

1 **DENVER INDEPENDENT POLICE MONITOR**
2 **COMPLAINT MONITORING GUIDELINES**
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4 **EXECUTIVE SUMMARY**
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6 In 2005, in an effort to improve police accountability to the public, the City of Denver
7 created the Office of the Independent Monitor (OIM) and the Citizen Oversight Board
8 (COB), in part, to monitor and report on the handling of citizen complaints by the
9 Denver Police Department. As of August 1, 2005, citizen complaints may be filed
10 directly with the OIM or the COB; citizen complaints may also be filed at any DPD
11 office.
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13 The Complaint Monitoring Guidelines are intended to outline the expectations of the
14 OIM with respect to the Denver Police Department's handling of citizen complaints and
15 the responsibilities of the OIM with respect to taking and monitoring citizen complaints.
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17 Monitor Responsibilities:

- 18 1. The Monitor's Office will ensure that citizens are provided with easy access to the
19 complaint process by creating a complaint/commendation form and distributing
20 the form throughout the community. The Monitor will accept any complaints by
21 phone, fax, e-mail, via the world-wide web, and in person.
- 22 2. The Monitor's Office will work with the Citizen Oversight Board, the Denver
23 Police Department and Denver Police Unions, and the community to create a
24 voluntary citizen-police mediation program. The Monitor's Office will create
25 protocols and guidelines for the management of the mediation program.
- 26 3. The Monitor's Office will review and comment on all Internal Affairs Bureau
27 assignment decisions. The Monitor's Office will conduct independent
28 investigations of citizen complaints as necessary.
- 29 4. The Monitor will receive all IAB and Department disposition (closing) letters, on
30 behalf of citizen complainants. The Monitor's office will review disposition
31 letters and assignment decisions for accuracy, fairness and appropriateness. The
32 Monitor's office will forward all IAB and Department disposition (closing) letters

1 to the citizen complainant with a cover letter explaining the monitoring process.
2 If the Monitor's Office concludes that a disposition letter or assignment decision
3 is unreasonable, the Monitor will confer with the Department in order to ensure
4 that appropriate action is taken.

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6 Upon receipt of a completed intake investigation, the Internal Affairs Bureau
7 Commander, will be expected to make any one of several assignment decisions:

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- 9 1. The complaint can be declined, with a letter addressed to the complainant
10 explaining the reasoning behind that decision, forwarded to the Monitor's Office
11 for review and comment, and then mailed by the Monitor's Office to the
12 complainant;
- 13 2. The complaint can be assigned out for expedited handling for a supervisor to
14 debrief the involved officer(s) and document the debriefing in the form of an
15 informal investigation resolution memo. The DPD Professional Standards Unit
16 will track the complaint for purposes of managing employee conduct through the
17 Department's *early intervention system*;
- 18 3. The complaint can be referred to any Department supervisor or the Chief's Office
19 for further review or to consider policy implications (service complaint);
- 20 4. The complaint can be referred to the Monitor's citizen-police mediation program
21 for voluntary mediation;
- 22 5. The complaint can be the subject of further intake investigation or a full
23 investigation including the compelled interviews of involved Departmental
24 personnel.
- 25 6. The Monitor's Office shall review all assignment decisions, investigative findings
26 and disciplinary recommendations for reasonableness.

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28 The IAB Commander may use the following grounds to dismiss a complaint:

- 29 1. The complaint is subject to review by a judicial or administrative officer who will
30 refer the complaint back to IAB if objective evidence of officer misconduct is
31 established in court or during a hearing;

- 1 2. The complaint is untimely. Specifically, complaints involving minor rule
2 violations (such as discourtesy) are normally expected to be filed within 60 days.
3 Complaints involving serious rule violations (such as use of excessive force) are
4 normally expected to be filed within 6 months of the incident. There are no
5 specific deadlines for complaints alleging serious criminal conduct or corruption.
- 6 3. The complaint alleges behavior that is not actually misconduct;
- 7 4. The complaint is false or trivial, not made in good faith, illogical or improbable;
- 8 5. The complaint is minor and filed by a third party who was not directly affected by
9 the conduct;
- 10 6. The complaint is about general police procedures or actions that have been
11 repeatedly reviewed by Internal Affairs.;
- 12 7. The complainant has a history of making unfounded complaints;
- 13 8. The complainant does not wish to pursue the complaint and the withdraw does not
14 negatively impact the Department's ability to manage its employees;
- 15 9. The involved officer has resigned or retired;
- 16 10. IAB is unable to identify the involved officer;
- 17 11. The complaint has been previously investigated;
- 18 12. The Department lacks jurisdiction to investigate the complaint or impose
19 discipline; or
- 20 13. There is a lack of resources to investigate the complaint.
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- 22 The Manager of Safety and the COB will receive notification of any complaint dismissal
23 assignment made by the IAB Commander and approved of by the Monitor.