

**PUBLIC SAFETY, COURTS & CIVIL SERVICE MEETING
MAY 21, 2020**

Members Present: Council Member Curtis Gardner, Vice Chair
Council Member Angela Lawson, Member

Others Present: J. Batchelor, D. Parker, F. Gray, I. Evans, J. Heckman, J. Campbell, J. Schneebeck, L. Condreay, M. Fassio, M. Dudley, M. Longshore, M. Moore, N. Rodgers, R. Cutbirth, S. Day, S. Stowell, T. Brown, T. Buneta, T. Alscher, V. Wilson, Z. DeBoyes

REVIEW/APPROVAL OF MINUTES

April minutes approved and signed.

ANNOUNCEMENTS

None.

CONSENT ITEMS

None.

FIRST RESPONDER RECOGNITION

Summary of Issue and Discussion

Director of Human Resources, Dianna Giordano and Public Safety Communications Director, Tina Buneta presented the proposed resolution to the committee. The resolution purpose is to recognize public safety communications employees under the Federal Standard Occupational Classification System (SOCS) as Protective Service Occupations alongside police, firefighters, security guards, lifeguards and others to better reflect the work they perform; the current Office and Administrative Support Occupation fails to recognize their central role in public safety and homeland security, and their specialized training and skills in a stressful environment. It's important to promote efforts to recognize the value the individual provides to the citizens and the city. It's also an attraction and retention tool for essential functions where this is normally a high turnover rate due to the stresses of the job.

Public Safety Communication Professionals are the nerve center for public safety, everything related to life-safety passes through them. Aurora was the first PSC answering point in Colorado to go live on ESINet, which allows 911 to use multi-media such as texts, photos and eventually live streaming videos. It takes a lot of specific training and particular skillsets to communicate with citizens who are in distress, harm, fear, or injury effectively. They are exposed to trauma including emotional distress, and active violence, hostage situations and kidnapping. They are also exposed to emotional and physical impacts of the nature of the job compounded by long shifts. In 2019, Aurora Public Safety received 478,448 calls for service. Of those, 30,432 required emergency medical dispatching.

The current classification for public safety professionals is equivalent to clerical workers and doesn't accurately categorize this profession and is believed to be more aligned with police and fire personnel. The proposed designations would provide increased access to mental health services and grants for training.

There would be no budget impact or additional costs to city outside of enhanced workers compensation coverage for situations that might arise.

CM Gardner asked if staff would be submitting letters of support for the legislation. D. Giordano confirmed the proposal would be advocating in support of the federal legislation. CM Gardner and CM Lawson support the spirit of the resolution but think the federal legislative priorities list is the proper mechanism though they approve the item to go before the rest of council for a vote. CM Lawson asked if a letter would need to be provided. D. Giordano advised they would need to connect with the office that handles these matters to get confirmation about providing a letter.

Outcome

Committee supports moving the item to the next Study Session.

Follow-up Action

Staff will add to the next available Study Session agenda.

AURORA FIRE RESCUE COMMUNITY ENGAGEMENT

Summary of Issue and Discussion

Community Engagement Coordinator, Sherri Jo Stowell presented this update to the committee. In May of 2018 Fire Chief Gray restructured the department to include the Community Engagement Division. The division is led by a career service employee to provide structure and stability for a division that sees turnover approximately every 24 months. The division offers a benefit of growth and perspective about what it takes to run the department. A community health officer was recently added to the program. The recruiter receives support from the public information officers who manage social media and promotional activities. There is cross-training and teamwork that allows for participation in recruiting events, Camp Spark, car seat installations and Shots for Tots. Recruitment efforts include attracting entry level candidates, experienced lateral level candidates, and creating community-based programs offering a short-term and long-term strategy for attracting well qualified and diverse candidates. Currently the AFR is comprised of approximately 4.4% African American while the national average is 7.6%. The NFPA shows that women make up approximately 4% of the fire service nationally and AFR consists of approximately 8%. Recruiting efforts focus on identifying target audiences such as ready-to-work application, those that are in Aurora's own backyard with a passion for serving their community, and those that match the organizational values.

Public information efforts include supporting the Operations Division in large incidents where public alerts and media briefings are necessary, develop outreach campaigns for recruiting and community risk reduction and safety, build relationships with local journalists, and manage community engagement activities like station tours and AFR involvement at events. Cultivation of audience relationships through social media such as Facebook, Twitter, and Instagram to ensure accurate and timely information is relayed to the public.

The Community Health Officer is relatively new to the program that focuses on 911 high-user interventions. This position manages a client list of over 20 patients that are enrolled in the program. Contact is initiated by reviewing high user data or referrals from crews. The interventions have proven successful with more than 70% of patients showing a significant reduction in use and abuse of 911 after the first visit. Patients are asked to sign a commitment to participate in the program as a form of accountability. The assigned officer connects the patients to the care they need, such as prescriptions, nutritional needs, and transportation to care. This position also oversees the Shots for Tots clinics, manages files of life giveaways, and assists with the certified car seat checks.

Some of the Community Engagement group successes for 2019 include the adoption of 55 schools,

participation of 18 young women in the inaugural Camp Spark program, installation of 175 car seats and gave away 20 to those in need, installation of 687 smoke alarms in homes, 655 clients were seen at the Shots for Tots program for immunizations. Some program issues and operations concerns include supplies and services funding. They are applying for grants for their smoke alarms and home fire safety and their car seat program. Recruiting materials and advertising saw a drastic increase due to one-time funding in 2018 that was not replaced. Staff is preparing for a turnover this summer due to retirements and rotation. Next steps include the development of playbooks for each position to provide continuity, enhancing the lateral hiring process to find cost and time efficiency for background investigations, and build upon the Community Health program foundation with new possible partnerships.

CM Lawson asked how the community engagement will change or be modified with the concerns of COVID-19 to make sure people are still engaged. S. Stowell advised they have created virtual stations tours so people can still feel connected. Recruiters are looking for opportunities to host virtual career fairs. They hope to get back to smoke alarm and car seat installations soon. CM Lawson noted the large margins and lack of diversity in the workforce and asked if there was any speculation about the reason for it such as testing or requirements and if there is something that can be done with preparation or pre-testing. S. Stowell noted that the workforce of women is satisfactory, but it has been difficult to recruit people of color or those that speak more than one language. They are working hard to meet that challenge. Current marketing efforts include connecting with those in who live in Aurora, who have a passion for their community, who go to Aurora schools, and already represent a diverse community.

CM Gardner asked at what point an ROI can be generated for programs like Camp Spark. S. Stowell explained Camp Spark starts at age 13 and their goal is to collect data and follow-up by tracking the kids through schools and create ongoing relationships. They hope to build the program by converting some of those in the 15-year old and up age category into volunteering at the smoke alarm and car seat events to keep them engaged. Chief Gray added that a lot of the programs are long-term strategies for which they are capturing the data and following-up. Staff plans to continue to make sure they have people coming into AFR that are from the community, that are diverse, qualified and share the same values. CM Gardner asked what the biggest challenges for recruitment have been. S. Stowell explained that time efficiency for the recruiters is a challenge in that they spend a large majority of their time being a hiring manager instead of traditional recruiting efforts such as the relationship building. They are working on streamlining efficiencies for background investigations and medical/physical assessments for the hiring of laterals. Funding for outreach has been a challenge since the one-time funding from 2018 hasn't been replenished.

Outcome

Information Only.

Follow-up Action

None.

DOMESTIC VIOLENCE INVESTIGATION UNIT UPDATE

Summary of Issue and Discussion

Sergeant Todd Alscher presented this Domestic Violence Investigation Unit update to the committee. The DVIU is committed to the victim's safety, ending the cycle of violence, and presenting a thorough investigation case for prosecution. The DVIU will be comprised of one sergeant, five investigators comprised of agents and officer investigators, and one DRAT officer. At least one investigator will be on call at all times, including nights, weekends and holidays. The DVIU investigator will respond when the victim is unable to follow a safety plan, the suspect is a credible and immediate threat to the victim if not arrested, victim sustains serious bodily injury as a result of a weapon, victim is admitted to a hospital due to injuries, or anytime a firearm is used during the criminal act. Nothing limits the access to DVIU for guidance

or review of the case. Investigations will be mainly on felony level cases where the suspect and victim are or have been in an intimate relationship but will exclude sex assaults and homicides. Other investigations will include misdemeanor cases and protection order violations that may lead to stalking cases, if the suspect has three or more misdemeanor convictions or has been identified as a Habitual Domestic Violence Offender, or cases referred to DVIU by the Municipal Courts, County Courts, Victim Services, or other department investigative units. Partnerships, consultations, and visits have taken place with Arapahoe and Adams District Attorneys, Denver Police, Douglas and Jefferson County Sheriff Departments, Gateway Domestic Violence Services, University of Colorado, Centura Health, Lorna Leader, and Crime Free Colorado. Together, they have been working on process efficiencies and training officer investigators how to identify and investigate cases of strangulation. Sgt. Alscher has also been working with agencies from other large cities and states to establish best practices. Sgt. Alscher is working closely with Victim Services to update DV forms, assessments, and resources to aid in training patrol officers while investigating calls of Domestic Violence to include Trauma Informed interviewing and strangulation investigations. The use of soft interview rooms with comfortable seating and soft lighting has been established. Staff is working on providing resources to victims who do not want police intervention, working with IT to collect and track statistics, and in the process of drafting Standard Operating Procedures for the Unit. Unit goals and timeline include selecting five investigators and begin training internally and with outside agencies by early August 2020, test run by November 2020, and full implementation by January 2021. Resource cards and QR Codes will be made accessible through business and community partners for victims. Domestic Violence statistics for the weeks during COVID were provided to the committee.

CM Lawson noted the stats show calls for service statistics are up, but arrests are down. She asked if that meant the responding officers couldn't determine if the suspect was a threat or criminal behavior had occurred. She was concerned that should the suspect go back it could be more damaging to the victims. Sgt. Alscher explained reports could be taken for non-criminal issues if it meets a standard threshold. As to her questions specifically related to the reports noted, he noted a review of all the reports would need to take place. CM Lawson inquired on the threshold mentioned. Sgt. Alscher explained there is a threshold for reports; if it's not a criminal complaint, there is a process for notes to be added to calls. Any allegation of a crime would require a report. CM Lawson explained this is concerning because a person is calling for a reason and could be the difference between life or death. Chief Wilson explained the unit is working with IT to identify calls for service and the threshold mentioned is related to officers being able to determine probable cause. Stay at Home orders related to COVID has led to people spending a lot more time together resulting in arguments and verbal disputes that may not be determined to be criminal in nature. Officers are aware of the law for mandatory arrests and the risks of domestic violence and it is taken very seriously. CM Lawson asked if police directives include a definition for probable cause. Sgt. Alscher noted that officers use the legal definition of probable cause. He also noted that Gateway has seen higher calls for counseling services but sheltering services have gone down since COVID. People don't know who else they can call so they call the police and when officers arrive they determine there is nothing criminal in nature. CM Lawson noted that could be a matter of opinion for the victim.

CM Gardner asked if the need for services is being met by the community partners. Sgt. Alscher explained he believes the community partners are reporting that referral needs are being met and noted that there is always room for improvement. CM Gardner added that he appreciates the social media campaign taking place on this topic noting that you never know who will see it that may need help.

Outcome

Information Only.

Follow-up Action

None.

INTERNAL AFFAIRS COMPLAINT AND BIASED-BASED POLICING REVIEW**Summary of Issue and Discussion**

Commander Marcus Dudley presented this item to the committee. The Internal Affairs Bureau (IAB) is comprised of one commander, one lieutenant, two agents, two sergeants, and one administrative specialist. IAB reports directly to the Chief of Police and only conducts investigations when directed to do so by the Chief or designee. The role of IAB is to ensure the integrity of the police department by reviewing and tracking complaints involving department members, both sworn and non-sworn, conduct a fair and impartial formal investigation of allegations of misconduct that would result in discipline over a 40-hour suspension, and conduct drug and alcohol testing on department members involved in critical incidents, reasonable suspicion, and mandatory drug and/or alcohol testing.

Complaints are received in multiple ways; Citizens can contact an officer in person or make the complaint directly to IAB, by phone, or provide letter, email or fax. Complaints online come through the public web report on the APD website. All complaints are entered and tracked in the AIM system. Anonymous complaints can be submitted to IAB online through the Public Web Report, by phone call, written letters, or through the Ethical Advocate system located on the city's website. If a complaint is likely to result in discipline equal to or less than a 40-hour suspension they would be investigated by line level supervisors. If the supervisors feel that the discipline would be greater than a 40-hour suspension they would then be referred to IAB for investigation. There were 236,646 calls for service in 2018. Of those, there were 519 total complaints. For 2019, there were 75 internal complaints and 273 external complaints for a total of 348. Supervisors on the front line may correct minor performance issues and are documented in AIM. Correction can include Verbal counseling, training, negative performance appraisal entries, and/or correction action reports. For comparison purposes, there were 49 formal IAB investigations resulting in 44 sustained findings that members violated APD Directives in 2018 and 44 formal IAB investigations resulting in 42 sustained findings that the member violated APD Directives in 2019. Typically, cases referred to IAB are serious and, as such, do result in sustained findings.

APD Directive 8.32 prohibits bias-based policing based solely on a person's race, ethnicity, gender, national origin, language, religion, sexual orientation, gender identity, age, or disability. IAB is responsible for an annual review of bias-based policing complaints to make sure there was proper use of the system, quality information is provided, and adherence to directives, and that there is documented steps or measures to resolve the concerns. Racial profiling complaints received by year were 16 in 2016, 12 in 2017, 15 in 2018, and 25 in 2019. When profiling complaints are received they are reviewed for articulable reason for the contact. The member must be able to articulate that the person has, is or is about to commit a violation of the law; or is a threat to the safety of themselves or others. During traffic stops, if a citation is not issued or no arrest is made, officers are required to provide a business card. The business card contains information including a phone number for which the driver may provide comments to the Department regarding the traffic stop. IAB's findings of the bias-based policing complaints received 2016 to 2019 is that none of them resulted in sustained findings, body-worn camera video was available in most cases, the majority resulted from traffic stops, most resulted from lawful contacts based on reasonable suspicion, probable cause, or a dispatched call for service. Other directive violations were addressed appropriately when they were discovered. There are occasions where mediation is recommended although not commonly used. Three of the 68 bias-based policing complaints were recommended to mediation. Of those, only one was successfully mediated.

CM Lawson asked for clarification that complaints are received and reviewed by IAB staff to determine if they should be investigated by IAB. Cmdr. Dudley explained that was the process prior to some recent policy changes. The modification of policy allows for complaints that do not appear to reach a level of significant

suspension or discipline to be handled by a frontline supervisor. However, the annual review ensures IAB will see each complaint eventually. CM Lawson asked what the racial diversity ratio is for review board that determines findings and discipline. Cmdr. Dudley explained there is a Chief's Review Board that is comprised of the top-ranking division chief for the section or unit the member belongs to, the IAB Commander, legal advisor and Deputy Chief. Complaints made directly to the supervisor will be reviewed by that supervisor and they are allowed to independently make the decision on how the complaint will be handled. The complaints that come to IAB will be reviewed by an IA investigator to conduct the initial review. He further added that he is the only person of color in IAB. However, movement of an investigator to the unit will add another racially diverse member to the unit. CM Lawson asked if the increase of bias-based policing complaints could be a result of what's happening in society. She understands PD goes by the directive, but a person may still feel they were profiled but not reported of what truly happened. She asked for confirmation that none of the 25 complaints reported in 2019 were substantiated that a person truly felt profiled. Cmdr. Dudley explained due to the policy, as it exists, they have been unable to substantiate that the person feeling the way they felt had to do with bias. There were some other policy violations but none that could be established as being due to their race. The way to change the way a person feels about a contact is perhaps to better explain officers' actions and how they do things, if the situation allows for it. CM Lawson asked if evidence could be collected from the complainant to substantiate their complaint. Cmdr. Dudley confirmed that was possible and all evidence available would be reviewed. CM Lawson asked if internal complaints are reviewed by IAB prior to going to the Chief and how is fear of retaliation addressed. She further asked if any internal complaints have been substantiated. Cmdr. Dudley explained his short tenure prevents him from answering that question about substantiated internal complaint at this meeting. Regarding her first question, he explained the review would depend on how the complaint is received. Ethical Advocate complaints are received and reviewed by city HR. They can choose to forward it to IAB or investigate it themselves. IAB would review and if they recommend a formal review then it would be brought to the Chief's attention for authorization of a formal investigation.

Outcome

Information Only.

Follow-up Action

Staff will provide follow-up information requested.

MISCELLANEOUS ITEMS FOR CONSIDERATION

None.

NEXT MEETING AGENDA ITEMS

The next meeting was confirmed for June 18 at 11am. June items will include ISO Update and Technical Rescue Teams from AFR, Detox and Mental Health Services from Dr. DeBoyes, and Court Updates from Judge Day. A Campus update from AFR will be placed on the July agenda.

Meeting adjourned at 12:30pm

APPROVED: _____

Curtis Gardner, Vice Chair

