

## **The Office of the Independent Monitor for the City of Denver:**

In an effort to improve police accountability to the public, the City and County of Denver established the Office of the Independent Monitor (OIM) as an independent, unbiased office within the City government.

### **The OIM is Responsible for:**

- Monitoring all community complaints regarding allegations of misconduct involving members of the Denver Police and Sheriff Departments.
- Monitoring Internal Affairs Bureau (IAB) investigations of complaints against Denver law enforcement officers and making disciplinary recommendations to the Manager of Safety.
- Recommending policy changes to the Mayor, Manager of Safety, Police Chief, Undersheriff, Fire Chief and City Council.

The OIM is not, however, a lawyer referral service for complainants, nor does the OIM investigate or review the validity of criminal charges brought against complainants.

### **The Citizen Oversight Board:**

The Citizen Oversight Board (COB) consists of seven residents appointed by the Mayor and confirmed by City Council, to assess the effectiveness of the Monitor's Office; to make policy-level recommendations relevant to the Police, Sheriff and Fire Departments; to address any other issues of concern to the community; and, to review and make recommendations as to closed Internal Affairs cases where the findings were not sustained, as appropriate.

### **How to File a Complaint or Commendation:**

Complaints can be filed with the Denver Police Department, Denver Sheriff Department, the OIM, or the COB. Complaint/commendation forms are available at the OIM office, all Police District stations, the City and County Jails, and all City Council offices. The form can also be accessed on the Police, Sheriff, COB or OIM websites. Complaints regarding personnel of the Denver Fire Department should be filed directly with that Department.

To file a complaint or commendation, you can:

- Mail the attached form (the postage is already paid)
- Fax the attached form to: (720) 913-3305 (OIM fax line)
- Bring the attached form to the Monitor's office on the 12<sup>th</sup> floor of the Webb Municipal Building or to Internal Affairs at the Denver Police or Sheriff Departments.
- Call the Denver Police Department Internal Affairs Bureau at (720) 913-6019; or the Denver Sheriff Department Internal Affairs Bureau at (720) 865-3888.
- File online at: [www.denvergov.org/oim](http://www.denvergov.org/oim)

### **When a Commendation is Filed:**

When a commendation is received, it will be forwarded to the DPD or DSD, where it will be made available to the appropriate supervisor and filed in the officer's personnel file.

### **When a Complaint is Filed:**

After a complaint is filed with the Monitor's Office or the COB, it is documented and referred to Internal Affairs for a preliminary review. IAB will then review the complaint, attempt to identify the involved officer(s), locate relevant records of the incident, and may interview the complainant(s). Once the intake review is complete, the IAB Commander, after consultation with the Monitor, can handle the complaint in any one of five ways:

#### **1. Service Complaint/Informal**

The complaint can be assigned to the District or Bureau where the officer is assigned. A supervisor will then contact the complainant and discuss the incident with the involved officer(s), including counseling the involved officer(s), if necessary.

#### **2. Mediation:**

The Monitor's Office is committed to the concept of community-police mediation. The mediation program allows community members and officers to meet and discuss their concerns in a non-confrontational setting with the guidance of professional mediators. Mediation is subject to the approval of the complainant, the officer, the Monitor, and the Internal Affairs Commander.

#### **3. Referral:**

IAB or the Monitor's Office may refer certain cases to other agencies or offices if they can address the concerns more appropriately.

#### 4. Decline:

Here are a few reasons why a complaint may be declined:

- 1) IAB and the Monitor agree that the complaint is untimely or false;
- 2) The alleged behavior does not state misconduct;
- 3) The complainant cannot be reached or refuses to cooperate with investigators;
- 4) Internal Affairs does not have jurisdiction over the complaint;
- 5) The complaint is one that must be decided upon through a court process - a judicial remedy (e.g. false charges, wrong charges, etc.)

If the complaint is declined, the complainant will receive a letter explaining the reason(s) for the decline (if the complainant's mailing address is known).

Community complaints against officers should be filed as soon as possible. It is expected that a complaint involving minor misconduct (such a discourtesy) will be filed within 60 days of the incident and a complaint involving serious misconduct (such as unreasonable use-of-force) will be filed within 6 months of the incident. Exceptions to these timeliness rules may be made if good cause is shown. For further information on dismissal guidelines, you may contact the OIM office directly or access the OIM website for a comprehensive explanation of the Monitor's complaint monitoring guidelines.

#### 5. Formal IAB Investigation:

An IAB investigator will investigate the complaint and interview all appropriate witnesses. The Monitor's Office will participate in some or all of the interviews or monitor the investigation by reviewing and commenting on all relevant documentation. Once the Monitor agrees that the investigation is complete, it is then forwarded to the officer's Commander to review. The involved officer's Commander will make a finding on the complaint, which is then reviewed by Command staff up to and including the Chief of Police or Undersheriff as well as the Manager of Safety. There are two general findings:

**Sustained:** The officer was found to have violated Denver Police or Sheriff Department policy or procedure.

**Not Sustained:** The officer acted within the guidelines of Denver Police or Sheriff Department policy; or there is not enough evidence to prove or disprove the allegation(s); or, the allegation(s) is false.

#### If an Allegation is Sustained:

The Manager of Safety will impose discipline, if appropriate, after receiving a disciplinary recommendation from the Chief of Police or the Undersheriff and the Monitor's Office. The Monitor's Office will then notify the complainant of the final finding(s). The discipline actually imposed is confidential by law and cannot be disclosed. However, the Monitor will report on the overall discipline imposed by the Police and Sheriff Departments on a quarterly basis on the OIM website.

#### If an Investigated Allegation is Not Sustained:

The Monitor's Office will notify the person who filed the complaint of the finding(s) and the reason for the finding(s).

#### Contact Information:

- Office of the Independent Monitor  
Webb Municipal Office Building  
201 W. Colfax, Department 1201  
Denver, CO 80202
  - Phone: 720-913-3306
  - Fax: 720-913-3305
  - Website Address: [www.denvergov.org/oim](http://www.denvergov.org/oim)
  - Email: [oim@denvergov.org](mailto:oim@denvergov.org)
- Citizen Oversight Board  
Webb Municipal Office Building  
201 W. Colfax, Department 1201  
Denver, CO 80202
  - Phone: 720-913-3150
  - Fax: 720-913-3305
  - Website Address: [www.denvergov.org/cob](http://www.denvergov.org/cob)
  - Email: [cob@denvergov.org](mailto:cob@denvergov.org)
- Denver Police Department  
Police Administrative Building  
Internal Affairs Bureau  
1331 Cherokee Street  
Denver, CO 80204
  - Phone: 720-913-6019
  - Fax: 720-913-7042
- Denver Sheriff Department, Internal Affairs Bureau  
5440 Roslyn Street, Suite 320  
Denver, CO 80126
  - Phone: 720-865-3888
  - Fax: 720-865-3996
- Denver Fire Department  
745 West Colfax Avenue  
Denver, CO 80204
  - Phone: 720-913-3445
  - Fax: 720-913-3597