating the system and is currently helping to implement it.

Goal: To increase transparency by posting quarterly reports of sustained Internal Affairs cases and imposed discipline.

Status: As of January 2006, OIM began creating and posting quarterly disciplinary reports on its website.

Goal: To increase the timeliness with which DPD investigations are handled.

Status: The average number of days it took to handle DPD complaints decreased by 10%.

DPD and DSD Complaint Handling Process

The Annual Report displays aggregate statistics on the kinds of complaints filed, who files complaints, and the outcome. For DPD, the top three types of citizen-initiated complaints were Discourtesy at 29.8%, Unnecessary Force at 21.4%, and Improper Procedure with 20.7%. For DSD, the most common types of complaints were Improper Conduct at 61.6%, Lost Property with 20.8%, and Improper Procedure at 7.3%.

OIM Initiatives

- “Departing from the Truth”- The OIM is working with both Departments to create a process whereby officers who are sustained for “departing,” and who are not terminated, are evaluated as to appropriate work assignments.
- Copwatch Training- The OIM identified a pattern of complaints involving the way that some officers have handled this activist group. The OIM consulted with DPD and DSD to ensure appropriate training to address the issues.
- Property Owner Reimbursement Fund- The OIM announced an arrangement between DPD, the Gay and Lesbian Center of Colorado, and the Denver Center for Crime Victims in which property owners could be reimbursed if they suffered damages as a result of police action, through no fault of their own.
- Shooting at Moving Vehicles- DPD currently allows officers to shoot at moving vehicles under certain circumstances. The OIM recommends consulting with other jurisdictions to determine if the policy should be changed.

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

###