

# Rocky Mountain News

## Monitor: Not reporting shooting merited cops harsher sanctions

By **Kevin Vaughan**, Rocky Mountain News (**Contact**)

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Denver's independent police monitor would have come down harder on two officers who were disciplined for their handling of the aftermath of a shooting last year.

Neither officer immediately reported the incident to superiors, as required by department policy. One was suspended for two days and the other for 30 days.

In his end-of-the-year report, monitor Richard Rosenthal said he would have exacted much tougher sanctions if it had been up to him. Failing to immediately report the incident to superiors amounted to a "serious breach of conduct," he wrote.

The incident occurred March 29 when officers Damon Bowser and Chuck Porter tried to stop a motorist who fled. The man eventually crashed his car, jumped out and ran, with the two officers chasing him on foot.

Bowser confronted the man near a home and fired two shots after the man pointed what later turned out to be a toy pistol. The wounded man fled on foot and was arrested after going to the

hospital.

The officers did not immediately report the incident as a shooting. When Porter first called a dispatcher on his radio, he reported only a car crash, not an officer-involved shooting.

Manager of Safety Al LaCabe suspended Bowser, who lost his radio during the chase, for two days for failing to make sure that Porter properly reported the incident to dispatchers. He suspended Porter for 30 days for failing to report the incident.

Rosenthal said that had it been up to him, he would have suspended Bowser for five days and Porter for 60 days.

David Bruno, an attorney for the two officers, did not return a phone message left at his office Monday afternoon.

Rosenthal, who was hired in 2005 as part of a series of reforms involving the Denver police and sheriff's departments, issues periodic reports of critical incidents - officer-involved shootings and deaths of people in custody. His opinions are not binding.

In his report issued Monday, he supported the findings in several other incidents, saying that:

\* Denver police officers were justified when they used a Taser on a man on July 16. The man, Albert Augustine Romero, died afterward of undisclosed causes.

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Rosenthal said the officers were following policy when they used the Taser on Romero, who was acting aggressive and failed to heed their commands to stop.

\* A Denver police officer followed policy when he shot and killed a man April 20, 2006. In that incident, the man drove toward the officers in a car.

\* Two members of the department's SWAT team followed policy when they killed a man who shot five people at a Safeway warehouse on June 25, 2006.