

**PUBLIC SAFETY, COURTS & CIVIL SERVICE MEETING  
FEBRUARY 25, 2021**

Members Present: Council Member Dave Gruber, Chair  
Council Member Marsha Berzins, Vice Chair  
Council Member Curtis Gardner, Member  
Mayor Pro Tem Francoise Bergan  
Council Member Alison Coombs  
Council Member Angela Lawson  
Council Member Nicole Johnston

Others Present: J. Batchelor, D. Carrel, M. Hanifin, D. Parker, M. Cain, J. Schneebeck, A. Robnett, D. Giordano, D. Wilson, R. McGregor, V. Wilson, C. McDonald, H. Glidden, M. Chapman, S. Redfearn, M. Fassio, S. Stowell, M. Hays, F. Gray, M. Bryant, T. Brown, W. Lippman, Z. DeBoyes, J. Drake, M. Platt, J. Heckman, S. McGhee, C. McDonald, I. Evans, J. Lanigan, C. Amsler, R. Allen, J. Twombly, C. Anderson, A. Dickens, S. Day, C. Carlson, C. Hills, B. Wesner, T. Buneta, S. Wright, M. Mrozinski, R. Joy, M. Beeman, C. McCoy, S. Barkman

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**ANNOUNCEMENTS**

None.

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**REVIEW/APPROVAL OF MINUTES**

January 21, 2021 minutes approved.

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**CONSENT ITEMS**

2020 Year-End UCR Report

CM Gruber: I'd like to have this reviewed at every meeting. As I mentioned at our first meeting, my goal this year is to obviously focus on what happened last year, the transparency efforts, and all of those, as well as focus specifically on crime, determine whether or not crime is increasing or decreasing, and just discuss strategies on crime.

Parker: We can certainly have this updated and available at every Public Safety Meeting.

CM Gruber: From the first meeting, we had seen the numbers and they were very concerning. If I could just review briefing. Murder was up 40%, Sexual Assault was down 21% but mostly because people are at home, Aggravated Assault was up 33%, Robbery was up 21%, Burglary was up 8.3%, Motor Vehicle Thefts was up 70%. We had an extreme jump in crime across the board. Over the last month or month and a half, from what you've seen, are these trends staying the same or are they increasing or decreasing from when the report was compiled to today?

Parker: I don't have any data to necessarily support that, Sir, but all the challenges that I talked about before when I originally presented this information, those challengers are still present. So, yes, absent specific data, I believe the trends are continuing as far as crime is concerned.

CM Gruber: Thank you. This will go in without change in next month's minutes.

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## 2021 AGENDA WORKPLAN

### Summary of Issue and Discussion

CM Gruber: I'd like to review those items for the remainder of the year. CM Berzins, do you have any changes for the agenda?

CM Berzins: Yeah, I would like to include, hopefully next month, something on street racing. I get so many calls on that and I think we need to have an ordinance or something in place to address that. Something special because that is very dangerous. That's a huge public safety issue.

CM Gruber: I think we may be discussing street racing a little later today. Is that – are we going to include that?

Batchelor: Lt. Hanifin, do you want to speak to that a little bit and can you cover that a little bit later today when you present your presentation?

Hanifin: Yes, sir. That's correct. I do plan on speaking about street racing.

CM Gruber: Alright, thank you. Having said that, if we cover it today, I guess we'll just determine when we get to that agenda item as to whether or not we've covered it sufficiently or whether we need to add it as another item.

CM Berzins: Thank you. I was going to suggest that, you beat me to it. Thanks.

CM Gruber: CM Gardner, do you have any changes?

CM Gardner: Are we, at some point, going to discuss the recommendations contained in the investigation report for the death of Elijah McClain?

CM Gruber: Absolutely, I was going to bring that up. I believe that we've got the meeting scheduled for next week. I think we have to give staff time to react to that, to bring us an implementation plan of changes they intend to make. We could cover it, both, next month and in April. Or, wait until April when maybe the plans are more complete. I'd like your thought that.

CM Gardner: I'm guessing April is probably as soon as we could get something from staff. I would think, because March is going to be a month away. I would be fine with April. I kind of defer to staff in terms of when they think they could come back with kind of a line-by-line analysis, if you will, of the recommendations and either what has already been implemented or what we can do to make changes going forward, if needed.

CM Berzins: I agree. I think we kind of need to be flexible with that. We can suggest April, but knowing their workload, it may take a little while longer, but I would suggest we shoot for April.

CM Gruber: Last year Council had focused on pre-gang membership and gangs themselves. Council authorized funds to address this and to begin managing it. Council was very clear that the efforts on the gangs was not going to be under the purview of the police force. Having said that, I think it's important for this committee to have a discussion, and probably continued discussions throughout the year, on what's

happening on the pre-gang side – In other words, those efforts that are being undertaken to convince people to not join gangs as well as what’s going on within the gangs. What I would like to do for next month is to move the Municipal Code Review to probably September or October and move forward the discussion on gangs, both pre-gang and post-gang efforts. I’ve asked CM Lawson to help address this at our next meeting so she can explain where we are with the AGRIP and the other programs, as well as having police talk about where the gangs are now as far as increase/decrease in the crime we’re seeing and specifically their recruitment efforts that the police are seeing. I don’t want to merge by any means, but I want to have a discussion for both sides to present to this committee just so that there’s situational awareness.

CM Berzins: That makes perfect sense and I think it’s very timely right now, especially with your objective for this Public Safety Committee to address crime in Aurora since it is going sky high. I would like to suggest not only CM Lawson, but maybe our District Attorney, John Kellner, might be able to put his two cents in because he has been working with this for years.

CM Gruber: That’s a good idea. We can reach out to him as well. CM Gardner, your thoughts?

CM Gardner: Yeah, that all sounds fine to me.

CM Gruber: What we’ll do then is in March we’ll put a discussion about gangs. I want to make sure - I want to be very, very, very careful that this is not – we are not directing, we are simply gaining an awareness as to what’s going on, on both sides under the Public Safety Committee. We’ll invite CM Lawson as the speaker as well. And we’ll reach out to the district attorney to find out whether or not he can participate as well. And the Municipal Code Review will be pushed to the September or October time frame.

#### Outcome

Information Only

#### Follow-up Action

Staff will update the 2021 Agenda Workplan.

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### **NATIONAL LEGAL AID AND DEFENDERS ASSOCIATION ASSESSMENT**

#### Summary of Issue and Discussion

Doug Wilson, Chief Public Defender, introduced this item and the NLADA team consisting of Marea Beeman, Michael Mrozinski, and Rosalie Joy. The NLADA will be doing an assessment of the Public Defender’s Office (PDO). An assessment has not been done previously. This assessment will include a top to bottom review of data, where they are meeting their mission or not, where they could do better. Between the addition of the case management system which will likely lead to an assessment and the NLADA assessment, they could get a really good grasp on how their doing, how they fit into the City’s plans, and how they can be better going forward.

R. Joy explained they would be providing details about NLADA, the background of the grant, and the assessment. They consider the consider the Aurora PDO to be a model office and one of five offices in the nation that are standalone dedicated to the municipal court defense offices. An organized public defender’s office is the best way to achieve all the goals and objectives of public defense but also to be able to partner with other stakeholders in local systems to collaborate and do innovative thinking around public safety. Listening to prior discussions about the crime rate, it sounds like now more than ever, Aurora will need some innovative thinking and collaboration around tackling those problems.

NLADA was established in 1911 and is the oldest and largest non-profit association devoted to excellence in the delivery of legal assistance to those who cannot afford counsel. They have found collaborative work is the most impactful way to improve systems, not just the public defender offices. The work they are going to be doing in Aurora will be holistic and looking at ways that the entire system intersects with each other. The assessment will consist of looking at ways public defense can be more impactful with regard to the overall work of the council and the city.

M. Mrozinski explained they received a grant from the Bureau of Justice Assistance (BJA) at the Office of Justice Programs within the US Department of Justice to provide training and technical assistance to jurisdictions around the country as part of the Sixth Amendment Initiative. Through that project they are assisting jurisdictions in upholding the right to counsel amount other fair trial rights that are within the Sixth Amendment to the Constitution. They are providing training and resource development as well as more intensive assistance.

R. Joy explained the goals of the assessment includes providing an objective review of the system to help Aurora understand strengths, where there is room for improvement, and to contribute to national research on municipal public defender practice. They will review the PDO for compliance with Sixth Amendment obligations, compared to national and state standards and best practices. One tool they will be using is called the 10 Principles of Public Defense which are principles that have developed over the last 40 years as it relates to defining what quality public defense is. The system review will not be a review of individuals and will not be a weighted caseload study. They will be conducting interviews of all the stakeholders to include public defender staff, Public Defender Commission, prosecutors, judges, and anyone else that would like to contribute. They will be observing court proceedings, reviewing materials such as budget and caseload. The assessment will be based on national and state standards and best practices. The report will include findings and recommendations and the deadline is by the Summer.

CM Gruber: Thank you for the presentation. I'm delighted in the comments that you made about Aurora has such a positive reputation nationally.

CM Gardner: Thanks to Doug Wilson for making sure that we're going to get this done. He and I met very early on and I'm glad we're able to move forward with this because I think it's really important. In the letter on page 29, it talks about the scope will be somewhat limited due to restrictions posed by the COVID-19 Pandemic. Can you just talk a little bit about what is going to be different because of that? Where I'm going with that is just seeing what we might be missing out on because of the pandemic.

M. Beeman: I think that in this case not much really is going to be that different. I mentioned earlier that typically we like to do these evaluations in person which would consist of a week of visiting and court observation. You learn a lot being onsite, but I think in this case we have been able to pivot to the remote views in our system, so to speak, and I think that's going to be just as effective in the long run. There are certainly things that we miss out on not being able to walk physically in the court and look around and see exactly what is going on with the interactions of body language and people and procedures, but I really don't think that's going to negatively affect what we're able to learn and find out for the most part. I hope you feel confident we are able to look into as much as we'd like to with this report.

CM Gardner: No, that definitely makes sense. I just wanted to ask that since it was mentioned in there. I'm looking forward to seeing the final report and the recommendations and some things that we can make improvements on. Because like you mentioned, we do have a model defender's office, but there's always improvements that can be made. So, I'm looking forward to that. Thank you for your presentation.



CM Berzins: I would like to thank you for the presentation and just know that I have worked with the Aurora Public Defender Office for years. Of course, it's had its ups and downs, just like we all have, but I think they deserve kudos because they really work hard and they have a good group of civilians that help them too.

CM Gruber: I would like to address our Public Defender. Do you have resources to complete this? I want to make sure that you're adequately supported so that this is an effective exercise.

D. Wilson: I think so. The great thing about NLADA coming back to us and offering their assistance, is that it's not going to cost us, or the City, anything to complete the assessment. Depending on the recommendations, I suspect there will be resource requests. But we'll see what the recommendations are. As far as completion, Marea, Michael, and Rosalie are conducting all of this as a result of the DOJ grant. Other than the time that my folks are putting into it – and if you folks want to talk with them as well – there's not going to be a cost to us at this point.

CM Gruber: Okay. Thank you for that. Like I said, it's very important that this is an effective exercise. Would you like to make any final comments before we end this topic?

D. Wilson: I just want to thank council and you folks for letting us do the presentation. I think we're at a critical juncture. I had three really big projects that I wanted to complete when I came in and COVID kind of set us back, but all three are now coming to fruition and my hope is, when the reports are done, I would like to bring it back to this committee and that would be the official release of the report, if that's acceptable. When we get more data as result of the case management system – part of that is a timekeeping mechanism – I suspect that we're going to come and discuss with you a workload analysis which is critical to determining what kind of resource that we'll need. I don't know how you want to do it, but I would like to come back before you when the report is done in the Summer.

CM Gruber: I think that's a very good idea. We will put a placeholder in the Summer for a return and debrief on this effort.

#### Outcome

Information Only

#### Follow-up Action

Staff will add the debrief to the 2021 Agenda Workplan for some time in the Summer.

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### **TRAFFIC SAFETY UPDATE**

#### Summary of Issue and Discussion

Mike Hanifin, Police Lieutenant presented this item to the committee. The Traffic Section's mission and goal is to reduce the severity and number of accidents and make the roadway safer and more efficient for travel. They do this through education, high visibility and enforcement. The Traffic Section is currently fully staffed with 42 sworn personnel, including command and supervisory positions, and one full time analyst. The Section is made up of five specialty units to include day shift crash team, night shift crash team, motorcycle enforcement team, an investigations unit, and one motor carrier safety officer.

2020 Traffic statistics include 36 traffic fatalities, 32 of those have been cleared with appropriate charges, 182 serious bodily injury crashes, 1,354 property damage crashes, and almost 3,000 hit and run crashes, of which 386 were cleared. Overall traffic summonses issued by the Traffic section was 14,000, DUI/DUID arrests were 654, of which 39 resulted in felony filings, and there were 10,043 non-injury crashes. Aurora is

a vast city with a lot of roadway so they had to identify a way they could more effectively and efficiently use resources and responses to the number of speed-related complaints they receive by citizens and council. They invested in All Traffic Solutions speed signs. These are placed in the community to give data, a true perspective of driving behavior in that specific area seven days a week, 24 hours a day. The Traffic Section focuses on primary roadways and highways. Secondary roads, schools, and neighborhoods are managed by the district police area representative teams. They do collaborate by sharing information and resources to address issues. They use the speed sign data to determine total traffic volume and evaluate the report provided in decisions to deploy dedicated resources. They use the 85<sup>th</sup> percentile standard of total traffic volume to make these determinations. Periodic enforcement will not change overall driving behavior. In order to change driving behavior, there has to be community ownership. They deploy message boards in problem areas to implore drivers to slow down. If the 85<sup>th</sup> percentile data demonstrates that is a comfortable speed for the area and the roadway design can handle it, they may collaborate with the City Traffic Engineering department to discuss possibly raising the speed limit. Anytime speed limit changes are proposed, council will review and approve them and would be open to public comment. Traffic calming initiatives have been a great program for the city and citizens for the deployment of these devices into chronic problem areas. The traffic calming program has to be citizen-initiated and applications need to be submitted.

Street racing has become a significant, metro-wide and front-range issue with definite public safety implications. These groups and organizations are large and are becoming more sophisticated. They are brazened and emboldened with their actions. They use social media and live feeds to promote their illegal street racing. Law enforcement in general in the metro area and along the front range are severely outnumbered and at a significant disadvantage when responding to instances of street racing. They respond to many hundreds, if not thousands of cars. They take over intersections, private property, largely in the warehouse districts and rural areas. They have been working with property owners to take ownership of the problem and help be part of the solution by doing design changes, security changes, and having onsite security after hours and on weekends. We know the groups are armed and will frequently use weapons to intimidate police by firing shots into the air when they respond and express no fear of repercussions. This problem has been steadily growing over the years, but the disadvantage caused by many factors. Enforcement alone isn't the solution. There needs to be a collaborative approach with the entire criminal justice system and strong support of the community and elected officials with substantial legislation to abate the nuisance through the vehicle itself. Traditional fines and enforcement are not effective and that's why the problem continues to grow. There is metro-wide collaboration of agencies in the front range. They meet monthly to discuss strategies and tactics and it is their intention to pursue state and local legislation to impact this dangerous and illegal activity.

Traffic has a dedicated motor carrier unit with one officer. Their goal is to identify, educate and enforce motor carrier commercial vehicle violations that are unsafe or operating illegally on roadways which damage infrastructure and put citizens at risk. The most common violations are brake issues, tire issues, and overweight loads. Overweight trucks can cause expensive damage to roadway surfaces. They routinely partner with Colorado State Patrol (CSP) to conduct commercial motor vehicle ports. Which are comprehensive and intensive inspections. It is his goal to identify a funding source for a mobile weight trailer to impact the overweight trucks and increase productivity. A single overweight commercial vehicle citation carries up to a \$10,000 fine. The Motor Carrier Unit conducted 50 comprehensive inspections in 2020 and issued 197 citations resulting in approximately \$55,000 in fines, 17 drivers were placed out of service, and 14 trucks were placed out of service. Total safety violations issued were 124.

The Traffic Section has an excellent relationship with the Colorado Department of Transportation (CDOT), who awards annual traffic safety grants to local agencies. The Aurora Police Department is a model agency around the state for this program. They do an annual comprehensive application and go through a selection process. This is a benefit for the community as it acts as a force multiplier for the agency so more officer hours

can be spent on traffic safety. There are five separate grants all focused on education and/or enforcement. They include grants for DUI, distracted driving, pedestrian safety education, seatbelt education and enforcement, speed enforcement, and child seat safety checks.

They are looking at technology for the future to include the mobile ports previously discussed and drones to be more efficient processing serious bodily injury and fatal accident scenes. By using a drone, they can be up to 40% more efficient at investigating the scene and opening the roadways to reduce the length of time the roads needs to be closed.

CM Gruber: Thank you for the presentation. I would have appreciated an outline, not a powerpoint per se but you covered many very important topics. Going back to the speeding and the impact you're having. I personally believe that many people think that the police have significantly reduced traffic enforcement, speeding enforcement, due to COVID. In other words, I think the urban myth is that because police don't want to directly address a civilian in a car, they're not pulling people over and aren't giving tickets. From what I heard you say and the number of citations you issued, that is not true. Could you give a quick comment on that?

Hanifin: Yes, Sir, that is not true, especially in the Traffic Section. Our motorcycle enforcement team's primary job every day is to go out and conduct speed enforcement in our more chronic and higher speed problem areas. The Traffic Section identified different problem areas each month to conduct target enforcement among three different teams, morning, afternoon, and evening for high visibility and enforcement in those areas. When the crash cars aren't busy doing crash investigations and accidents reports, it is the expectation that they will be out doing proactive enforcement in the problem areas to try to reduce the severity and number of traffic accidents. I can also speak to – because I have knowledge of the patrol districts – the PAR teams are also active in speed enforcement and we utilize some of our resources like the SROs when they aren't in schools to go out and do directed traffic enforcement where it's needed.

CM Gruber: Have you considered coordinating with the city communications department to put the word out to dispel that? I'm saying I have heard that myth. Have you heard that myth as well? That the police aren't enforcing speed?

Hanifin: I have not, but I can tell you that we do utilize our public information officers and frequently put information out after we've done an operation in an area. We do highlight some of the higher speeds that we see during those operations, so the public knows we're out there regularly doing enforcement.

CM Gruber: I've seen much of the work the public information officer does and I'm very appreciative of that. But again, the comment that I had was more of a general city communication that just says that if people believe that speeding is not being enforced to somehow get the word out there to say, yes, we are enforcing the law. Yes, we are working very hard to maintain the safety on the streets. That's probably, other than crimes that we talked about earlier, but as far as personal safety and the traffic accidents, things like that, that I've seen – that is a very important issue to the community. If I could ask – I've been on the council now, this is my fourth year. I don't remember voting on increasing speed limits. CM Berzins, do you have any experience with that?

CM Berzins: No, never spoken with anybody about raising speed limits.

CM Gruber: I really like that idea though, because I know that there are a couple of areas where it may be too high or too low and I feel that's a very important discussion to have.



CM Berzins: Going back to the street racing, to me that's frightening that there are that many people closing down an intersection with firearms. I would like more information about what we plan to do. I saw that CM Bergan has asked for an ordinance and if that's being worked on, who is working on it? Whether we do it now or next month, it doesn't matter.

Hanifin: That is a metro-wide issue primarily Denver and some other locations are experiencing the actual takeovers. We are primarily seeing the takeovers on private properties and the warehouse district. We respond fairly quickly once we get the intelligence and chase them out of the area, they move on pretty quickly once we move into the area. But we're basically displacing them to another city or location.

CM Berzins: But that's not solving the problem – just displacing them.

Hanifin: Correct.

CM Gruber: Do we have anyone on staff that can speak to MPT Bergan's ordinance?

Heckman: I can speak to it in the fact that we are talking with MPT Bergan as far as looking at some ordinances that other cities are using and that's also something that we've been working with Lt. Hanifin and his group as well as the metro-wide group. So, we have an attorney that's sitting on that and we'll be talking with MPT Bergan specifically.

CM Gardner: It was mentioned that we are pursuing both state and local legislation and then shortly thereafter it was there was a comment made that the fines aren't currently high enough. So if the fines aren't currently high enough, that tells me there's already a law in place. Increasing punishments typically isn't a deterrent to crime – that's a whole separate conversation – If we already have a law in place, what state and local legislation are we pursuing?

Hanifin: In terms of fines, it's the standard schedule for violations such as speed contests, careless driving, reckless driving, or trespassing. What we are seeing is when we are able to stop people – when they don't run from us – they just plead guilty and pay the fine because it's not a deterrent for them. Yes, it is our intention to pursue legislation that targets not necessarily the driver for a fine but also the vehicle as nuisance. We want to abate the nuisance through the vehicle because that is the means that they are using to further the illegal street racing.

CM Gardner: There was another city in Colorado that just recently introduced an ordinance to seize vehicles, I'm assuming that's what you're referring to?

Hanifin: Yes, Sir.

CM Gruber: Let me ask a little bit more about the coordination on the topic of street racing. It sounds like you're working with the county and state so I would imagine that you're dealing with the county sheriff and the Colorado highway patrol, but it sounded like there was a task force or you guys are getting together in the metro area to discuss this. On the legal side, as was mentioned with Mayor Pro Tem's ordinance coming up and what it's going to address, is there anything going on with the Federal, State, and Intergovernmental Relations (FISR) Committee to coordinate a state-wide or county-wide response to this as well. So, we have coordination not only on the enforcement but if we're generating new laws to approach this. Is that coordination occurring at the county and state level with us and should it?



Heckman: I think that's something we certainly could look in to. I do think that there is coordination on a large level that is looking at this from law enforcement and we're talking with other legal folks. I think those discussions are going on, it's just how can you make the best impact.

CM Gruber: I know other council members are listening in and maybe this is a topic that can be picked up by another committee. As far as the city goes, I'm pleased that we have something happening in the city to address this, but it sounds like it's a bigger issue and maybe coordination of laws would help. It's stunning that there would be 1,000 people at a street race, armed, blocking intersections. Our police force and a small team that we have addressing street safety and speeding issues are dealing with something that's much larger than them. I would hope to see that we can coordinate that. You had talked about the truck safety. I think many of us remember there was a major accident on I70 where a truck lost control, ran into people and ended up killing a few people. I'm pleased to see that we are enforcing that within the city especially as we increase the number of warehouses that we have in the city. Going to the law side, the ordinances that we have to support you on this – do we have the sufficient ordinances or do those need to be updated or improved?

Hanifin: I do believe we have sufficient ordinances to address that.

CM Gruber: Going back to the speeding, I would like to see coordination from the PIOs and City Communications to put the word out there that the city is very serious about speeding and we're going to continue to focus on it. As far as the street racing, I'm sure council is going to debate the new ordinance and I look forward to that coming back to the committee.

#### Outcome

Information Only

#### Follow-up Action

Staff will provide Traffic stats to the committee and get messaging out to the public about speeding.

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### **AURORA FIRE RESCUE 2020 RESPONSE DATA**

#### Summary of Issue and Discussion

Allen Robnett, Fire Commander, presented this item to the committee. He summarized the powerpoint by providing the 2020 stats. There were 58580 responses on 46010 incidents. Turnout times are calculated from the time the tone goes off to the vehicle rolling out. The 90<sup>th</sup> percentile for EMS calls is 90 seconds and 95 seconds for fire calls. The standard is 60 seconds for EMS and 80 seconds for fire responses. Travel time 90<sup>th</sup> percentile is 5 minutes 47 seconds. The total response is the turnout time plus the travel time and 90<sup>th</sup> percentile is 6 minutes 46 seconds. Incident types for fire is divided into two columns; one for outside of the structure and the second is structure calls. There is an increase from 2019 to 2020 of turnout times due to COVID related precautions. The Chief gave direction last year to treat every patient as a COVID-positive patient for the safety of the members and citizens. AFR personnel have the least control over travel times because traffic will have the most impact. The 2020 Travel time average was 387 seconds. Five-year averages were provided.

CM Gruber: Thank you for the presentation. I would like to understand trends a little bit more. Are the numbers increasing or decreasing over the course of the year? I can see as the city continues to expand, we'll have more calls because we'll have more people in the city. I'm looking for tactical trends so we can get in front of those as far as the numbers themselves. I've gone to the Phoenix awards where people have been rewarded for bringing clinically deceased people back to life and that's all due to the services you provide. So, thank you for that.

CM Gardner: On the first slide of the presentation – the AFR yearly summary with the bar graphs – Can you define the category of Good Intent?

Robnett: It's a broad category for citizen observations where they don't know if there's anything wrong, but they would like us to come out and take a look.

CM Gardner: Related to response times, do we have areas that an engine or truck won't travel outside of or does it depend on calls for service and who is available? Are there standards for how far a rig should travel or is based upon who might be available at the time?

Robnett: We use Advanced Vehicle Location (AVL) so the CAD sees the vehicle's GPS and will send the nearest unit regardless of if they are in their own area or not. If another call drops while the area engine is busy, another unit will cover the call. We also have a system called LiveMUM and what that does is it uses historical data and the current situation to determine how long a unit will be outside their area. Based on those criteria it will move another unit in to the area to cover. It's a constant moving and relocating of units to give the best coverage in the city at any time.

CM Berzins: Thank you for all the graphs and I appreciate your time too. It's amazing to look at the summary of EMS calls compared to the fire calls. That's pretty crazy to know you spend your time on that. You're highly trained and you're called firefighters, you don't fight many fires. Don't get me wrong, they are very important and we can trust you all to do that, but I guess as the city move East – yes, we have put up some new stations – we can't forget that older parts of town where the little houses are dense and our fire stations over in Areas 1 and 3 are really worked hard.

Robnett: Absolutely, the LiveMUM system really helps us to identify peak hours and we can move units into those areas.

CM Berzins: I've been on the Board of the Fitzsimmons Redevelopment Authority for years and we've always talked about trying to get dedicated fire service in that area and I'm still pushing for that. I want to keep that on our radar. How we do that, get the land dedicated, and how we get money. I would certainly like to get a plan this year.

#### Outcome

Information Only

#### Follow-up Action

None.

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### **SEPARATION STATS AND EXIT INTERVIEW FOLLOW-UP**

#### Summary of Issue and Discussion

Dianna Giordano, Director of Human Resources, presented police and fire turnover stats to the committee. The data presented includes turnover data for police and fire, separation process, and interview data received by surveys. AFR had 23 separations in 2020 which is the lowest in the last seven years. Police had 87 separations which is the highest in the last seven years. That is a 60% increase from 2019. Of those, 80 percent were commission officers and 20 were recruits or field training. Separation reasons, or exit interview data, and the information seen in section two and the corresponding section three only covers January 1, 2020 through October 31, 2020. Reasons for not having up to date data is related to the system to extract the

data in a timely manner. The other piece that contributes to a low response rate is that it is a manual process so by the time information has reached HR, the employee has left or is in their last few days of employment. Separation data for AFR indicates two areas; Planned such as retirements and unplanned. So, 42% of those were planned with the remaining falling into the voluntary resignation. Police have the same structure of planned and unplanned, with 45% of the separations in the planned category. Exit survey data is small, about 1 in 4 separated employees provided this data. The top three reasons in AFR include retirement, dissatisfaction with pay or supervisor, and leaving the area. Top reasons for police are retirement, working conditions, and overall leadership.

CM Gruber: Could you define what retirement is for the police department since they're under the money payment plan as opposed to a pension plan.

Batchelor: It's 19.5 years and 50 or 55 years of age.

CM Gruber: I agree with you, the AFR numbers are outstanding and the police numbers are alarming. You know, we have the 2/1000 and we were just talking about the impact on traffic safety and the teams that are out there. Do you have any sense within the last four months, are these increasing, decreasing, or staying the same?

Giordano: We are seeing the numbers remain the same, if not increasing. Through Feb 9, 2021, there have been 20 separations. Typically, you'll see the separations for police and fire happen in cycles, either at the beginning, middle, or end of the year. It's not typical to see 20 in the first few weeks of the year.

CM Gruber: We had also talked about the costs to the city to replace officers. If I could ask, Chief Wilson, we've talked about transparency – What are your thoughts as to why so many police officers are leaving?

Wilson: I think its many factors and if you'll give me the time to just kind of go over them, I'd be happy to do so. Obviously 2020 was a time of reform and national outcry and anger toward law enforcement in general. I think a lot of anger had built up over the history of policing in America and that anger boiled over in 2020 with calls for defunding, hateful speech, and police taking hits for issues here in Aurora but issues across the nation. All law enforcement feels that reverberation when there are issues. I think that really took a toll mentally. I'll tell you here in the City of Aurora we've taken 14 months of being in high profile cases that had international/national media attention, riots and protests and those types of things were occurring. And then, honestly, just trying to evolve and to my promises that I made as a Chief applying for this job is that I do believe in police reform and I do believe in holding people accountable. With that, I've been very transparent. I promised transparency that we wouldn't have the gotcha investigative reporters saying that they're uncovering things within our organization that I would – my promise to the community was to listen to what they were saying and then to also open the door and allow them to come in and see what's going on in the city as well as identify when we have terminations. When I said that and when I made that promise, little did I know that I would have such an unprecedented amount of officers that needed to be fired. I will tell you that I stand by each and every one of those terminations. I am pushing for more changes within the organization about reform and us focusing on de-escalation, focusing on community and those types of situations. With that transparency I think I need to be transparent about all the reasons and I'm going to speak very frankly. There are a majority or maybe many council members who have absolutely the right to demand reform and to be aggravated with the incidents that we have all endured. But with that, I think we've lost sight of the 900+ employees that had nothing to do with those tragedies or those failures. And I think quite a few of them are painting this police department with a broad brush of corruption and really taking their integrity into question. I know that's having an impact so it could be people not appreciating the direction that I'm going, or personally don't like me and want to attack me, that's fine, I signed up for this. But I am going to be committed to holding people accountable and moving this agency forward, but also, I



need support of council and these officers, these great men and women that are out there right now, putting their lives on the line doing this job under intense scrutiny, under humiliation, need their support as well. And I need to find a path forward, I need a path forward with council support to help us. Defunding me, calling my police department and our officers corrupt – That's not doing any good whatsoever for this community. We just had crime stats presented and traffic issues with speed racers. This community deserves to have a good police department. I'll do my job holding officers accountable when issues come forward but I have to go through due process and I have to wait for things to come to fruition before I can make certain determinations on holding individuals accountable but I cannot continue to tell officers we're going to get through this together and this will be okay when I have 14 months of this agency being drug through the mud...I don't shy away from calling out mistakes when we've made them. We also need to remember that we have lost great officers. They just can't take it anymore. Their families feel like it's not worth it and they're throwing in the towel. Have I lost officers that don't want to evolve, do I have officers that don't want to buy in to what I'm trying to do or police reform in general? Absolutely. And I can think the great officers are glad to see those individuals leave. But we have lost great officers, and I just think that we owe it to the men and women out there to stand up and say that we're not all involved in those incidents and these other officers are doing their job and they're doing it with integrity each and every day.

CM Gruber: Thank you, Chief. Those were very strong comments.

CM Gardner: We saw this presentation previously and one of the things I had asked for was a follow-up on what we do with this information. It's good that we collect this but then, therefore, what? For example, on the fire side it looks like we are having a consistent number of firefighters leaving to go to another job, to another agency. So, the natural questions would be what agency are they going to and why are they leaving? I'm curious from the fire side on that and really the same question on the police side. 2020 is a little higher than past years but not significantly and it looks like it's been increasing since 2015. What do we do with this data or do we just collect it and then put it a drawer?

Gray: One of the things that I try to do in conjunction with the exit interviews that HR conducts is I like to speak with the individual personally. I will say that is a myriad of issues and concerns that, just like you mentioned, some people are concerned about the pay. I do think this last contract starts to get us on the path to make sure we are comparable with our competitors. Pay is an issue and it's something that I think we just need to really keep at the forefront because we don't want to train people and then have them go to another agency. Another thing that I've observed is the fact that some of our members – Another thing I try to talk to them about is work conditions, structure – And, believe it or not, we've made several structural changes to our chain of command based on these exit interviews. I think that is an effective approach, to take the information from the people that are separating and get their honest opinion about the organization and how to improve things. Even though it says that they're leaving to go to another organization, sometimes for whatever reason, people come to the Denver-Metro area from another part of the country and then they leave to go back home, to another fire department. So that's included in that same category. I will say that I think moving forward we have to make sure we're maintaining awareness of salaries and keep the momentum as it relates to equipment. I really appreciate council's support and also the support of the Manager's Office. The last thing I want to say is, I think one of our biggest retention strategies is the fact that we're offering upward mobility to our members. There are a lot of opportunities to promote to supervision and specialty teams. I'm excited about the fact that moving forward, we have a concept to make sure we're compensating those employees with specialties that they have.

Wilson: Similar to fire, we track what it is and bring it to city management and share that information with HR. I think I've already spoken on what we can do, which is support the officers, support the ones that are doing the right thing every day.



CM Berzins: It's kind of disconcerting to know that only five people filled out this exit survey of 21. I guess we have to glean from those five whatever we can. I'm glad you said that its pay. A lot of it is pay. I think a lot of it too is living conditions when they're on duty. Are they sleeping safely, is there black mold, do they have locks on their doors? I have heard, since 2020 was a COVID year, I have heard in every business that people are holding on to jobs in 2020 because they don't know what the future is going to hold. If we were not in COVID, I think we would see even more people leave. Why would police and fire be any different than any other company. If they had a better job with better conditions and pay, you better believe they would leave. Training firemen is very expensive. We can pay upfront for the retention or we can pay at the end to hire more, to go out and recruit and train. Why would we want to do that? I believe that you need to keep the good people that you have. I want to say, thank you to the fire department and I support the fire, I always have. You have a lot of good people that risk their lives every day. Let's go on to the police, the chart that you gave us ended in October, but you quoted more people – you quoted 87 people have left and I assume that includes the 20 separations through February 20<sup>th</sup>, is that right?

Giordano: The exit data is through February 9<sup>th</sup>, but the exit survey and separation reasons only goes through October 31<sup>st</sup>.

CM Berzins: So, the number is 87?

Giordano: Correct, 87. Of the 15 survey respondents, only one said the pay was below average. They cited many other concerns and the commentary included things like SB217, the few bad apples that give the entire police profession a bad name – there's just a lot of concern relating to the public perception of the whole profession.

CM Berzins: Does the 87 include the terminations?

Giordano: It does include the 8 terminations, correct.

Batchelor: The numbers include all variety of civil service, so it includes recruits and those in field training.

Giordano: Correct, 18 of the 87 were recruits or in field training.

Batchelor: I point that out because it's important – it's not 87 officers that are POST certified and able to operate independently. We have seen a significant increase in retirements and departures. But every year we see folks that don't make it through the academy, or folks that make it to field training and see what life as an actual officer looks like and then decide not to progress. We also choose not to progress folks through the academy or field training.

CM Berzins: We always lose people in training, they decide it's not for them, so they move on before they get too invested so that's no unusual at all. As far as what the chief said, I appreciate you speaking candidly and I think anybody in business knows that when you have a group of that many people, there will be mistakes made and, in this case, it was a horrific mistake. But what we do about it makes the difference. You have, you have done a lot and you've tried to evolve this police force with your types of de-escalation, holding people accountable is always a good thing, and I do think that if we're not careful we're going to turn into Minneapolis. It seems they've learned their lesson and now they're begging police to come back. I don't want that to happen. We have a huge majority of wonderful, highly trained police that go out and risk their lives for us every day and to see some of these senior officers retire because of things said about the Aurora Police is disgraceful. To have council members call our Aurora police Department racist, that is disgraceful. We're here to serve the city just like the police and fire are here to serve the city and we need to work together, not call each other names. As far as SB217, I think that was a reactionary bill and I know

it was with mostly good intentions, but I think it's done some harm and it's done some harm to Aurora. I hope they don't come back with even more even though I've heard that they will. I think that's a bridge that we need to pull together to cross and support our chief and her chiefs below her to make our department accountable and transparent. I've always been behind our police department and always will be. We do need to make some changes, it's not perfect, it's a group of imperfect people, just like all of us.

CM Gruber: When I was last on this committee there was a transition at the Denver Police Department, while the first chief was there, we didn't see a big drop in the police force. However, when he replaced, we saw an increase in people transition from Aurora to Denver. Chief, going to your overall comments, I appreciate the fact that you're transparent on that. I've heard from a number of police officers the same things about how this was set up. We're going to talk Tuesday night about the report and have comments. I'm not police trained but I've sat on juries. On those juries I've seen the prosecution for the people make a case and I've seen the defense for the defendant make a case and they both have similar facts but the way the story is told is very different. I felt that what we saw Monday night was a report written by a defense attorney. What I had hoped for was a report that would say here's what the police saw, here's how they were trained, they react with their training, etc. It's obvious Elijah McClain should be alive today. I don't want to take anything away from the family and the pain they're going through. I think the police should have been evaluated against their training. The bottom line is, I hear in your voice the concern that you have for your people and I hope that those officers that are remaining understand that many of us are fully in your court and anything that happens to the number of police that we have affects public safety. We're seeing crime escalate across the board and we're seeing the number of police we have to deal with that decreasing. This committee and city leadership have to figure out how to reverse those trends.

Outcome

Information Only

Follow-up Action

None.

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**MISCELLANEOUS ITEMS FOR CONSIDERATION**

None.

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**CONFIRM NEXT MEETING AND ADJOURNMENT**

Next meeting confirmed for March 18, 2021 at 11am via WebEx

Meeting adjourned at 1:00pm

APPROVED:

  
Dave Gruber, Chair