



Denver Board of Ethics

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**DENVER BOARD OF ETHICS
MINUTES
MEETING OF MAY 12, 2021**

Chair Joseph Michaels called the meeting of the Denver Board of Ethics to order at 9:02 a.m. The Board met virtually through Microsoft TEAMS and conference bridge line. Present were Board members Joseph G. Michaels, Dianne Criswell, Doris E. Burd, Jane T. Feldman, and Sylvia S. Smith. Also in attendance were Executive Director Lori Weiser and Senior Assistant City Attorney, Jordan Humphreys.

1. Introductory remarks and review of the Agenda.
2. New member, Doris E. Burd, was welcomed by the Board and sworn into office by the Presiding Judge of the Denver County Court, Judge Theresa Spahn.
3. The Minutes of the Board's April 14, 2021 meeting were moved, seconded, and approved unanimously with the amendment reflecting the presence and introduction of Judge Doris E. Burd who was recently appointed to the Board.
4. The Board discussed the passage of the amendments to the Denver Code of Ethics by City Council on April 26, 2021. City Attorney, Jordan Humphreys, volunteered to draft revised Rules of Procedure for review by the Board at the June 9, 2021 meeting.
5. In case 21-16, the Board discussed the request for an advisory opinion and/or waiver by Eric Duvall and Stacy Hafner, both from the Forensic Crime Lab of the Denver Police Department in the Department of Safety, concerning a potential conflict of interest (Section 2-61 of the Code of Ethics). At the meeting held on April 14, 2021, the Board voted unanimously to grant a waiver, finding such would be in the best interests of the City. Mr. Duvall and Ms. Hafner returned to the meeting on May 12, 2021 to consider proposed conditions with respect to this waiver. The Board adopted the conditions set forth with the addition of Mr. Duvall and Ms. Hafner returning to the Board in November or December of 2021, to report back on the status of the project and the benefit to the City. All agreed that the written opinion should have

Executive Director
Lori Weiser

Board Members
Joseph G. Michaels – Chair
Dianne Criswell – Vice Chair
Doris E. Burd
Sylvia S. Smith
Jane T. Feldman

a caveat that those seeking outside employment should approach the Board prior to accepting outside employment to avoid conflicts of interest.

6. After calling up Case 21-19, the Board discussed the request for advisory opinion submitted by Scott Snow, Director of the Crisis Services Bureau of the Denver Police Department within the Department of Safety. Following an exchange of information, the Board moved, seconded, and unanimously voted to find that the donation of work by a private company to a private citizen did not constitute a gift to an officer, official, or employee of the City under the guidance of Section 2-60 of the Denver Code of Ethics.
7. The Board held the annual election of officers. It was moved, seconded, and unanimously approved for Joseph G. Michaels to continue as Chair, and for Dianne Criswell to continue to serve as Vice-Chair.
8. The Board discussed the request for an independent advisory opinion with respect to whether Section 2-51, the Legislative Intent of the Denver Code of Ethics, is actionable. The Board determined the concern could be addressed by placing a statement on the Board's website, and by updating the Rules of Procedure.
9. The Executive Director asked for the Board's position on having a summer intern. The consensus of the Board was that this would be a worthwhile endeavor.
10. The Chair applauded all for their work on the proposed amendments to the Code of Ethics.
11. The Board discussed the recent unofficial requests for advisory opinion and complaints received/given by the Executive Director and to officers, officials and employees, and considered the possibility of issuing position statements in the future.
12. Member, Dianne Criswell, noted that there were additional concerning contacts in the unofficial requests for advisory opinion and complaints, and asked that if there were reservations with respect to the safety and security of the Board's office, that these unofficial contacts be brought to the attention of the decision makers.
13. The Board held a brief discussion about the return to in-person meetings. The Chair requested that each member contact the Executive Director with their level of comfort with returning to an in-person format.
14. At 10:49 a.m. a motion was made, seconded, and approved, and the meeting was adjourned.

APPROVED BY THE BOARD: 6/9/21

NOTE: Copies of decisions in the cases mentioned above or any other cases may be obtained by contacting the Board's Executive Director, Lori Weiser—lori.weiser@denvergov.org.