

**CITIZEN OVERSIGHT BOARD  
MINUTES  
Meeting of January 9 2009  
(Approved January 23, 2009)**

The Board met this morning from ten to 11:45 in the Webb Building. All members were present except Montez and Navarro. Also present was Independent Monitor Rosenthal.

Discussions were held with Manager of Safety LaCabe and Police Chief Whitman. Topics included DPD's draft response to the 70-or-so recommendations of the Police Research Assessment Center received last year. The final version will be circulated to COB members along with the Monitor's response to the DPD report. Most recommendations will be accepted.

Members expressed some concern about the HALO project which can provide detailed photographic coverage of exterior areas in the City. The Board wants to know more about this project and how it will be staffed and controlled. The Chief agreed to cover the topic in his meetings with the Board.

There was a discussion of allegations of racial profiling by some DPD officers and what can be done to respond to the allegations and remove biases if and where they exist. In answer to a suggestion, Whitman said inquiries have been made into the costs and types of cameras police officers might have with them when they make stops. LaCabe reported that a study of Sheriff disciplinary policy and procedures began this week. The study is expected to take about 18 months.

The minutes of the meeting of December 19 were approved.

There was a brief discussion of the Board's next quarterly public meeting. It will feature insights into the work of DPD's Internal Affairs Bureau.

The Board and Monitor exchanged views concerning a recent Denver press article about incidents that involve claims of improper police performance. None was the subject of a complaint and without a complaint, the oversight system has little recourse to establishing facts or otherwise taking action.

There was a brief discussion of the state of the OIM/COB budget. Various cuts have been made. Funds amounting to \$8,200 per year for Channel 8 TV coverage of COB quarterly meetings are "under review."

The Board voted to go into executive session to discuss the annual evaluation of the Monitor's performance. The evaluation will be taken up with him at the Board's next meeting.

There being no further business, the meeting was adjourned.

*E. Knoche*

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MINUTE -- COB EXECUTIVE, January 9 2009

In accord with C. R. S. 2-33(e), the Board discussed in detail its views on the Monitor's performance. As the details constitute a personnel matter of a confidential nature, they will be provided to him at an executive session of the Board's meeting on January 23.

*This minute substantially reflects the discussions held in executive session.*  
*E. Knoche*

## CITIZEN OVERSIGHT BOARD

### MINUTES

Meeting of January 23 2009

Approved, February 6, 2009

The Board met from ten to noon today on the third floor of the Webb Building. All members were present except Montez. Also attending was Monitor Rosenthal. Present were Dr. Mary Davis, soon to be a Board member, and two uniformed officers of the Denver police department.

The Board met together for an hour with three commissioners of the city Civil Service Commission (CSC) -- President Cecilia Mascarenas, Neal Berlin and Anna Flores -- and Executive Director Earl Peterson. Knoche welcomed the CSC officials, noted the key importance of the Commission in screening candidates for uniformed positions in the police and fire departments, and described a Board priority in seeking to deal with problems surrounding allegations of racial profiling by elements of the Denver police. Peterson described in detail current approaches to police hires. Testing, background investigation, polygraphed interviews and psychological assessments are used to weed out unsuited applicants. This was followed by considerable discussion among those in attendance. As to the topic of racial profiling, current CSC procedures militate against the prospect of hiring those with bigoted biases. The problem, to the extent it exists, is most likely to be present among officers who were hired prior to the current procedures and who have served over an extended time. In answer to questions about how the Board might pursue the issue, Commission members thought it best to be taken up by the Board directly with the Manager of Safety and the Chief of Police.

The minutes of the meeting of January 9 were approved as modified.

There was a brief discussion of the program for the Board's next quarterly public meeting January 29 at LaAlma/Lincoln Recreation Center. The featured topic will be "Inside Internal Affairs" presented by four panelists -- Rosenthal, DPD IAB Chief Burbach and two IAB officers.

Rosenthal passed out copies of his draft annual report and Board members were invited to supply comments directly to him. Rosenthal distributed DPD's formal response to the PARC report. He said DPD has accepted about 90 per cent of PARC's recommendations. Rosenthal concurs with those not accepted. There was a discussion of DPD's personnel assessment system (PAS). Rosenthal believes the PAS policy, on paper, is one of the nation's best. OIM will monitor the program and report on its status and effectiveness in the coming months. Briefly discussed was the DPD HALO project which provides for high-resolution, real-time photos from cameras emplaced at various public sites in the city. The Board sees a need for special controls on how this information is used. Rosenthal said from the standpoint of the Monitor's responsibility, and the need

for clear evidence pertaining to the circumstances of crime or disorder, he welcomes this new capability.

The Board voted to go into executive session to discuss with the Monitor details relating to its required annual evaluation of the Monitor's performance.

There being no further business, the meeting was adjourned.

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**EXECUTIVE SESSION -- Minute from COB meeting of January 23 2009**

In accord with C. R. S. 2-33(c), the Board took up in executive session its annual evaluation of the Monitor's performance. The Monitor was present to hear the views of Board members, which were supplemented by information submitted by various City officials and the Monitor's staff. The assessment of his performance was quite favorable. Some suggestions for possible improvement were made.



CITIZEN OVERSIGHT BOARD  
MINUTES

Quarterly public meeting, January 29 2009  
La Alma/Lincoln Park Recreation Center, Denver  
Approved, February 5, 2009

The meeting was called to order at 7 pm. All Board members were present except Burleson and Reynolds. There were about 50 people in the audience. The meeting was taped by Channel 8 for re-airing in coming weeks. It was also taped separately for showing on local-access channel 57.

Knoche made introductory remarks describing the history of the Board and the Office of Independent Monitor. He cited favorable trends in law enforcement performance and in oversight arrangements. He noted the complexity of law enforcement work and the probability of controversy. He thought current arrangements offered thoughtful ways to deal with problems.

District Six police Commander Deborah Dilley reported that crime has dropped in the district. She emphasized the need for citizens to avoid leaving valued items in their cars. Theft of such items is a continuing problem.

Monitor Rosenthal reported briefly on the roles and functions of his office. This was followed by a panel discussion of the work done by the police department's Internal Affairs Bureau (IAB) which investigates complaints against police officers. Rosenthal moderated the discussion. Participants were IAB Commander John Burbach and two assistants -- Lt. Marcus Fountain and Lt. Les Perry.

Comments were invited from the audience. There was a steady stream of individuals critical of the police, the IAB and the Board. Several spoke of incidents of police brutality. Several alleged incidents of racial profiling of black and brown people. Virtually all were critical of what they regarded as an overly "rosy" characterization of law enforcement and oversight.

The meeting adjourned at 9 pm.



CITIZEN OVERSIGHT BOARD  
MINUTES  
Meeting of February 6 2009  
(Approved February 20, 2009)

The Board met from ten to noon today on the 12th floor of the Webb Building. All members were present except Foster and Navarro. Also attending were Greg Crittenden and AJ Clemmons of the Monitor's office and Mary Davis, soon to be a new member of the Board.

Knoche noted that this will be the last meeting of the Board with its member, David Montez, whose four-year term has ended. The Board paid tribute to him for his service which includes time spent as a member of the predecessor organization, the Public Service Review Commission. Knoche welcomed Dr. Mary Davis who appeared before the City Council Safety Committee this week and won its approval. The full Council will vote to confirm her Board appointment on February 9.

The Board held discussions with Corrections Director Lovingier. Note was taken of the start of a Safety Department-led study of Sheriff Department disciplinary policies and procedures. The study is expected to last about 18 months. Board member Burleson is participating in the study.

Asked about instances of mistaken identities of some incarcerated individuals, Lovingier described current DPD and DSD procedures to avoid mistakes. He said there were but five cases of mistaken identities in 49,000 imprisonments in the past year. Despite this good record, most Board members agreed one was one too many. Lovingier said the Manager of Safety has a working group looking at possibilities for further improvement of the procedures.

David Edinger, a mayoral assistant, described the status of his study of data that might shed light on any instances of DPD racial profiling. Edinger is in contact with minority organizations who perceive this to be a major problem. Clemmons noted that the DPD's new Personnel Assessment System (PAS) may provide helpful data.

The minutes of the meetings of January 23 and 29 were approved.

The Board discussed at some length ways to improve its quarterly public meetings. The discussion grew out of experience at the January 29 meeting when many of some 50 audience members expressed views and comments alleging racial bias and excessive use of force by police. The Board will take further steps to improve the format and timing of the meeting agendas.

There was a brief discussion of use-of-force cases under investigation by DPD IAB. The Board has asked the Monitor to keep it informed of all such cases that remain open for six months or more. In addition to wanting details of such cases, the Board particularly wants to know why resolution is delayed.

There being no further business, the meeting adjourned.



**CITIZEN OVERSIGHT BOARD  
MINUTES  
Meeting of February 20 2009  
Approved March 6, 2009**

The Board met from ten to noon today on the 12th floor of the Webb Building. All members were present except Foster and Freeman. Also attending were Monitor Rosenthal and six public citizens. Attorney Denise Maes, adviser to the Board, was present for the executive session.

Knoche noted the presence of Dr. Mary Davis, a new member replacing David Montez. Davis was warmly welcomed.

The Minutes of the Board meeting of February 6 were approved.

Recommendations from a Denver citizen, Art Way, concerning categorizing citizen complaints of performance by law enforcement officers were discussed by the Monitor. One of Way's recommendations concerns establishing COBs at police district level. The Board will inquire into the current practice of DPD district commanders in inviting public participation in district meetings. (Way was one of the public citizens attending the meeting and he was invited to comment on his recommendations.)

Rosenthal reported that DPD/IAB has instituted procedures to send timely letters to complainants outlining the status of the handling of their complaints.

There was a discussion of funding future resources for televising the COB quarterly public meetings on Channel 8. Information conflicts but it appears the televising will continue. This is viewed as a significant matter given the requirement that the Board be active in public outreach and transparency.

Copies of the draft of the Board's annual report were given to members with the request that suggested changes be given to Knoche within the next week or so.

Mary Malatesta, Deputy Manager of Safety (MOS), told the Board about a working group set up by MOS to develop agreed procedures to avoid chances of mistaken identification of jailed prisoners. The Board asked to be informed about the procedures when they have been agreed. Malatesta thought the working group's task may be completed in a month or so.

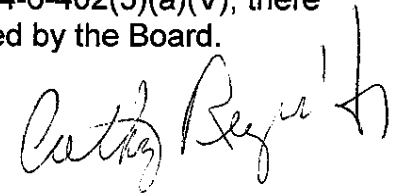
The Board voted to go into executive session and the citizen guests were invited to depart.

After the executive session, there remained no further business and the meeting adjourned.

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Minute of executive session -- Meeting of February 20 2009

In accordance with Denver Code 2-34(a)(5), the Board discusses with the Monitor certain matters under investigation. Following that, while still in executive session, in accord with Colorado State Code 24-6-402(3)(a)(V), there was a discussion of a negotiating position to be developed by the Board.

A handwritten signature in black ink, appearing to read "Cathy Reynolds", with a stylized flourish at the end.

**CITIZEN OVERSIGHT BOARD  
MINUTES  
Meeting of February 26 2009  
(Approved March 6, 2009)**

The Board met today in a specially-called session in the Webb Building from 1:30 to 3:00. All members were present. Three of them -- Burluson, Freeman and Navarro -- participated via telephone conferencing.

Members discussed the draft of its annual report covering 2008. Finishing touches were agreed upon and it will be issued in mid-March as required.

The Board voted to go into executive session to discuss matters relating to the Board's quarterly public meeting on January 29 and to allegations made by Lisa Calderon who attended the meeting.

There being no further business, the meeting was adjourned.

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**EXECUTIVE SESSION MINUTE -- Meeting of February 26 2009**

The Board discussed confidential issues in accordance with Colorado State Code 24-6-402 (3) (a) (V) and Denver Code 2-33 (c).



**CITIZEN OVERSIGHT BOARD**  
**MINUTES**  
Meeting of March 6 2009  
(Approved March 20, 2009)

The Board met from ten to 11:45 this morning. All members were present except Burluson. Also attending was Monitor Rosenthal.

The Board met with Captain Russ Bray, chief of the DFD arson unit (formally known as the Fire Prevention and Investigative Division). Bray said there had been an increase in arson cases in the City as the economy has tightened. Asked about the impact of budget reductions in 2009, he said the number of new fire vehicles to be purchased has been reduced. There has been no reduction of DFD personnel numbers.

The draft minutes of Board meetings of February 20 and 26 were approved as modified.

Rosenthal reported that he had met with the City Attorney's Office to discuss recommendations made in the Police Assessment Resource Center (PARC) report regarding updates to DPD deadly force policies. The City Attorney's Office will be reviewing those recommendations accepted in whole or in part by the Chief of Police. In addition, as of the most recent officer-involved shooting and as per one of PARC's recommendations, the OIM has begun to receive copies of witness statements made during Homicide investigations of officer-involved shootings as soon as they are available.

The Monitor has under consideration the advisability of current DPD policy permitting officer shootings at moving vehicles. Several large U.S. cities do not allow this. The PARC report recommended the Denver policy be further restricted.

Rosenthal said the OIM and COB annual reports will be released on March 16. Rosenthal and Knoche, in accord with usual practice, will appear before the City Council Safety Committee on March 18 to brief the annual reports.

The Board voted to go into executive session to hear from the Monitor about three DPD cases under investigation by the Internal Affairs Bureau or awaiting ultimate disciplinary decisions by the authorities.

There being no further business, the meeting was adjourned.

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**EXECUTIVE SESSION Minute --- Meeting of March 6 2009**

The executive session was held in accord with C. R. S. 24-6-402(3) and pertained to details relating to investigations and final disciplinary decisions involving three different DPD officers in three separate incidents.

A handwritten signature in black ink, appearing to read "Cathy Reynolds". The signature is written in a cursive style with a large, stylized initial "C".

## CITIZEN OVERSIGHT BOARD

### MINUTES

Meeting of March 20 2009

The Board met from ten to 11:45 today on the 12th floor of the Webb Building. All members except Foster were present. Attending also were Monitor Rosenthal and OIM Ombudsman Clemmons.

The Board held a free-flowing discussion with the Monitor, Clemmons, Special Assistant to the Mayor for Public Safety, Dave Edinger, and DPD Division Chief Tracie Keesee about work being done to identify specific information related to biased policing in Denver. The effort, hopefully soon to be facilitated by a federal (Department of Justice) grant, will be transformed into a study of weaknesses that may be having an adverse and disproportionate racial impact in the City-wide criminal justice system. The focal point for this will be the Crime Prevention and Control Commission. It was agreed that all parties will stay in touch as studies proceed.

The minutes of the March 6 Board meeting were approved as modified.

Discussion next centered on future Board organizational matters. Board Chair Knoche's term expires on March 31. It was agreed Vice-Chair Reynolds will assume Chair duties for the month of April, pending election of Board officers in May as required by the Board's bylaws.

It was noted that a program will have to be developed prior to the Board's next quarterly meeting on April 23.

Note was taken of a meeting scheduled for tomorrow under the auspices off the "Fix Broken Policing Campaign." Some City officials will attend. After discussion, the Board elected not to.

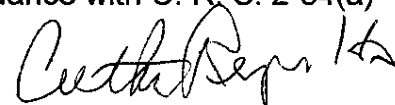
The Board voted to go into executive session to hear from the monitor about confidential matters relating to a case in DPD and another in DSD.

There being no further business, the meeting was adjourned.

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EXECUTIVE SESSION MINUTE -- COB meeting of March 20 2009

The Board was advised by the Monitor on the status of two cases (one in DPD and one in DSD) concerning investigations and discipline to be imposed. This subject was discussed in executive session in accordance with C. R. S. 2-34(a) (3).

A handwritten signature in black ink, appearing to read "Cynthia Reynolds" with a stylized flourish at the end.

**CITIZEN OVERSIGHT BOARD  
MINUTES**

**Meeting of April 3, 2009  
(Approved April 17, 2009)**

The Board met from 10 AM until 11:50 AM today on the 12th floor of the Webb Building. All members were present except Mr. Navarro. Because of the time expected to be needed for other issues, Chief Whitman's visit will be re-scheduled.

The minutes on March 20<sup>th</sup> were approved as modified per former Chair Knoche's March 23<sup>rd</sup> e-mail.

Monitor Rosenthal discussed the status of the administrative review of the most recent officer-involved shooting, which occurred on February 26, 2009. The District Attorney's Office issued a letter on March 16, 2009, announcing no criminal charges would be filed. A use-of-force board has been scheduled for April 28, 2009. The Manager of Safety is expected to issue a public report within 6 months of the incident.

The Monitor's first quarterly reports for 2009, regarding imposition of discipline, quality of investigations and status of critical incident investigations and administrative reviews will be released on Monday, April 6, 2009. The Monitor noted that in the reports, he expressed concerns regarding the imposition of discipline in one Police case and the failure of the Sheriff to complete an investigation as per normal procedures.

Chair Reynolds had questions about how we are handling the Board's legal representation. She will contact City Attorney Fine to clarify.

After a wide ranging discussion, the Board settled on an agenda for the April 23<sup>rd</sup> public meeting at Green Valley Ranch. There will be reports on the annual reports from the Monitor and the Citizen Oversight Board and an opportunity for public comment.


Mr. Freeman continues to be concerned about the time we spend on individual cases in executive session. The majority of the Board feels the time spent is appropriate and useful.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing investigations and legal and personnel issues.

The Board was advised by the Monitor on the status of four Sheriff use-of-force cases pending investigation and/or command review. In addition, the Monitor informed the Board about 1 new police investigation and 2 police cases pending disciplinary decisions by the Manager of Safety. This subject was discussed in executive session in accordance with C. R. S. 2-34(a) (3).

The Board also discussed a personnel issue.  
The Board adjourned at 11:45 a.m.

Respectfully submitted,

  
Cathy Reynolds, COB Chair

CITIZEN OVERSIGHT BOARD  
Minutes of April 17, 2009  
Approved May 1, 2009

The COB met April 17<sup>th</sup> from 10 until 11:30 in the 12th floor conference room of the Webb Building. In attendance were members Davis, Navarro, Foster, Burleson and Reynolds. Member Freeman joined us via telephone. Monitor Rosenthal was also with us.

The minutes of the April 3<sup>rd</sup> meeting were approved as distributed.

Manager LaCabe was our guest. He reported that though the departments are tightening their belts, he is not laying officers off at this time. He is concerned about the continued funding for the Crime Prevention Control Commission and the budget picture for next year. He also told us that they are seeking grant funding for the HALO project and they do not yet have a funding plan for putting cameras into police cars. Reynolds presented 3 citizen complaints to bring to the Manager's attention and a motion was made and seconded to go into executive session to discuss them in accordance with D.R.M.C. 2-34(a) (3). The COB went back to open session after that discussion.

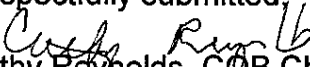
Monitor Rosenthal informed the COB that the City Attorney's Office has entered into a contract to provide independent legal advice to the COB and that the contract contains enough funding for the upcoming year for that purpose. Monitor Rosenthal also informed the COB that the Mayor has recommended Carmen Velasquez to the City Council for appointment to the COB. Ms. Velasquez is set to meet with the Safety Committee on May 6, 2009 at 9:15 a.m. and, if approved by the Safety Committee, can be expected to take her position in mid-May.

The Board discussed the agenda for the April 23 public meeting. The meeting will consist of presentations of the COB and Monitor's 2008 Annual Reports and then an open mike for comments by the public.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing investigations and discipline. The Board was advised by the Monitor on the status of Sheriff and Police cases currently pending discipline by the Manager of Safety. This subject was discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

The Board adjourned at 11:30 a.m.

Respectfully submitted,

  
Cathy Reynolds, COB Chair

April 23, 2009  
COB Public Quarterly Meeting Minutes  
Green Valley Ranch Recreation Center  
7-9 p.m.  
Approved September 4, 2009

COB members present: Cathy Reynolds, Mary Davis, Paul Bureson, Steve Foster, Sam Freeman

Chair Reynolds welcomed everyone to the meeting and introduced Councilman Michael Hancock to give comments. In addition to welcoming meeting attendees to his council district, he noted that he had been a member of the Public Safety Review Commission (PSRC), the civilian oversight predecessor to the COB and Office of the Independent Monitor. He also noted that he was a member of the task force (comprised of city officials, law enforcement, and community and faith leaders) that created the current oversight system. Councilman Hancock touted its effectiveness and acknowledged that the process is evolving and is open to adjustment.

District 5 Commander Lisa Fair spoke next, introducing her officers in attendance: Lt. Ron McDaniel, the night shift commander; Project Officers Ernest Sandoval and Joel Charette, and Community Relations Officer P.C. Chanthavong. Commander Fair described her district's strategies for reducing crime, which included partnering with the communities to find out what their needs are jointly develop response plans. Commander Fair noted that there had been a 79% increase in theft from motor vehicle and urged residents to park in their garages. But, if residents had to park on the street, she encouraged them to lock their doors and remove valuables from view.

Chair Reynolds gave an overview of the history of the Citizen Oversight Board and outlined its mission and purpose. She then presented on the COB's 2008 Annual Report, highlighting the Board's support of the Monitor's community-police mediation program and the OIM's involvement in monitoring police activities during the Democratic National Convention. The COB also worked with the Monitor and Manager of Safety to improve timeliness of the disciplinary process and to make the disciplinary system more predictable and appropriate. Chair Reynolds noted the COB's involvement in DPD's early intervention system called the Personnel Assessment System and how the COB will be following the Denver Sheriff Department's (DSD's) future implementation of the program. The COB reviewed recommendations made by the Police Assessment Resource Center (PARC) regarding deadly force policies.

Independent Monitor Richard Rosenthal presented on the OIM's 2008 Annual Report. He highlighted the office's mission, responsibilities, and core functions and noted that Denver is one of very few programs nationally to have the ability to monitor every case from the beginning all the way to its conclusion (versus only certain cases, an appeal process, or partial review process). Monitor Rosenthal reported on the 2008 goals and the status, the officer-involved shootings and in-custody deaths for 2008, and the DNC-related complaints. He also reported on concerns related to wrong person arrests and detentions and biased policing.

Members of the audience asked questions of the COB and Monitor about their reports and the Internal Affairs (IA) process in general. Various community members made comments and expressed concerns, which included: the standard of proof in order to sustain IA investigations, the prior actions of a COB member, the inability of the COB to issue subpoenas, and the belief that the COB should have greater age and class diversity. Several community members expressed that the COB and OIM should have larger budgets with more staff, and greater capacity to do outreach.

After hearing comments from community about a specific case, the COB requested that the Monitor report back to them when the case is ultimately resolved.

The meeting was adjourned at 9:00 p.m.

**CITIZEN OVERSIGHT BOARD**  
Minutes of May 1, 2009  
Approved June 5, 2009

The COB met May 1 from 10 AM until 11:30 AM in the 12th floor conference room of the Webb Building. In attendance were members Davis, Navarro, Foster, Freeman and Reynolds. Also present were Monitor Rosenthal, Deputy Monitor Arnold and Community Relations Ombudsman Clemmons.

Police Chief Whitman met with the Board. He reported that he was told to prepare a 13.1 million dollar budget cut for 2010. He does not believe this could be accomplished without a reduction in staffing. They are looking into cameras that can be mounted on officers belts. These are less costly than cameras in cars and could cover more officer activity. They have applied for all the stimulus funds available. Because they aren't holding new recruit classes, they are holding more training for sergeants. The department is currently evaluating its work using a resource from the Office of Community Oriented Policing Services of the Department of Justice: "Protecting Civil Rights: A Leadership Guide for State, Local & Tribal Law Enforcement and believe they are in good shape but will continue to improve training. Because of the flu outbreak, they have distributed protective gear to officers but are waiting to decide whether under what circumstances such gear may be used. They continue to work on data collection regarding early intervention to further improve the system.

The minutes of the April 17 meeting were approved.

Monitor Rosenthal reported that he has been asked to find an additional \$36,500 dollars in cuts (over and above the cuts taken in the 2009 budget) in the monitor budget for 2010. The only way to find that much is with a decrease in staff. He is hopeful, however, that enough reductions can be offered to avoid any staff layoffs. The 2010 budget will necessarily include a continuation of the elimination of Board's line item. Monitor Rosenthal also advised the Board that the Mayor's nomination for a vacant position on the Board, Carmen Velasquez, will be meeting with the Safety Committee of the City Council on May 6th at 9:15 a.m. Board Member Foster offered to appear at that hearing on behalf of the Board.

The Board had a discussion about how we can respond to good ideas. We agreed to find ways to communicate more effectively with the staff and the departments.

The Board discussed holding a meeting with members of the community to exchange information on various concerns. Clemmons will flesh out some ideas and get back to us. We set June 10 as a preferred date.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing Police and Sheriff investigations and discipline. The Board was advised by the Monitor on the status of Sheriff and Police cases currently pending discipline by the Manager of Safety. This subject was discussed in executive session in

accordance with D.R.M.C. 2-34(a) (3).

The Board continued its executive session, without any Monitor personnel present, to discuss a personnel matter.

Respectfully submitted,

Cathy Reynolds  
Chair

COB MINUTES  
JUNE 5, 2009  
WELLINGTON E. WEBB BUILDING  
Approved June 19, 2009

Attending: Members Reynolds, Davis, Navarro, Burleson, Messina-Velasquez, Freeman, and OIM Staff Members Arnold and Clemmons.

Chairperson Reynolds called the meeting to order at 10:05 AM.

The most up-to-date Ethics Handbook was handed out to all members who were advised that COB members are covered by the Denver Ethics Code.

Fire Chief Nuanes sent Chief King to represent him. We had an involved discussion revolving around the budget challenges. They, as the rest of the City departments, have been asked to submit another 7% cut, about 7 million dollars. As most of their costs are for personnel, meeting that goal would require lay offs. However, a Memo of Understanding between the City and the Firefighters Union 858 provides for no staff reductions. To do staff cuts, the Mayor would have to declare an "economic crisis." Two planned Fire Academy Classes have been put on hold. They are pursuing Federal grants as available, but they are small. The Arson Division, which is our particular concern per City Ordinance, is currently close to full staffing.

A lengthy discussion was held regarding the upcoming June 10 meeting with members of the community from the "Fix Broken Policing Coalition." The COB agreed to listen, to try to be as forthcoming as possible about what our authority is and isn't, and to endeavor to have a useful exchange.

The Board elected Reynolds as Chair and Davis as Vice-chair.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing Police and Sheriff investigations and discipline. The Board was advised by the Deputy Monitor on the status of two recent in-custody death investigations, two Police internal investigations and two cases currently pending review by the Manager of Safety. This subject was discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

The meeting adjourned at 11:30 AM

Respectfully Submitted,

Cathy Reynolds  
Chair

CITIZEN OVERSIGHT BOARD  
JUNE 10, 2009 COMMUNITY MEETING MINUTES  
APPROVED JULY 17, 2009

**COMMENTS FROM THE COMMUNITY:**

Community members expressed frustration with what they believe is a lack of credibility, accessibility, and diversity on the COB.

They believe the COB should be more visibly an advocacy group.

COB should stop saying what they can't do.

The COB should be elected, not appointed.

Since the COB isn't paid, we should be advocating for the community.

If the COB didn't exist, what would be lost?

The COB's time has passed. The community is working with the DPD and others and is "work grouped out."

COB needs to be more like the PSRC, hold monthly public hearings (from 6 to 8 PM) to hear complaints, and all should be televised.

The COB can participate in existing work groups.

Some fear going public with complaints will produce retaliation.

We all need to work better together and get along.

COB continues to project a pro-police bias.

CopWatch wants to do away with the OIM and COB and have a "true" citizen board.

The COB and OIM are too close the police.

**COMMENTS FROM MEMBERS OF THE COB:**

Let the community have more of a hand in determining COB agenda.

COB should move more quickly.

Find out if more complaints are sustained now than before OIM.

COB needs to more effectively communicate what it is doing.

Three working groups were suggested. 1) How to make the public meetings more meaningful; 2) How to move on systemic changes; and 3) How to deal with the perception that the police always prevail.

It could be difficult to participate in a work group with a goal of dismantling your organization.

The COB should lobby more.

The COB shouldn't lobby.

The COB will look for ways to communicate more directly with complainants.

The COB receives extensive training, including the appropriate Constitutional provisions.

The COB has had considerable influence on a number of policy reforms.

**WRAP UP**

There was an agreement to circulate meeting notes. The COB agreed to notify the group of any changes made as a result of this exchange and to continue discussions on ways to improve the process.

Prepared by Cathy Reynolds

CITIZEN OVERSIGHT BOARD  
JUNE 19, 2009 MINUTES  
APPROVED JULY 17, 2009

The Board met at 10 AM in conference room of the Office of the Independent Monitor. Present were Board members Foster, Freeman, Davis, Velasquez, and Reynolds. Also in attendance were Monitor Rosenthal and Deputy Monitor Arnold.

The minutes of June 5 were approved as submitted.

There was an extensive discussion regarding the meeting of June 10. The talk centered around two ideas for future meetings. One is to hold one of our two regular monthly meetings late in the day, perhaps 6 PM, and in a more accessible place. The difficulty of access to the full staff and information was noted. It was decided to explore such arrangements on a trial basis.

There was discussion of the possibility of holding another meeting with the community to talk about policy issues. There was some question about just what those issues might be that are not currently covered, or covered inappropriately, in current police and sheriff policy.

The Board agreed to seek input from AJ Clemmons about those proposed meetings and to ask for her assistance.

Rosenthal briefed the Board on the budget. He reported that he had been instructed to cut another \$46,000 from the OIM budget. Along with tightening the office supply and pool car items, this would eliminate the COB line item, televising the quarterly meetings and all travel and training. It would also necessitate some staff reduction, a difficult thing with only six FTEs. The COB and the Monitor strongly object to cutting staff and to not televising the quarterly meetings. Rosenthal reported that it is not in accordance with City policy for any one Department to take more days without pay than those required of all Departments to meet overall budget goals.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing Police discipline. The Board was advised by the Monitor on the status of several police cases that are pending review by the Manager of Safety wherein the Monitor had expressed concerns regarding disciplinary recommendations. This subject was discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

Adjournment at 11:40 AM

Respectively Submitted

Cathy Reynolds  
June 30, 2009

Citizen Oversight Board  
Meeting Minutes  
July 17, 2009  
Approved August 21, 2009

The meeting convened at 9:30 a.m. in the 12th floor conference room in the Wellington E. Webb Building. Present were COB members Davis, Foster, Velasquez, Navarro, Burleson, Freeman and Reynolds. Also present were Monitor Rosenthal and A.J. Clemmons.

The minutes of the June 10 community meeting were adopted unanimously.

The minutes of the June 19 Board meeting were adopted with five votes. Mr. Navarro abstained because he was not present at the meeting. Mr. Freeman voted in the negative, citing his concern that they were incomplete.

Rosenthal reported that he has no new news about up coming budget cuts. He also reported that he is scheduled to present our Mediation Program to the Douglas County Sheriff's Department.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Monitor on the status of several police use-of-force cases that are pending internal investigation and command review and several additional cases pending disciplinary action by the Chief of Police. The Board was also advised of the status of implementation of changes to police deadly force policies. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

There was a wide ranging discussion about possible changes to our operation, public response to the June 10 meeting, and plans for the community meeting on July 23.

We agreed to acknowledge in writing specific matters brought before us by the public with a brief description regarding process.

We reaffirmed our commitment to keeping Channel 8 taping and airing our quarterly community meetings. We do not agree with adding more meetings.

We agreed to try having one of our two monthly Board meetings at 6 PM and to try to find a more accessible location. Beginning in October, we intend to meet the first Thursday at 6 PM, rather than the first Friday at 10 AM. AJ Clemmons will look for an appropriate site.

We had a lengthy discussion about exactly what kind of "advocacy" is being asked of us. This will be an ongoing topic.

While we appreciate the invitation to join existing working groups regarding law enforcement policy, we reached no agreement about this.

The COB remains open to hearing all suggestions to improve law enforcement policy and practice.

With AJ's help we will continue to look for ways to improve communications regarding our quarterly meetings.

We are working on a report that compares sustained complaints pre and post Monitor.

We discussed the COB's authority and responsibility regarding individual cases. This will be an ongoing point of discussion.

We then turned to plan the July 23 community meeting agenda. After much talk, it was decided to hear from the District Commander then do a recap of the above discussions, putting them in context with the June 10 meeting, speak briefly about our mission, and then open the floor for the public to bring concerns forward.

The meeting adjourned at 11:55 AM.

Respectfully submitted,

Cathy Reynolds

CITIZEN OVERSIGHT BOARD  
MINUTES  
QUARTERLY PUBLIC MEETING  
JULY 23, 2009  
Approved August 21, 2009

The Citizen Oversight Board held a community meeting at College View Recreation Center at 7 PM. All members of the Board plus Monitor Rosenthal and AJ Clemmons were present.

Reynolds reported on COB discussions concerning matters brought to us by members of the community, to wit:

\*We agreed to acknowledge in writing specific matters brought before us by the public with a brief description regarding process.

\*We reaffirmed our commitment to keeping Channel 8 taping and airing our quarterly community meetings. We do not agree with adding more meetings.

\*We agreed to try having one of our two monthly Board meetings to 6 P M and to try to find a more accessible location. Beginning in October, we intend to meet the first Thursday at 6 PM, rather than the first Friday at 10 P M. AJ Clemmons will look for an appropriate site.

\*We had a lengthy discussion about exactly what kind of "advocacy" is being asked of us. This will be an ongoing topic.

\*While we appreciate the invitation to join existing working groups regarding law enforcement policy, we reached no agreement about this.

\*The COB remains open to hearing all suggestions to improve law enforcement policy and practice.

\*With AJ's help we will continue to look for ways to improve communications regarding our quarterly meetings.

\*We are working on a good way to show apples to apples comparisons of sustained complaints pre and post Monitor.

Police District 4 Lt. Ed Hall reported on several Police initiatives in the District aimed at decreasing theft by educating people how to limit opportunities for thieves, doing more outreach in high incident corridors, and improving graffiti response.

The floor was opened for members of the community to voice their views or ask

questions.

A speaker asked about the status of marijuana possession police actions in Denver. Reynolds will ask the department for an update .

Several other speakers voiced various levels of criticism of the Board and asked for responses. Some members of the Board complied.

Monitor Rosenthal answered some specific questions from the audience.

One question involved a specific case that is still in the system and could not be addressed open session.

Adjournment was at 8:30 PM.

Citizen Oversight Board Minutes  
Friday, July 24, 2009  
Approved August 21, 2009

The Board met at 10 AM in the conference room of the Webb Building. Present were Members Davis, Foster, Freeman and Reynolds. Navarro joined in by telephone. Also attending was Monitor Rosenthal.

The meeting was held in executive session to discuss personnel matters in accordance with the provisions of Denver Municipal Code Section 2-33(c)(3).

Citizen Oversight Board  
Meeting Minutes  
August 21, 2009  
Approved September 4, 2009

The meeting convened at 10:10 a.m. in the 12th floor conference room in the Wellington E. Webb Building. Present were COB members Davis, Foster, Velasquez, Burleson, and Freeman. Also present was Monitor Rosenthal.

The minutes of the July 17, 2009 meeting, the July 23, 2009 quarterly meeting and the July 24, 2009 executive session were adopted unanimously.

Rosenthal provided the Board with statistics regarding sustained citizen and internal complaints for the period of 2002-2008, as previously requested by the Board. The Board requested that a narrative regarding the statistics be prepared and that the OIM Analyst meet with Davis and Freeman to discuss how to best present the information in an informative and educational manner.

Rosenthal informed the Board that a Channel 7 investigative reporter had requested information regarding the Board's budgetary expenditures for 2007-2009 as well as information relating to attendance at Board meeting for the same period.

Motion was made and seconded and agreed upon to go into executive session to discuss ongoing investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Monitor on the status of a Sheriff investigation regarding several use-of-force allegations, a pending police disciplinary action, a police disciplinary decision and an ongoing police internal investigation. The Board was also advised by the Monitor about possible changes to DPD policy regarding disciplinary processes. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

In accordance with the provisions of Denver Municipal Code Section 2-33(c)(3), the Board also discussed ongoing budget issues as they related to OIM personnel issues.

The meeting adjourned at 11:55 A.M.

Respectfully submitted,

Mary Davis

CITIZEN OVERSIGHT BOARD  
SEPTEMBER 4, 2009  
MEETING MINUTES  
APPROVED SEPTEMBER 18, 2009

The meeting was called to order at 10:10 am. Present were members Reynolds, Davis, Foster, Burluson, and Velasquez. Also present were Monitor Rosenthal and Deputy Monitor Arnold.

Minutes for the April 23 Quarterly meeting and the August 21 meeting were approved.

The Board and staff expressed heartfelt sympathy for the family of our newly departed Member, Sam Freeman.

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Monitor's report:

The Monitor said the Disciplinary, Advisory Group Steering Committee would be starting meetings in October. Mary Davis volunteered to be the COB representative to that body.

The bad news is the OIM and COB are taking extreme and difficult cuts in almost all areas. The good news is we will not be losing staff, which would debilitate our core missions.

Three draft reports were distributed, to be read in the interim and discussed at our next meeting: a report on sustained cases, pre- and post-monitor, an updated guideline for complaint monitoring, and mediation program protocols.

The group working on the disciplinary matrix for the Sheriff Department is getting going. We are pleased that our member emeritus Hank Knocke will be chairing the group.

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The COB discussed future meeting dates and subjects: We are scheduled for a meeting Sept. 18, 2009 at 10 AM in the OIM conference room in the Webb Building for a Monitor's report and to discuss reports. Thursday, October 1, 2009 at 6 PM, we are meeting at Temple Emanuel for a Monitor's report and have invited Chief Whitman to talk to the Board about the effect of projected budget cuts. We plan to have quarterly meeting on October 22, 2009, at the Hiawatha Davis Center to discuss the new justice center and what changes we can expect, and to hear public comment.

The COB adjourned at 11:10 AM.

Respectfully submitted,

Cathy Reynolds  
Chair, COB

DRAFT CITIZEN OVERSIGHT BOARD  
SEPTEMBER 18, 2009  
MEETING MINUTES  
APPROVED OCTOBER 1, 2009

The meeting was called to order at 10:10 am. Present were members Davis, Foster, Navarro and Velasquez. Also present were Monitor Rosenthal and Jon Proctor.

Minutes for the September 4, 2009 meeting were approved.

The Board discussed for following draft documents with OIM staff:

- COB Sustained Case Report
- Case Monitoring Guidelines
- Mediation Protocols, Guidelines, and SOPs

The Board determined that additional consideration needs to be given to each of these documents before they are finalized. Discussion of the Case Monitoring Guidelines and Mediation Protocols, Guidelines and SOPs will continue at the next regular meeting on October 1. The Board plans to have a presentation of the COB Sustained Case Report prepared in time for presentation at the January 2010 community meeting.

Other Business:

The COB discussed future meeting dates and topics. The next regular meeting will be Thursday, October 1, 2009, 6 PM at Temple Emanuel. The next community meeting will be held at the Hiawatha Davis Center. The meeting agenda will include a discussion about the new justice center by Division Chief Marie Kielar and public comment about matters related to COB responsibilities.

The ordinance that established the COB requires at least three community meetings each year. Based on current budget issues, the Board set tentative dates for three meetings in 2010: January 28, April 15, and August 26.

The OIM is still collecting funds for a memorial for Sam Freeman. Individuals desiring to contribute should do so as soon as possible in order for the memorial funds can be sent to National Jewish Health in Sam's honor.

The COB adjourned at 11:35 AM.

Respectfully submitted,

Mary Davis  
Vice Chair, COB

Citizen Oversight Board Minutes  
October 1, 2009  
Approved, October 16, 2009

The COB met at Temple Emanuel, First and Grape at 6 PM. Present were Board Members Burleson, Davis, Foster, Navarro and Reynolds. Also present were Manager of Safety Al LaCabe, and OIM staff members Clemmons and Arnold. The minutes of the previous meeting were approved.

Manager LaCabe gave the Board an extensive briefing on the adjustments his departments are considering to meet the current City budget crisis. Even with the concessions made by the Firefighter's Local and the hoped for (at the time on the meeting) concessions by the Police Protective Association, extensive adjustments in the Police, Fire and the Under Sheriffs Departments will be needed. The active, safety oriented jobs will have the priority and shifts will be made across the board to accomplish this.

The COB discussed the proposed Monitoring and Mediation protocols as previously distributed. There were a few suggestions for clarifications before final adoption.

The COB confirmed our October 16 meeting at the Webb Building. The COB also confirmed our plans to meet in a televised public oriented meeting October 22 at 7 PM at the Hiawatha Davis Center.

Monitor Arnold advised the COB of the DPD's new "Standing Committee" regarding the disciplinary matrix which will be chaired by former COB Member Hank Knoche and where the COB will be represented by member Mary Davis. In addition, the Sheriff Disciplinary Advisory Group is continuing progress in reforming the Sheriff's Disciplinary process. Monitor Arnold also informed the COB about a new Manager of Safety policy forbidding personal relationships between supervisors and police recruits or probationers that also allows consensual relationships between supervisors and subordinates only if reported up the chain-of-command. Monitor Arnold also advised the COB about possible changes to the DPD Communication policy which will ensure officers who send people to "Detox" can be identified in the event of an internal affairs investigation.

The COB went into Executive Session to discuss ongoing investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Deputy Monitor on the status of three disciplinary actions pending before the Manager of Safety and one pending before the Chief of Police. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

The meeting adjourned at 7:30 PM.

Respectfully submitted,

Cathy Reynolds  
Chair, Citizen Oversight Board

CITIZEN OVERSIGHT BOARD  
MINUTES  
OCTOBER 16, 2009  
APPROVED NOVEMBER 20, 2009

The meeting began at 10 AM in the 12th floor conference room of the Webb Building. Present were COB member Davis, Velasquez, Burlison, Foster and Reynolds. OIM staff Rosenthal, Arnold and Clemmons. Police Chief Whitman joined us for discussion.

The minutes of the October 1 meeting were approved.

A comprehensive discussion with Chief Whitman included descriptions of budget options, for this and subsequent years. The picture looks quite serious and is receiving the most diligent attention. We discussed the use of Tasers and the training and policies involved. We discussed the impact that Denver's Initiative 300 (the car impounding measure) would have. The Chief said the impoundment lots are always full now and the process is extremely time consuming for officers and could divert them from other duties

The OIM reported that the new protocols for have been through most of the needed vetting and will be adopted after a public comment period has been scheduled.

Member Davis reported on the first meeting of the committee convened by the Manager of Public safety to work on the new Sheriffs Disciplinary Matrix. She reported the meeting was civil and more meetings than initially thought would be needed.

Our next quarterly meeting will be at the Hiawatha Davis Recreation Center at 7 PM on October 22. We will have a presentation from the Sheriffs department on the opening of the new justice center and what that will mean for the detainees and the public. The COB's next regular meeting with staff will be held at The Prodigal Son Initiative, Inc. and Senator Mike Johnson Community Center at 5405 E. 33<sup>rd</sup> (at the corner of 33rd and Hudson, one block west of Holly).

We learned we are back on track for numbers of mediations held this year. The Board decided to ask the mediators and the police and OIM staffs involved to join us for a discussion at a future meeting.

We have not heard when we might expect a new member to be appointed to the COB.

The COB went into Executive Session to discuss on going

investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Deputy Monitor on the status of three disciplinary actions pending before the Manager of Safety. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

The Board adjourned at 11:25 AM.

Submitted by  
Cathy Reynolds  
COB Chair

Citizen Oversight Board Minutes  
Quarterly Public Meeting  
October 22, 2009, 7p.m.  
Hiawatha Davis Recreation Center  
3334 Holly St., Denver, CO 80207  
Approved November 20, 2009

COB members present were: Chair Cathy Reynolds, Vice Chair Mary Davis, Carmen Velasquez, and Steve Foster.

Chair Reynolds welcomed everyone to the meeting and introduced Denver Police Department District 2 Commander Rhonda Jones. Commander Jones acknowledged and introduced the several lieutenants and officers from District 2 accompanying her. Commander Jones then gave a brief report of the crime rates. Of particular note, was that crime in District 2 was down more than anywhere in the entire City. She also encouraged people not to leave their cars running unattended during the winter months and said that locking the running car is not a deterrent for thieves who simply break the window and steal the car anyway.

Denver Sheriff Department Division Chief Marie Kielar and Captain Rick Guerrero conducted a presentation about the new Justice Center. There will be significant changes in the experiences of not only the inmates but those who come to the building for court proceedings and those who are visiting loved ones. Chief Kielar noted that there will be 1500 beds, which will immediately alleviate crowding issues that inmates have suffered in the current situation. Although she also highlighted that crowding has been improved also by the efforts of the Crime Prevention and Control Commission's initiatives to reduce recidivism and re-direct offenders (particularly people with drug addictions) through drug courts, treatment, and other alternatives. One of the greatest changes in the experiences of inmates will be that during intake as well as detention, inmates who are behaving peacefully will be able to remain in open, spacious areas that allow them to move about and socialize, rather than be confined to cells for much of the day. In addition, many of the services will come to the inmates rather than the inmates being transported all over the building, for example, meals, recreation, medications, and video visitation are all services that will be provided to them in the housing area. Chief Kielar also discussed the Denver Sheriff Department's partnership with accrediting institutions to assist inmates in learning skills and receiving certificates that will help them get jobs when they are released.

Following the presentation was a question and answer session with the audience. The meeting was adjourned at 8:05 p.m.

CITIZEN OVERSIGHT BOARD MINUTES  
NOVEMBER 5, 2009, 6PM  
THE PRODIGAL SON, INC. AND SENATOR MIKE JOHNSTON COMMUNITY CENTER  
APPROVED NOVEMBER 20, 2009

In attendance were COB Board Members Valasquez, Davis, and Reynolds. Also with us were staff member Arnold and Clemmons. There was no quorum present, so no official business was conducted.

\*Deputy Monitor Arnold reported the adoption of the OIM protocols is pending legal review by the City Attorney's office.

\*She reported that the OIM quarterly discipline report was recently released which was critical of the Deputy Manager's decision to settle an appeal of discipline for lying to Internal Affairs. As a result of the issuance of the report, OIM Rosenthal was interviewed by Brian Maas of Channel 4. \*The Manager of Safety has promised that the Sheriff's Discipline Advisory Group will have a matrix ready for review by July 2010.

\*The Police Department has initiated a policy change, at the request of the OIM to ensure that officers identify themselves to dispatch when having a person taken to Detox. This will ensure that Internal Affairs is able to identify officers if a complaint is made.

\*The Police Department is planning to change its policy requiring that Disciplinary Review Boards (DRBs) be conducted in all cases involving suspensions of 10 days or more. The new interpretation of the policy would allow officers to waive a DRB and accept the recommended discipline. This change would potentially ease the backload of pending DRBs and improve timeliness in the imposition of discipline.

\*It seems the number of complaints from both citizens and internal are up from prior years, although we need analysis of this to determine causes and impacts. COB Member Davis shared a comprehensive and informative report on her trip to the NACOLE Conference in Austin, Texas.

The COB went into Executive Session to discuss on going investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Deputy Monitor on the status of four disciplinary actions pending before the Manager of Safety. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

The next COB meeting will be Friday, November 20 at 10 AM in the Webb Building, 12th floor conference room.

The meeting concluded at 7:10 PM with special thanks to Member Davis for taking the initiative to attend the NACOLE meeting and report to u, and to The prodigal Son, Inc. and Senator Mike Johnston for the use of their facility.

Submitted by Cathy Reynolds, COB Chair

Citizen Oversight Board Minutes  
November 20, 2009  
Approved December 18, 2009

The COB convened at 10 AM in the 12th Floor conference room of the Webb Building. Present were Members Burlison, Davis, Navarro, Foster and Reynolds. Also joining us were Deputy Sheriff Lovinger and Manager of Safety LaCabe, and Independent Monitor Rosenthal.

The minutes of October 16, October 22, and November 5 were adopted.

Deputy Sheriff Lovinger reported that they are working on issues relating to departing from the truth and that the FOP is cooperating. COB members expressed concern about the way in which visitors to the County Jail are treated by the staff. Lovinger said that is something they will continue to work on. He said the physical set up of the new Justice Center should help with community relations. Work on the new Justice Center continues to go well and they are looking forward to populating it in the middle of next year.

Manager LaCabe reported on his continuing work to improve the culture of the Police and Sheriff's Departments. He is encouraged that the new disciplinary system is beginning to clarify and stabilize the system. They are getting caught up on a backlog of disciplinary cases in his office. He also reported on the large group of arrests made in the days immediately preceding the meeting arising from racially motivated attacks.

The Independent Monitor reported on his ongoing relationships with the departments and his work to streamline and improve the processes.

Member Davis reported on a lengthy meeting with the Manager of Safety's Standing Disciplinary Advisory Group for the DPD, which included a two-hour discussion with respect to a proposed new anti-fraternization policy for the entire Department of Safety.

The COB went into Executive Session to discuss on going investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Deputy Monitor on the status of four DPD disciplinary actions pending before the Manager of Safety and nine Sheriff cases pending before the Deputy Manager of Safety. The Board was advised of DPD cases pending for Chief's Hearings and Disciplinary Review Boards. Finally, the Board was provided with information regarding cases currently being actively monitored by the OIM (4 in-custody death investigations and 26 additional DPD and Sheriff internal affairs investigations). These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

We adjourned at 11:45 AM.

Submitted

Cathy Reynolds  
COB Chair

Citizen Oversight Board Meeting Minutes  
Dec. 3, 2009  
The Prodigal Son Initiative and Sen. Mike Johnston Conference Room  
5405 E. 33rd Avenue, 6 PM  
Approved December 18, 2009

The Board convened at 6:20 p.m. Present were COB Board members Davis, Velasquez, Navarro and Reynolds. Also present were deputy Monitor Valerie Arnold and AJ Clemmons, Community Relations Ombudsman for the OIM.

The COB heard a lengthy presentation from OIM Mediation Program Team (Steve Charbonneau, Executive Director of Community Mediation Concepts/Denver Mediation Center; Lowrey Mumford, Lead Mediator of CMC; Lt. Les Perry of DPD Internal Affairs Bureau; Lt. Marcus Fountain of DPD Internal Affairs Bureau; and Ajenai Clemmons, Community Relations Ombudsman and Mediation Coordinator for the OIM )concerning all aspects of the Mediation Program, including the criteria for selection cases for mediation and the process for conducting the sessions, and found it very useful. The COB thanks all the participants.

We discussed upcoming meetings. The last meeting of 2009 is scheduled for December 18th at 10 a.m. in the Webb Building, 12th floor conference room. We are scheduled for a public hearing on January 28, 2010. At our December 18th meeting, we will continue discussions about future meetings. We will most likely have just one Friday meeting in January.

The Deputy Monitor discussed a new "feedback loop" between the Manager and the Civil Service Commission (CSC), wherein the CSC is notified of the identity of officers terminated, demoted or who have received substantial discipline. This will allow the CSC to review the hiring process on an ongoing basis to see if there are any lessons to be learned. The Monitor, after attending a conference on "Excited Delirium" in-custody deaths, will be reviewing City policies and training to ensure that the City is engaging in "best practices" to try to avoid such deaths, where possible, in the future.

The COB went into Executive Session to discuss on going investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Deputy Monitor on the status of the status of two DPD internal investigations, one DPD disciplinary action pending before the Manager of Safety and seven Sheriff cases pending before the Deputy Manager of Safety. The Board was also advised about a recent in-custody death in the City Jail. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

The meeting was adjourned at 7:45 PM.

Submitted

Cathy Reynolds  
COB Chair

Citizen Oversight Board Minutes  
December 18, 2009  
Approved January 15, 2010

The COB convened at 10:10 AM in the 12th Floor Conference Room of the Webb Building. Present were COB Members Navarro, Foster, Davis and Reynolds. Also present were Monitor Rosenthal and Deputy Monitor Arnold, Chief of Police Whitman and Deputy Sheriff Lovingier.

The minutes of November 20 and December 3 were adopted.

Chief Whitman reported that medical marijuana clinics were a problem because they were targets for robberies. He said the Colorado Progressive Coalition is working with the Legislature on legislation to require written consent for the search of a vehicle.

Deputy Sheriff Lovingier reported that there would be heightened security at the City and County Building in the coming weeks due to two high profile trials.

OIM Rosenthal said he is getting busy on his annual report. / He has reached an agreement with the City Attorney and Sheriff's Department to review tort claims that allege police misconduct. / He has reached an agreement with the Chief and Manager to not require a mandatory Discipline Review Board for disciplinary suspensions of more than 10 days if all parties, including the OIM, agree. We also heard that the verbiage is being added to the Disciplinary Handbook as it relates to the Accidental Discharge of Weapons.

The COB discussed producing the 2009 Annual Report. Reynolds and Rosenthal will pursue options. The COB and OIM staff members need to get their thoughts together to participate. The COB wanted the DAs office to do a program on their policy on filing charges for the Jan. 28 meeting. We will forgo the first Friday in January meeting as it falls on New Year's Day, and meet for our usual 3rd Friday meeting January 15 and our public forum January 28.

COB member Davis reported that the Disciplinary Advisory Group Standing Committee is finally in agreement about language that deals with fraternization. Definitions took a good long time and a lot of thought. Although this policy does not go into the matrix, there will be a range of severity and there will be a range of presumptive outcomes.

The COB went into Executive Session to discuss on going investigations and disciplinary recommendations made by the Monitor. The Board was advised by the Monitor on the status of four DPD disciplinary actions pending before the Manager of Safety, two cases pending before the Chief of Police and three cases pending internal investigations. The Board was also advised about the status of a recent officer-involved shooting investigation. The Board was also informed about five Sheriff use-of-force cases pending investigation. These subjects were discussed in executive session in accordance with D.R.M.C. 2-34(a) (3).

Respectfully submitted,

Cathy Reynolds  
Chair