



## AGENDA

### Public Safety, Courts and Civil Service Policy Committee

March 10, 2022, 9:00 am

Council Member Dustin Zvonek, Chair  
Council Member Danielle Jurinsky, Vice Chair  
Council Member Steve Sundberg, Member

#### Public participant dialing instructions

Dial Access Number 408.418.9388

Event Number 2490 636 0580

Council Goal: Assure a safe community for people

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Jason Batchelor, Deputy City Manager / Peter Schulte, Manager of Client Svcs  
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5/15 mins.
- 4.g. Aurora Fire and Aurora Police Joint Training** 166  
Mark Hay, Aurora Fire Rescue Commander / Angela Garcia, Senior Assistant  
City Attorney - 15 minutes
- 5. Miscellaneous Matters for Consideration**
- 6. Confirm Next Meeting**
- 7. Adjournment**



**Public Safety, Courts and Civil Service Committee**

**February 16, 2022**

Members Present           Dustin Zvonek, Chair  
                                  Danielle Jurinsky, Vice Chair  
                                  Steve Sundberg, Member  
                                  Angela Lawson, Council Member  
                                  Juan Marcano, Council Member

Others Present            A. Botham, D. Wilson, M. Cain, I. Evans, D. Parker, B. Joyce, T. Edwards, M. Nelson, S. Newman, S. Day, M. Smith, E. Wittman, A. Garcia, J. Schneebeck, J. Moon, R. Weber, M. Crawford, T. Buneta, S. Risner, A. Robnett, C. Amsler, T. Campagna, D. Carrel, M. Hildebrand, J. Heckman, S. Franz, K. Leyba, F. Gray, M. Longshore, M. Platt, W. Lippman, B. Wesner, D. Wilson, J. Lanigan, V. Wilson, C. Juul, P. Schulte, J. Bajorek, RM, M. Hanifin, S. McGhee, M. Chapman, M. Wasserburger, J. Nicholas, K. Simmons, R. McGregor, J. Lutkin, R. Pena, C. Amparan, D. Whiting, T. Pulliam, S. Stowell, Y. Emeson, C. Carlson, R. Jackson, J. Batchelor, J. Twombly, K. Claspell, S. Manheimer, M. Hays, T. Brown, C. Canales, M. Ridder, C. Hills, T. Cancino

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**1. Call to Order**

Meeting called to order at 8:30 am.

**2. Approval of Minutes**

January 13, 2022 minutes approved.

**3. Consent Items**

**3.a. Defense Counsel Intragovernmental Agreement**

Approved to move to Study Session.

**4. General Business**

**4.a. February 2022 Crime and Police Attrition Update**

Deputy Chief Darin Parker briefly brought up February 2022 Crime States provided in backup. Business Services Manager John Schneebeck provided an update on the attrition numbers to the committee. The Senate Bill 217 signing in June 2022 is considered as one of the factors that contributed to the increase in the force attrition counts. One reinstatement was made in January, two in February, and another is

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being processed. There were 10 separations in January of 2022, which is 1.4% of the organization. Of these 10, three were resignations, four retirements, one medical retirement, one transfer to career service, and one death. Six of these losses were patrol. Currently, there are 744 sworn authorized Chief and Executive Staff structured through billets. Assignments in patrol are down 42 positions while street operations are down 28. Training classes are also being held. Data representing an 11-year civil service employee review found, in the early years of the academy, recruits were around 20 to 50. As they increased the total number of sworn, the number of recruits also increased. On average, 11% are classroom losses while 12% are FTEP losses. As for commissioned losses, higher rates are seen during 2021 and 2021 as compared to earlier years with 3 to 7% loss. The Police Executive Research Forum (PERF) put out a survey in the middle of 2021 with 194 respondents. It showed that agencies are filling only 93% of authorized staff. For Aurora, 95% of authorized positions were filled by the 709 sworn. Colorado Springs on the other hand had 93%, while Denver is at 89%. The survey showed a significant increase in resignations with even larger retirements.

CM Zvonek: So just for a point of clarification on that, there are 709 current sworn officers. Is that correct?

J. Schneebeck: 709 civil service and you have 26 that are in the classroom academy. So, arrest powers actually come once you complete the academy. So sometimes there's a commissioned count, there's a civil service, there's a sworn, there's a lot of different terms. You've got 709 civil service, some of those are in the classroom. But once you get into field training, you have the power to arrest by concept so sometimes there's a reference to whether you are commissioned.

CM Zvonek: Just to make sure, some of that 55 is baked into that 709.

J. Schneebeck: The entire 55 is part of the 709.

CM Zvonek: It's just broken into various types. Got it.

J. Schneebeck: It's in that 96 number.

CM Sundberg: It says reasons but to me, these look like categories. I might be getting ahead of myself, but perhaps through exit interviews and so forth, we know why people are leaving within these categories for real, solid, specific reasons. Is that possible?

J. Schneebeck: We don't have that entire list but when you get back into the secondary reason that we post up here: retirement, disability, another job, death, to career services, move from area; we are providing that month by month. There would be probably this type of category that I could go back to since about August or so. I can give you an update on that. I don't know that I really have it back to those four years.

CM Jurinsky: John, did you put this presentation together yourself?

J. Schneebeck: Yes.

CM Jurinsky: Thank you. You're saying, including 55, that are committed to academies that we were at about 709. If you take away that 55, that would mean right now currently sworn, we have 654 officers. I'd like to know then why in the

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chief's presentation yesterday, an alarming number was dropped that we only have 250 officers bidding for patrol. So, we have 404 officers in special unit assignments, and we're expected to believe that when we have 250 bidding for patrol. I'd like to know the real numbers of our department.

J. Schneebeck: So, here's the 267 in patrol, 29 additional to that number are in FTEP, so they're also in the patrol. So, this 267 number includes more than just the officer rank. Plus, it includes 29 of the employees that are down here in the training organization of 96. So, there's 296 of the 709 currently in the patrol and then some of the patrol will end up in categories that are maybe not available for duty or on military leave. There are a couple of other categories that folks that are assigned to patrol that are currently just on this particular date are not working patrol.

CM Jurinsky: Do you know how many people we currently have in internal affairs under investigations that are not on the road?

J. Schneebeck: Internal Affairs has a commander, a lieutenant, two sergeants and two agents.

CM Jurinsky: I mean, how many officers are currently under investigations that they are not on the road, they are not able to perform their duties right now?

J. Schneebeck: I do not have that number off the top of my head.

CM Zvonek: Does anybody have that number?

CM Zvonek: Is that number available, staff?

V. Wilson: We will get a hold of I.A. and administration and see how many people we have on admin leave with pay or restricted duty. We'll have that for you by the end of the presentation, hopefully.

CM Zvonek: Thank you, Chief. Any other questions for John?

CM Sundberg: In a perfect world, what is the ideal number of officers available and supplied that we need for our population right now?

J. Schneebeck: If we had the 744, saying that we would always have a turnover, there'd always be attrition, there would be people coming through the academy. This is what we would expect to allocate in these categories. The 744. So, if I had 744 for civil service on my payroll at this point in time, this column here represents where I put them based on us assigning the 744 to accomplish the mission and vision. Does that help?

CM Sundberg: Thank you. Yes.

J. Schneebeck: Okay. Just to reiterate, there's an assessment twice a year where the executive staff of the police department get together and talk about what's going on in the community nationally, different areas of the organization, and what the next focus is. These allocations will change based on us changing to the environment.

CM Zvonek: John, is that 744 reflective of the two per thousand requirement that we have?

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J. Schneebeck: The two per thousand has a schedule for accomplishing that off of the Second Amendment consent decree. I could probably pull up that list if that's what you like to see as far as the schedule goes.

CM Zvonek: Yes, I just like to know what would the number be if we were at two per thousand? I know that there was an exception made going back to '08, '09 when the recession hit and we kind of tailored it back. But what would it be if we were at two per thousand?

J. Schneebeck: If you had a population of 391,000, then you would have 782.

CM Zvonek: Yes. Got it. Okay.

CM Jurinsky: These 69 individuals in the special units, can you tell me how many of those are in the Domestic Violence Unit and the DUI unit?

J. Schneebeck: Give me just a minute to pull that up. I've got some research on it. If there's another question, maybe we can handle that one at the same time I'm looking this up.

CM Jurinsky: Well, the 110 that are listed in street ops, what is that? What does that mean? What is Street Ops.?

J. Schneebeck: The Street Ops is all the units here. The district PAR, the SROs, the Crisis Response Team, the Gang Intervention, K-9, SWAT, and Traffic.

CM Jurinsky: 110 for all of that?

J. Schneebeck: Right.

CM Sundberg: If I could ask one more question and going back to that original slide there that we've been focusing on.

J. Schneebeck: This one?

CM Sundberg: Yes, and not to belabor the issue, but in the EMP column there, where it says training with the asterisk of 96. Now the general public, are they going to really feel the presence of those officers on the street, those 96, if they make a call for help or notice the presence of officers on patrol?

J. Schneebeck: Twenty-nine are actually in cars on the street with a training officer. The answer is yes. Plus, they're going to be classroom, your instructions at the academy, our firing range, and then the classroom recruits will have training. That includes being on the street, whether it be traffic direction, or different types of operations that they need to learn out in the street, but for the most part, probably not going to see that publicly. Definitely, your FTEP is in the field. Your military leave is a category that we drop in training. So no, you're not going to see military leave folks or the folks that are not available for duty. A lot of different reasons for not available for duty.

CM Zvonek: So overwhelmingly the answer is no to that 96.

J. Schneebeck: Mostly just your FTEP. Your 29 are going to be out there because they're riding with a training officer.

CM Sundberg: Okay, so that 709 would go down.

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CM Zvonek: Do we have an answer to CM Jurinsky's question?

J. Schneebeck: There were four at the time that the month ended. That would be the DV counts of officer and agent.

CM Zvonek: What's the full staffing for that?

CM Jurinsky: You're saying four for DV?

J. Schneebeck: We would normally have seven if we are full staffed.

CM Zvonek: Hold on. Really quick here. Your saying specialty units on this thing are at 69 and there's 70 allotted and you just told me there's a difference of three in one unit.

CM Jurinsky: That's why I wanted to know who put this together.

J. Schneebeck: Okay, so first of all, you asked me a question about domestic violence. Domestic violence at the end of January had five assigned to it and we billeted seven. So, we were down two.

CM Jurinsky: And how many do we currently have? Currently, as of today.

J. Schneebeck: I didn't pull it this morning. I pulled it as of the first of the month.

CM Jurinsky: Well, I can tell you it's not five. And how about for DUI?

J. Schneebeck: DUI, that would be a question for traffic. I don't have an actual unit that I count called DUI. I count traffic.

CM Jurinsky: Is anybody from traffic on the line? We have two commanders on the call. Does anybody know?

V. Wilson: Deputy Chief Hildebrand, can you answer that question for us, please?

Mark Hildebrand: Yeah, as far as DV unit, I don't think we have anyone assigned specifically to DUI. We have crash cars and our MET unit, and those crash cars will at times take DUI. What we've done with DUI is use grant overtime to pay for overtime assignments to then supply cars that will specifically handle DUI investigations.

CM Jurinsky: So, we have no one in the DUI unit currently?

M. Hildebrand: I don't believe we have any specifically DUI-designated cars at this point, no.

CM Jurinsky: Thanks.

V. Wilson: Chair Zvonek, if I can speak?

CM Zvonek: Yes.

V. Wilson: So when we talk about other than full duty, which falls under the not available for duty under the training functional category breakdown We have 20 officers on light duty, currently, we have four officers that are on military leave, nine other officers that are not available for duty due to medical FMLA situations. And then we have four officers that are on administrative leave with pay as they

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were the officers involved in the last two officer-involved shootings. We have one officer that's on admin leave with pay who was involved in the critical incident where the person was hit in the roadway. We're waiting on CSP to come back with a clearing of that investigation. We have two officers that are on admin leave facing criminal charges and internal affairs. Then two officers are on long-term admin leave without pay due to the fact that they are facing criminal cases. I hope that answers the question.

CM Jurinsky: So, there are only two officers under investigation in internal affairs right now?

V. Wilson: The officers that I have that are under internal affairs investigation, at times, are able to continue to do their job because it may be something of a negligent discharge or they were late for court or something minor that they are being looked into for. But as far as someone that is on admin leave with pay, which means they cannot come to the agency, they can't fulfill their duties, we have two that are on admin leave with pay for criminal conduct, and we have two that are on admin leave without pay for criminal conduct.

CM Jurinsky: Two on admin leave with pay for criminal conduct?

V. Wilson: Yes, ma'am, that is the statute. If it's a misdemeanor charge, I have to put them on admin leave with pay. That's per Charter.

CM Jurinsky: No, I was just wondering if they're under criminal investigation. I wanted to make sure that I heard correctly they're still receiving pay.

V. Wilson: Yes, ma'am, that's our Charter. They obviously have a right to go to court and fight the charges against them like anyone else would have. So, we have them on an admin leave with pay so that they're not out taking cases or interacting with the public at this time.

CM Jurinsky: Sounds good, I certainly believe in rights. That sounds great.

CM Jurinsky: I just would like to go back to this, I know his slide says 267 for patrol, but the chief's presentation yesterday was 250 will be bidding for patrol. This is over three different districts, three different shifts. I've looked at some of the staffing and I've reviewed several emails that have gone out. Our patrol, we have sergeants, we have leaders in these different districts that have been asking for help. The department has three different tiers of staffing. The lowest one is critical, and I know for a fact that on several occasions we have been operating patrol divisions under critical staffing levels. So, this 44 here that's under command - I would just like to know, are there any plans for these 44 individuals to possibly take up some posts in patrol? To help out? I mean, I've read the emails that police officers are begging for help, that we are currently operating under the lowest tier of staffing, which is critical. We're operating under critical staffing levels in patrol. To the 44, any thoughts about going on to patrol?

V. Wilson: We have offered officers, lieutenants that want to work patrol shifts that they are able to do so for overtime. As far as lieutenants are concerned, per their contract, they are not able to get overtime pay. We have in the past authorized that through the city manager to allow them to work an overtime position and then anyone throughout any of these different functions is able to work patrol if they



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want to, it's in our PIO, and just recently took patrol shifts. So, everyone is trying to pitch in. Yes, we have staffing issues. We haven't shied away from being honest and upfront about that. And again, it's an issue across the nation and that's what the public needs to hear. We're doing everything we possibly can to recruit and retain officers.

CM Jurinsky: So, ma'am, when was the last time you were on patrol, or Deputy Parker, to help our officers?

V. Wilson: Well, ma'am, I haven't done a patrol shift. I have done off-duty walking Colfax shifts when we were doing those. But if you haven't noticed, I'm a little bit busy with other things that are going on. But I have not worked a patrol shift. But I do have, you know, meetings and things like this right now that I have to be at.

### Outcome

Information Only.

### Follow-up Action

None.

#### **4.b. Aurora Fire Rescue Attrition Data for January 2022**

Assistant Director of Fire Management Services, Mathew Wasserburger presented this update to the committee. By the end of the month, AFR had 3 separations. Two of which were retirements, and one was a voluntary separation due to moving from the area. M. Wasserburger presented AFR's five-year attrition rate with 2018 and 2019 being the years with the highest number of separations. A five-year attrition rate of 6.1% for 2022 is the basis for hiring decisions in 2022. The second slide has calendarized data showing that January and December have high attrition due to retirements; the end of July and August are also heavy turnover months. For 2022, the year to date attrition rate is 0.7%. More separations are coming in the month of February and will be posted for next month's update.

CM Zvonek: Matthew, what was the five-year rate? For some reason in my mind, it was 5.3 or 5.7. The five-year rate going into last years.

M. Wasserburger: Last year's actual attrition rate was 5.4 but our five-year average was 6.7 percent. We realize that was too high when last year's attrition rate was only 5.4 percent. So, we've lowered it to this current five-year average of 6.1 percent for 2022.

CM Zvonek: Okay. And is that number pretty typical? When we look at other departments across the metro area, do you happen to know what a five-year average of, say, South Metro or Denver Colorado Springs would look like?

M. Wasserburger: Correct. We're gathering that data right now. We've seen some initial data from them, and I just want to make sure that we're comparing all attrition to these organizations. So, making sure that we get their retirement numbers, their turnover rates. We'll have that shortly. I'm still trying to get a few neighboring municipalities and fire districts to confirm that data. I would think it would be right around that six to eight percent.

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CM Zvonek: Great, thank you. Any questions from the committee? Seeing none, we'll move on to Item 4C.

### Outcome

Information Only.

### Follow-up Action

None.

#### **4.c. Aurora911 Staffing Update**

Bess Joyce, Aurora911's Professional Development Manager, provided an update to the committee. Aurora911 has authorized staffing of 91 and is currently staffed with 66, resulting in 25 vacancies and a staffing level of 72.53%. It was noted that an academy was started on February 8, 2022 with three people. However, two people were disqualified close to the start date. Another academy is slated to start in April and May. Currently, Aurora911 has 103 recruit applications for the next academy, and 41 in the skills testing and initial interviews, some being in backgrounds, and one with reinstatement pending. Two Records personnel are also being hired, a supervisor and a specialist. Another open position with two vacancies and two additions is for professional development specialists for QA and continuing education. As for losses for 2021, reasons are due to transfer to another state and difficulties going through the academy. Positions held by these losses are mostly recruit and entry-level positions. For resignations, reasons are due to another job or through the academy. Updated wages for entry-level ECS and supervisors are also now available.

CM Jurinsky: I just want to know are firefighters still able to volunteer? Are they still volunteering? You know, they're getting paid overtime or whatever, but are they still able to double in helping dispatch?

B. Joyce: Yes, we do still have, I think, two or three part-time firefighters that do come on help staff the floor from time to time as well.

CM Jurinsky: Great.

B. Joyce: Super big help.

CM Jurinsky: Yes, I bet.

CM Sundberg: Just a quick comment, I had to make a 911 call on Sunday and just want to let you know the call was promptly answered and the person was very professional.

B. Joyce: Good. I always like to hear that.

CM Zvonek: I have one. Just a quick follow-up question. You talked about the kind of difficulty of the training program, and I noticed you had 104 recruits. Typically, how many people make it from they come in, they want to do it, and actually end up on the backside working.

B. Joyce: I think all different numbers. But from my experience, you get one hundred and four and it drops significantly when it comes to the background stages

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and things like that, drug use, all kinds of things that they don't want to disclose. They lie about their application and unfortunately don't realize that there's professional background investigators doing their job. So, we lose a lot in that. And some people just aren't responsive to Ron Hess and his guys that eventually gets to a point where they give him a deadline and they just don't follow through. It's kind of a process. If anyone who's done that personnel history statement form, it is a long process. So, the people that hang in, you know, are really the people that we want. We really just want the people who are dedicated and really want to serve the people and less longevity in this profession.

CM Zvonek: Other questions? Okay, thank you for your time.

B. Joyce: You're welcome. Thank you.

### Outcome

Information Only

### Follow-up Action

None.

#### **4.d. Resolution on Comprehensive Crime Reduction Strategy**

CM Zvonek presented a resolution that he and CM Jurinsky are moving forward as a result of the rise in violent crime. This resolution focuses on various strategies that the city can focus on to control crime rates. One of the key points in this resolution is having the police department fully staffed and having the two per thousand policy as the baseline. The second point is the implementation of data-driven policing focusing on better data collection such as gathering data regarding the crime hotspots from 911 calls. Another point is giving focus to the Youth Violence Prevention Program and reinstating Aurora Gang Reduction Impact Program (AGRIP). Expanding Aurora's crisis response team is the fourth point. CM Zvonek highlighted the benefit of having clinicians dealing with mental health calls from officers. The final point is the implementation of an urban camping van which is a proposal that will be up for a vote. This point emphasized that encampments on the sides of the highway are causing significant public health and safety concerns. The Committee will ask the City Manager for updates on progress made towards each of the key points or core strategies.

CM Jurinsky: I'd just like to highlight the part of the resolution about having a fully funded and fully staffed Aurora Police Department. We're well aware that police officers all over the country are leaving. In paying attention to exit interviews and things specifically regarding our police department, we feel like we know what the reason is for our department, and now we're just sending a pretty clear message that we want that problem identified. Colorado Springs put out 50 new recruits in their academy. Denver still put out 36. We put out eight. Of those eight, to my knowledge, the last update I got, we only have seven of those left. So yes, officers are leaving everywhere, but other departments are still able to bring officers in, and we're not. So now we want the real answer.

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CM Zvonek: Any other questions or comments on the resolution? If not, any objection to moving this forward to study session?

CM Sundberg: No.

### Outcome

No objections to moving the resolution to study session.

### Follow-up Action

Resolution will be moved forward to study session.

#### **4.e. Violent Crime Units Follow-up**

Division Chief Mark Hildebrand presented Violent Crime Units follow-up. The unit is reassessing deployment strategies for patrol and using a mandatory overtime deployment plan. Priorities such as supplying patrol, supplying specialty units handling violent crime, and traffic concerns are being handled by the violent crime unit. The heavily staffed units, as reported are the patrol and violent crime. In addition to staffing concerns, concerns regarding investigations were also raised. M. Hildebrand emphasized that adding staff will help improve the unit's posture moving forward. He further emphasized in the discussion of the violent crime statistics the unacceptable increase in violent crime. These include aggravated assault, homicide, gang-related homicides and crimes, and non-fatal shootings.

An overall strategy of prevention, proactive, reactive, investigation, and after-action was presented. Using data-driven information will be a big help to combat crime effectively. M. Hildebrand stated that hot maps of crimes in Aurora are very widespread. Deployment of resources to those areas are affected to address the root cause and be proactive is affected by the length of time for intel and identification, causing the unit to be more reactive.

M. Hildebrand: Are there any questions regarding the presentation in the previous monthly meeting.

CM Jurinsky: My question. Kind of going back, this might be to John Schneebeck. How many do we currently have in our gang unit? How many police officers do we currently have in our gang unit?

M. Hildebrand: I can answer that. Currently, under GRIT, we have three detectives that are specifically experts in gangs. So, their primary focus is gangs. We have five officers right now that are gang, billeted six, so we're adding one at the bid. So, we'll have a fully staffed gang unit at six and then a sergeant over gangs. And we do have an ATF task force officer that's also assigned from RAVEN that works closely with the gang unit.

CM Jurinsky: So, the one officer being added, is that officer coming off of patrol?

M. Hildebrand: Yes. Yes, they are.

CM Jurinsky: Interesting. Okay.

CM Zvonek: Mark, can I jump in real quick?

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M. Hildebrand: Yes.

CM Zvonek: On the proactive side. I get the idea that afterward if you looked at the heat map or hot spot map that it can be fairly spread out. One point of data, and maybe this exists or not, but can we look at where 9-1-1 calls for service are originating? Where are people calling in complaining about shootings or gang activity or different things that would potentially lead to violent crimes? Do we have that data? Because I would imagine that we can look at that over a period of time and see trends in different parts of the city that could help us in that proactive aspect. Do we have that data available and is it wise?

M. Hildebrand: We do review that data. I can tell you for one, we see a lot of our shots fired calls in the Colfax corridor. I mean, it's been traditionally that way for a long time. But as that area is revitalized and we've seen the hospitals come in, new hotels come in, we've started to see that heat map turned from a bright red to maybe more of a yellow. And then now we're spreading out down to the Mississippi corridor. So, where we really knew where to focus our efforts is now spreading out in those hot spots. There are hot spots but there are more of them. When you do have reduced staffing, you have to be very target-driven and focus to put your resources out where you believe that crime is most affecting our community and when it's spread out to that degree, that becomes a difficult challenge for us.

CM Zvonek: Yes. Look, I appreciate that. I mean, one of the themes that have continued to go through this presentation as you're going through it again is the fact that you really are trying to use the limited resources in terms of staffing you have and trying to plug a lot of holes. The fact of the matter is until we have a fully staffed police department, we're just truly not going to be able to impact public safety the way we need to. Which goes back to what I said we should truly view two per thousand as a floor. It should never be something we strive for. It should be something we strive to not go under. But go ahead, Mark.

M. Hildebrand: I appreciate that. I think we can all agree that having adequate staffing and feeling like we can fulfill all the different needs of the community, just traffic safety, along with violent crime prevention strategies, investigations, all of that requires. Because if you don't have adequate staffing, things are sacrificed, and we'd never want to sacrifice things for the citizens. So, we appreciate the fact that staffing is a huge concern of yours. It's always been for us. I mean, we don't like to see numbers below what we're authorized. Anything below that to us is unacceptable, and we're striving to get back to those numbers. I appreciate the fact that you see that as not as a ceiling, but as your base. So, thank you, sir.

CM Jurinsky: What is your official title?

M. Hildebrand: I'm the Division Chief over the Metro Division.

CM Jurinsky: So, you work in the chief's office?

M. Hildebrand: That's correct.

CM Jurinsky: When was the last time you had a patrol shift? I'm just curious, when did you go out on patrol last?

M. Hildebrand: I'd say maybe five years, six years.

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CM Jurinsky: Thank you.

CM Zvonek: Any other questions? You want to keep going, Mark, for a little bit and see if there's anything? Go ahead.

M. Hildebrand: So, these are some of the proactive initiatives that I was talking about. I don't know if there are any questions on any of these. Obviously, some of these units have suffered staffing-wise.

CM Zvonek: Do you know what the PAR staffing is? What's authorized and what it currently stands at?

M. Hildebrand: Division Chief Juul may be able to answer that question because PAR isn't directly under my division. I don't know what they currently sit at. There are PAR officers in every district. We were at one time able to almost supply every area with a PAR officer that's reduced to where PAR officers are covering multiple areas within each district. But I don't know what the exact numbers are on that.

Chris Juul: We do have four officers in every district. Right now, it looks like District 1 has a PAR sergeant and eight PAR officers. District 2, a PAR sergeant and seven PAR officers, and District 3, a PAR sergeant and five PAR officers. So that is slightly under authorized staffing, which would be 24 total.

CM Zvonek: Okay, thank you.

CM Sundberg: I had a question about Colfax Foot Patrol here, just about the overall effectiveness of that, the theme the intention behind it and is that utilized fairly often.

M. Hildebrand: Well, and again, that's for Division Chief Juul. Foot Patrol would fall under his purview. But I can tell you that having just a presence of officers has a positive effect. I think there are some, some crime reduction that occurs with that. We had dedicated foot patrol units in the past. We've actually opened that up for overtime. But what we found is that if you open that up for overtime and then you have a competing interest of patrol overtime, officers may fill that, and then we're not fulfilling the needs of our patrol staffing. We weren't filling those because, you know, patrol staffing was so down, we weren't able to adequately support that where we have enough officers to be effective. So, I think that's something obvious like we've talked about staffing. We acknowledge all of these things are important strategies and it kind of takes all of them together, working and integrated and collaborative in order to be successful. But you know, those are ones where we aren't able to adequately staff those right now. Does that answer your question, sir?

CM Sundberg: It does. Yeah, I ask because a constituent brought that up as something that they would like to see more often along the Colfax area.

M. Hildebrand: I think we can even expand that to other areas within the city. I think it's a great initiative. Our basic unit was they kind of took what the foot patrol was doing and expanding that a little bit, but there's a unit there that we just can't staff right now.

CM Sundberg: Okay, thank you, sir.

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CM Jurinsky: The numbers that were just read to us for each district, for PAR officers, are those officers dedicated to PAR, or are they actually PAR officers on patrol right now?

C. Juul: So, the ones that I read, it looks like are actually dedicated to PAR. We do have about 5 PAR officers dedicated front PAR to patrol.

CM Jurinsky: Of those numbers that you read, so five of those are even on patrol.

C. Juul: No, this would be an addition to.

CM Jurinsky: Okay.

CM Zvonek: Other questions. All right, Mark, if you want to go ahead and continue.

M. Hildebrand: A reactive initiative of the unit is the SWAT which is seen as very successful along with the Fugitive Apprehension Team. Both these initiatives are effective in getting the targets into custody with the help of the warrant from investigations. An emergency response team that is an expert in crowd control, providing security, and responding in emergencies such as snowstorms is also available.

CM Jurinsky: So, your last slide, those reactive teams, those sound pretty interesting and something that maybe council members should have a full understanding of what those reactive teams do. I would just like to say I very much look forward to going on a ride-along with SWAT in the upcoming weeks. Thank you.

M. Hildebrand: I know that there is a request that came through, I'm more than willing to facilitate an overview and meet with SWAT so you can look at what they have, what their operational posture is at this point, and what all they have at their disposal, and potentially what some of the needs of that unit is moving forward. I have no problem facilitating that overview of that unit.

CM Jurinsky: If it needs to be facilitated, that's fine, but I would really like to meet with the SWAT guys. Thank you.

M. Hildebrand: The agency also has a specialized investigative unit which includes the domestic violence (DV) unit. Through PSP, the agency will conduct a data analytics assessment of how it collects crime data, how it deploys analysts, and determine the best practice on a national platform. More proactive response and initiative will rely on the ability to gather, analyze, and interpret data faster. The Nighthawk LEOVision and AXON Evidence platform will also be utilized. It was stressed that Aurora runs multiple academies a year as compared to Colorado Springs and Denver. Staffing issues have exposed the need to become more efficient and effective in systems and processes and that the agency needs to find ways to reduce the amount of time officers are dealing with administrative tasks or that a computer system can do. There is emphasizes on the impacts of the judicial and legislative systems which allows for multiple offenders being released through being given PR bonds.

CM Jurinsky: So, it is my understanding that you take on most of the exit interviews for when exit interviews are extended to police officers that are leaving. Is that correct?

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M. Hildebrand: No, that's not correct. I haven't done an exit interview.

CM Jurinsky: You haven't.

M. Hildebrand: No.

CM Jurinsky: Well, that's interesting also. So, I have. Officers are concerned about legislations and stuff like that. They definitely say a lot of these laws are offender-friendly, but they're giving other reasons why they're leaving. I find it interesting that you say things that are in our control, we should handle those. But then there are these legislative issues. What types of things in our control are you referring to that we could handle?

M. Hildebrand: Well, I think quite a lot of the things within that resolution are things we agree with and things we've already started down the road on.

CM Zvonek: Just to answer your question, Council Member Jurinsky. He was referring to the crime, not staffing. So, the things within our control on crime are the things that we talked about in our resolution, making sure the department is fully staffed, making sure that the A-GRIP unit's back, all of the things that we talk about. When he was talking about the external legislation, it was things like the PR bonds that are allowing people to just get back out and re-offend. This wasn't addressing the staffing situation in the department. This was addressing crime. There has been a number of bills passed by the General Assembly that have been offender friendly that has made it tougher to enforce laws. And I think that's what he was talking about.

CM Jurinsky: I don't disagree with that, but I just wanted to also point out the officers in this department aren't so much citing those as their reasons for leaving the department.

CM Zvonek: I get that, but that still impacts crime.

CM Jurinsky: And so does a lack of officers.

CM Zvonek: Right. And that's part of the thing that's in our control. Go ahead, Mark.

M. Hildebrand: Over the last years, there has been a perception in the community of over-policing and that the agency is too aggressive in its tactics. Technology may help focus on specific areas or groups through gathering data-driven intelligence. Another reason mentioned for the spike in violent crimes and crime overall is the COVID pandemic. The success of the Major Crime Unit having a 72% clearance rate, while the national average is 40 to 50%. The gang unit was able to recover firearms during the New Year's celebration. The Possession Of Weapon By Previous Offender (PAWPO) legislation is reported to be going live in March. This affects the agency's ability to take guns off the street and hold people accountable who are illegally possessing firearms. It will greatly impact law enforcement's ability to address violent crime. The U.S. Marshal operation and the Colorado Organized Crime Control and federal prosecution cases were highly effective.

CM Zvonek: Any final questions for Mark before we move on from this?



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CM Marcano: I'm not on the committee, but I appreciate you recognizing me. I want to know what laws specifically has the state passed that require the issuance of PR bonds? I agree that they're being overused, but it's my understanding that it's actually up to judges to decide when someone's going to get a bond or if they're going to be held. I'm hearing conflicting information here. So, go ahead, please.

M. Hildebrand: I may have misspoken if I connected the two. Obviously, in our judicial system as a whole, some of the judges issuing PR bonds legislation would be more of the POWPO. But I do know that legislators are putting pressure on the judges to not incarcerate pending the outcome of the trial. So, there is that pressure that judges are feeling from that perspective. I don't know what legislation has been enacted if any of that affects that, but it is the judges that issue those bonds. I mean, I've testified before judges at bond hearings to explain why someone shouldn't be released on a PR bond. I've done that multiple times, but it's really to their discretion, whether or not they issue a PR bond or reduce a bond down to a low amount that allows them to get back out. Incarceration isn't always going to be reflective of reducing violent crime, but it does prevent people when they are physically detained pending the outcome of a court hearing from themselves being able to commit a crime. We have seen specific instances of that, just like the one I just brought up where a female auto thief was continuing to get out and continuing to repeatedly commit crimes because they were continually let out on PR bonds and the final sentence where they actually hit the Denver officers, the Arapahoe County judge allowed all of the previous charges to run concurrent sentences with the Denver. So, she'll be out in three years, and we'll be right back to square one with that.

CM Marcano: Thank you for your answer, and I would just add that I think we're in agreement that detaining someone doesn't necessarily prevent or stop anything in the long term. But I am in strong agreement that if someone is a repeat offender, it makes no sense to release them, especially on the PR bond or something like that. So, I'm wondering if there is an avenue for this committee, the department, perhaps even our own court, our own judges to lobby for better training for judges, I guess when it comes to decision making with these kinds of cases. I think that there's probably a lot of cases where you can give someone one shot, right? But if they're continuously re-offending for the exact same thing, then they've basically used up their second chance. And I don't think that we should be allowing them to go back out and causing more problem in our community. So, for what it's worth. But I would just like to see an effort to educate and help train the judges that are, I think, overusing PR bonds, if this is the condition that we're seeing, especially when it comes to motor vehicle thefts.

CM Jurinsky: If CM Marcano would like to make a formal statement about that to send to state legislatures, I would happily sign on to that if you would like to lead the forefront and issue a formal statement.

CM Marcano: Sure.

CM Zvonek: Any other questions for Mark before we move on? Okay, thanks, Mark.

M. Hildebrand: All right. Thank you, Council Members.

Outcome

Information Only

Follow-up Action

None.

**4.f. Aurora Police Department Retention Initiatives**

Aurora Police Chief, Vanessa Wilson, presented the Aurora PD's retention initiatives. It was reported that retirements are up 44%, while resignations are up 18%. The Aurora Police Department is having talks with FOP, under Marc Sears, regarding medical insurance for retirees which may increase the number of retirees in the department once passed. Due to the increase in officer assaults, more families are reluctant to allow their family members to join the force. It was pointed out that traditional incentives are no longer as effective due to staffing challenges across the nation. The department further plans to provide more incentives and bonuses and is working with the city management for lateral incentives and a referral bonus. It was highlighted that Aurora runs five academies a year versus Colorado Springs and Denver. The department is currently focusing on building internal trust, retention, and recruitment through their 'A new way forward' program. This program includes five categories: operations, leadership, service, accountability, and engagement. For operations, the department has implemented a new shift that allows more focus to in-person training on Tuesdays and Wednesdays. In addition to this, shadowing opportunities and an increased number of days off, through Captain Mood's mandatory overtime scheme, will also be implemented. Community service representatives will also be brought in to take on minor injuries or low-level calls. Chief Wilson is in communication with Deputy City Manager Batchelor and City Manager Twombly on bringing more civilians for this position. The National Public Safety Partnership Assessment is also in the works. The department is also looking at technology assessments through Benchmark Analytics, the AXON platform, and integrating evidence.com. A high turnover of senior leadership is seen in the department. Sergeant training is being held through two weeks in the classroom and two weeks on the road. The curriculum for a lieutenant's training program is being developed. Career service non-sworn leaders will undergo civilian leadership classes in order to formalize a mentoring program in the organization. An audit is being done through City Manager Twombly to assess the organization's promotional process. Culture surveys will also be done to identify areas of concern, gauge successes through future surveys. The main goal is to cultivate and support competent leadership, act on feedback, and build trust. Paul Butler, with his 27 years of law enforcement experience, will also be brought on as a speaker on leadership. The wellness of the officers is another main point. A physical therapy room, with physical therapists, will be procured in order to rehabilitate officers that have been hurt on duty. This is under the leadership of Wellness Sergeant Campagna. Family nights will also be included in the program to educate the families as to the stressors that the family may face and the resources available for them and the recruit to combat these. Wellness Sergeant TJ Campagna reported on the 'Hire to Retire' program which hires people and keeps them in the organization until retirement. This program is currently in development is focused on improving fitness equipment as well. Through Benchmark Analytics,

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improvements in early intervention systems in identifying personal problems, and facilitating engagement through the wellness unit will be applied. The department is also conducting a referral hiring bonus of \$1,500 which also applies to laterals. There will also be a \$6,000 signing bonus and an addition of \$2,500 housing relocation included in the lateral incentive bonus. An extra \$5,000 will be given for those moving into the City of Aurora. Competitive compensation will also be applicable for civilian officers. A focus on scenario-based training will be given through simulations in virtual reality through the AXON suite. The Active Bystandership through Law Enforcement (ABLE) program will be brought in. A class by Calibre Press entitled “Legally Justified; But was it Avoidable?” was seen to be given positive reactions by the officers. The department is also grateful for the city management putting up wrap systems versus the hobble system. As for accountability, Chief Wilson is bringing back the Policy Committee to give focus on helping the officers understand the programs and decisions being behind them. Officers were invited to the Criminal Justice Institute to attend the Force Review Board meetings regarding the use of force. For engagement, a new way committee, which is an officer-led committee will be put together. This committee will be tasked to research, compile, and present ideas regarding potential improvements in the agency. A Chief Update will also be conducted once a month for all the staff, both sworn and unsworn, to meet with the Chiefs and discuss issues and concerns. Another program to be implemented is the monthly newsletter that highlights the good works of the officers. Emails regarding meetings will be sent out to improve internal communication and amplify positive and consistent messaging. Rebranding through epic recruiting is seen as a focus. This can be achieved through an increase in positive storytelling and positive engagement through increased opportunities for community relations. Employee appreciation and outreach is also planned for the officers and their families. Division Chief Juul will be holding monthly meetings with AFR, Aurora911, Detention, and IT to discuss any concerns regarding partnership with the department.

CM Zvonek: Okay. Thank you, Chief, and would you mind sending that presentation to the committee members?

V. Wilson: Yes, sir. We'll email it right now. I have someone to take care of that right now.

CM Zvonek: Thank you. And I know that council member Sundberg has a Water Committee and I know we're running short on time and I apologize for the packed agenda today. That's on me. I should have cut something out. But Council Member Sundberg, do you want to go ahead and ask any questions you might have of the chief before you have to jump?

CM Sundberg: I have a comment and then a question for the Chief. Thank you, Chief. You mentioned media relations, positive storytelling in the media. I think that's very important. I think there have been a couple of missed opportunities like ‘Shop with a Cop’. I was very surprised at that super positive event that no media was there. Of course, they seem to want to focus on what's negative, but there are just some really positive things you guys are doing, and I'd love to see the reinforcement of media at such positive events. And secondly, you talked about act on feedback as a major principal there. Tying in exit interviews to that. What

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information, are you garnering that might be sort of a theme with people leaving in the exit interview process if they do get that detailed?

V. Wilson: Exit interviews are voluntary at this point. At the sergeant level all the way up, if we hear someone is thinking about leaving the organization, what we want to do is make sure that we're engaging with them, finding out exactly what it is. We just recently had an officer that was ready to resign. The sergeant did an excellent job talking to him, and she was able to understand that he was just overwhelmed with the call load and keeping up with all the reports and everything that they're going to call the call and having to write. With that engagement in and through her communication skills, she was able to tell that officer, we can help you with these types of things. So, they feel like they have support from not only the sergeant level, but all the way through up through the ranks. So, some exit interviews, whether they're aging out and they're just tired, whether they feel as though they've lost their passion for law enforcement, upset about what law enforcement has experienced the last two years. And frankly, sir, they may not appreciate me or the direction that I'm taking the agency. I'm not immune to that. I know that there are some people that disagree with some of the things that I'm doing. But again, I believe that the community sees, and like I said with the officers that I've removed from this organization, I'd be happy to sit down and see which ones any of you disagree with the decisions I've made, but I feel that it was important. We definitely need to focus on our officers and do a better job of communicating and explaining the why's. And I think that's where I fall, in short, is explaining the whys of the decisions we're making. So. I'm making a commitment to all of you, as well as this agency and the community that I will do a better job in that.

CM Zvonek: CM Sundberg, is there anything else that you'd like to ask before you have to go and chair your Water Committee?

CM Sundberg: Just another comment about the positive storytelling. The school resource officers that were involved in applying tourniquets after the Central shooting, did I hear it correctly that Good Morning America actually reached out wanting to interview them? And perhaps they were too humble and wanted to lay low about that. But I just thought that was an amazing opportunity. Of course, you wouldn't expect them to go into the limelight about that. But is that true?

V. Wilson: That is true, sir, and I can tell you that I obviously praised, in the interviews that I did, the officers' actions that day. They did save lives and they were a little shy and they didn't want to go on the Good Morning America. But in the 'Shop with a Cop', we did have our public information officers there. And I agree, sir. I wish the media would highlight everything that we're doing in this agency and the officers that are out there saving lives instead of just saying no officers were injured in an officer-involved shooting. I think the focus needs to be, do you understand what that impact had in that community and that they saved multiple lives and multiple victims in their actions. We're not there with the media. What we're going to try and do is keep continuing to push these ideas to them. Say, here's our story And put it on our Twitter and our platforms and hopefully they'll pick it up. I know we have some positive relationships with some, some reporters that always are looking to do great stories on us. And I believe CBS4 is wanting to do highlight our mobile response team here in the city as well as our crisis response

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team tomorrow. CBS News. We'll be doing interviews with them. So that's a positive story.

CM Sundberg: Perhaps that's something that we can do on council as reporters are reaching out to us. Maybe we can remind them of the importance of covering the highlights and positive aspects of what you guys do.

V. Wilson: Yes, sir, and I appreciate I know that three of you have gone to briefings and thanked officers personally for the job that they're doing and given gift cards or such. Also, I believe Council Member Jurinsky has praised the emails that she's received about the high priority notifications and the great work that they're doing.

CM Jurinsky: Chief, you said your first Chief update, you had about 80 officers show up. Do you know how many you had shown up at the one you just did?

V. Wilson: It might have been about 25 to 30, ma'am, and it was a 3:30 briefing at a District 1 station. So, I would imagine that we are going to have smaller turnouts. We're going to have to look at our times and make sure that we offer them in the mornings, different times that we catch our graveyard officers, our swing shift officers. We're going to continue to do it, continue to push it out and hopefully word of mouth. We will have people there. But that's why I'm sending out the email, ma'am, updating individuals and everything that we talked about, any questions that were asked and the answers that were given so that even if people can't make it to those actual meetings, they're getting that information.

CM Jurinsky: I would just like to say, I'm very happy to hear about this wellness program with the benchmark for analytics specifically. You mentioned if an officer is going through a divorce, maybe rehabilitating, recognizing that, and trying to retain officers. I would just like to say, and may he rest in peace, this would have been a great program to have around for Officer Javen Harper. So, happy to see it now.

V. Wilson: Yes, ma'am. I can't really go into the Javen Harper situation. It's medical information and I want to respect his memory.

CM Jurinsky: I didn't ask for it. I just said, "May he rest in peace."

V. Wilson: Yes, ma'am. But okay, we'll just agree to disagree on that.

CM Jurinsky: On everything. Have a great day.

CM Zvonek: Other questions? Chief, I have a couple of questions, but first, I just want to say I know that back in January when we had our first public safety meeting, I threw out this idea of creating an internal program that would focus on retention and recruitment. And I appreciate the work that you and your team did to get this together. I am going to ask something, but I assume the answer is no. I assume you haven't had a chance to really vet this with the department. I assume that you're presenting it here first. Is that correct?

V. Wilson: That's correct, sir. I'm presenting this here and then we will put this out in our next monthly update meeting and go through these slides with everyone.

CM Zvonek: Yes. As you do that, my suggestion again, I trust that you and your team will do this in the most effective manner. My suggestion would be to really

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reach out and get feedback on this plan and see if we hitting the right things from the men and women who are serving on the ground level up, and are these the types of things that are going to keep them here and to help bring other officers to this department in the future? Because ultimately, that's the end goal. It goes back to the resolution that we're bringing forward that having a fully staffed department is a critical component to improving public safety for our community. I appreciate the work that you guys have done. I hope that there is some feedback opportunities for the rank-and-file officers in your department to add to this. I believe it's a solid foundation and maybe there's not much to add to it, but I'd like to see that as a part of it and then obviously pushing it out as aggressively as you pushed out The Way Forward with the reestablishing trust because I think it's important and I appreciate that you're taking it forward. Two questions as it's related to the plan. One is, I know that there's been a number of efficiency studies that have been done over the years. I think, and correct me if I'm wrong, but you mentioned the use of the community service reps. I know that in the past they talked about trying to get officers away from doing things that frankly, they didn't need to be doing and that somebody in a more civilian role could do. The community service representative, is that addressing that need that was addressed in the efficiency studies?

V. Wilson: So truly, what that is s just we're trying to not get rid of customer service, but also take the load off the officers. Having people that can respond to calls that you don't need a sworn law enforcement officer to take that information and to assist that citizen or resident at that time. And so that's really what we're focusing on. Obviously, there are things that we shouldn't be responding to as law enforcement officers and with legislation that we can't be just contacting people unless we have a legal and justified constitutional reason to do so. So, we're going to have to free up officers to focus on the violent crime issue that we're seeing across the nation and specifically here in the City of Aurora. So, we have a lot of great ideas of how we're going to do that. But yes, so that's kind of a double answer there. But yes, the community service officers are going to not only have officers not having to focus on more of the low-level crime stuff or the traffic accidents where there are minor injuries, freeing them up to focus on the issues of violent crime. I agree, sir, I appreciate the feedback. That's where that New Way committee is going to come in. Honestly, after the first session, I had people that I was really surprised to reach out to me and other chiefs and say they really appreciated that we're able to stand in the box and take the tough questions. That's my job and people need to feel free to talk to me and tell me, you know, the things that they're concerned about. And again, like I said, a very veteran officer yesterday shared what he thought of our sectoring plan. So, we're looking at how we can tweak that because you're right, it's affecting those on the street and the things that we implement, the whys behind what we're doing, and then is it working, and actually hearing from them. So, we will implement that.

CM Zvonek: One other suggestion recommendation to the policy committee that you talked about, I guess reforming. I would love to hear from that group any time there is a city policy that they think we need to address to bring it to this committee. But specifically, I think the first meeting really should dive into: are there policies that had been created by Council in previous years, in recent years, frankly, that have in any way that isn't needed as a part of necessary reform, I understand that you want to stay true to your commitment to reforming the department, but are

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there policies implemented by Council that are actually prohibiting or getting in the way of good police work and keeping our community safe? And if there are, I would love to hear them.

V. Wilson: Yes, sir, we will definitely look at that and we'll be in communication with you if we identify those policies.

CM Zvonek: Okay. All right. Well, we appreciate you bringing this forward, Chief, and look forward to seeing you and your team move this forward into the rest of the department.

V. Wilson: I thank you and I just want to thank the fact that I think it's clear to everyone that you three are very pro-police and we appreciate you and we thank you for always having the well-being of the officers in mind, the things that you're doing. So, thank you.

### Outcome

Information Only

### Follow-up Action

None.

#### **4.g. 2022 Aurora Fire Rescue and Safety Update**

Aurora Fire Health Safety Officer, Captain Doug Whiting gave updates to the committee. Revisions were made in the Health and Safety Officer Program. This was initially filled by a fire medic and was then shifted into a captain position after reorganization. Duties of the HOS are fulfilled by a single person who is actively involved in the overall health and safety of the Aurora Fire Department. The HSO is tasked with developing, implementing, and evaluating multiple programs to include members injuries on and off duty and worker's comp injuries. Captain Whiting is the liaison between Aurora Risk, HR, and worker's comp doctors to ensure the provision of appropriate treatment. In addition to this, the HSO inputs and tracks all the data to determine the cause, provide education among our members, and develop new safety programs to prevent any future safety issues and mitigate risk. Training for drivers and operators is also provided through the HSO. Other HSO programs include physical wellness, mental wellness, medical and wellness exams, research and development of all of the equipment for safety, ensuring the provision of appropriate safety equipment and training, and incorporating fire station designs and support services also on large scale events. In 2021, Aurora Fire received budget approval to develop an in-house physical therapy clinic. This allows AFR and APD members to seek out timely treatment for on or off-duty injuries. Through the RFP process, the bid was awarded to EXOS. The EXOS teams will provide equipment based on their modality, treatment, and philosophy. Priority will be given to on-duty worker's comp injuries and will continue to off-duty injuries if staffing and resources allow. The direct access model is seen as a risk mitigation tool that allows each member to seek any treatment for injuries. Data collected by the HSO from 2020 tracks any potential safety issues due to equipment and resources which may be used to identify the need for new equipment, training resources, or education. The majority of injuries are sustained by firefighters and rescue technicians. Recovery for each injury depends on the type

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and injury of the location. With the in-house PT, these days can be shortened through the provision of timely treatment. AFR conducted an internal audit which identified fitness equipment in 17 firehouses that are old, unsafe, and irreparable. AFR will be receiving the budget to purchase equipment for the firehouses and is going to start maintenance programs for the equipment. In addition to physical health, mental health is another focus given that fire service is one of the most stressful jobs in the US. This is due to the physical demands of the job, sleep deprivation, shift schedule, and personal health issues. Employee Assistance Programs (EAP) were conducted to assist in the mental and emotional care of the members. However, the psychologists employed in these programs were not equipped to handle PTSD related to fire service. As a result, AFR offered a grassroots psychological program in Q3 of 2021 to utilize a competent team of psychologists to help with any mental health issues. This will be further improved to become direct psychological services without the need for a liaison which helps alleviate the negative stigma surrounding counseling. The National Emergency Responder Public Safety Center is also underway for each of the members of public safety to provide relevant resources to the peer support team. This will help build and enhance performance, wellness, and resiliency. The pilot program for the in-house PT is scheduled to start around mid-March. A concern, however, is the availability of physical therapists. Highlighted is the importance of proactive preventative maintenance and reactive counseling sessions to maintain stronger mental health. Due to resistance in seeking help, AFR will focus on marketing and branding the program to help eliminate the negative stigma. Another concern is the limited budget which only funds six sessions for each of the members. As for the fitness equipment, maintenance and replacement schedules are seen as challenges. Aside from these concerns, it was emphasized the need for a health and safety team instead of a single health and safety officer to constantly work in developing, managing, and updating risk management plans. In summary, AFR looks forward to the PT program and possibly proving functional movement screening to determine the probability or possibility of a member getting injured. Gate evaluations, basic strength, conditioning advice, and preventative exercises are also seen to be of great assistance to reduce risk. Another step to take is to develop an ongoing budget for the general maintenance and replacement of fitness equipment. Proactive preventative maintenance sessions and reactive counseling sessions are essential to maintaining a strong mental health among the members as well. In addition to these, additional FTEs must be taken in to keep up and be proactive in the approach within the organizations to maintain, develop, implement, and evaluate safety programs.

### Outcome

Information Only

### Follow-up Action

None.

## **5. Miscellaneous Matters for Consideration**

None.

## **6. Confirm Next Meeting**



**DRAFT – SUBJECT TO APPROVAL**

Next meeting confirmed March 10, 2022, 9 am via WebEx.

**7. Adjournment**

Meeting adjourned at 11:02 am.

APPROVED: \_\_\_\_\_

Dustin Zvonek, Chair



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> 2022 US Marshal Service Fugitive Task Force MOU Resolution
<b>Item Initiator:</b> Danelle Carrel
<b>Staff Source/Legal Source:</b> Vanessa Wilson, Police Chief / Megan Platt, Assistant City Attorney
<b>Outside Speaker:</b> NA
<b>Council Goal:</b> 2012: 1.0--Assure a safe community for people

### COUNCIL MEETING DATES:

**Study Session:** 4/4/2022

**Regular Meeting:** 4/25/2022

### ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Vanessa Wilson, Chief of Police / Megan Platt, Assistant City Attorney  
5 Minutes

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### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Study Session  | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only   |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

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### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

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**Policy Committee Date:** N/A

**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

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**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPROVING THE 2022 MEMORANDUM OF UNDERSTANDING FOR THE UNITED STATES MARSHALS SERVICE FUGITIVE TASK FORCE FOR NON-FEDERAL AGENCIES

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**QUESTIONS FOR COUNCIL**

Does the Committee approve the item to move forward for full council?

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**LEGAL COMMENTS**

Council may approve, by resolution, the execution of agreements with other governmental units for furnishing or receiving commodities or services (City Charter Article 10-12) (Platt).

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**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

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**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A.

RESOLUTION NO. R2022 – \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO  
APPROVING THE 2022 MEMORANDUM OF UNDERSTANDING FOR THE UNITED  
STATES MARSHALS SERVICE FUGITIVE TASK FORCE FOR NON-FEDERAL  
AGENCIES

WHEREAS, The United States Marshal Service has been granted authority to direct and coordinate permanent Regional Fugitive Task Forces consisting of federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives.

WHEREAS, the primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active warrants for their arrest. The intent of the joint effort is to investigate and apprehend federal, local, state, tribal, and territorial fugitives, thereby improving public safety and reducing violent crime.

WHEREAS, the Aurora Police Department has partnered with the United States Marshal Service to assist with the apprehension of violent offenders. Each participating agency agrees to refer cases for which they hold the primary warrant for the subject to the RFTF (Regional Fugitive Task Force) or VOTF (Violent Offender Task Force) for adoption and investigation.

WHEREAS, the City is authorized, pursuant to Article XIV of the Colorado Constitution and Section 29-1-201, *et seq.*, of the Colorado Revised Statutes, to cooperate and contract with any political subdivision of the State of Colorado, to provide any function, service or facility lawfully authorized to each of the contracting or cooperating units of government; and

WHEREAS, Article 10-12 of the City Charter authorizes the Council to approve, by resolution, the execution of agreements with other governmental units for furnishing or receiving commodities or services; and

WHEREAS, it is in the best interests of the citizens of Aurora to continue its involvement in the United States Marshals Service Fugitive Task Force and approve the 2022 Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. The 2022 Memorandum of Understanding regarding the United States Marshals Service Fugitive Task force is hereby approved.

Section 2. The 2022 Memorandum of Understanding replaces and supersedes all other agreements and memorandums of understanding regarding the United States Marshals Service Fugitive Task Force.

Section 3. The Mayor and City Clerk are hereby authorized to execute such 2022 Memorandum of Understanding for the United States Marshals Fugitive Task Force with such

technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney that are not inconsistent with this resolution.

Section 4. All resolutions or parts of resolutions of the City in conflict herewith are expressly rescinded.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MIKE COFFMAN, Mayor

ATTEST:

\_\_\_\_\_  
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

<sup>PS</sup>  
*Megan Platt*  
\_\_\_\_\_  
MEGAN PLATT, Assistant City Attorney

**United States Marshals Service**  
**Fugitive Task Force**  
**Memorandum of Understanding**  
**For Non-Federal Agencies**

Rev. 01/2022

**PARTIES AND AUTHORITY:**

This Memorandum of Understanding (MOU) is entered into by the

**Aurora Police**

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000, codified at 34 U.S.C. 41503, and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent Regional Fugitive Task Forces consisting of federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. *See also* Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation concerning the "Authority to Pursue Non-Federal Fugitives," issued by the U.S. Department of Justice (DOJ), Office of Legal Counsel, dated February 21, 1995; Memorandum concerning the "Authority to Pursue Non-Federal Fugitives," issued by the USMS Office of General Counsel, dated May, 1, 1995; 42 U.S.C. § 16941(a) ("The Attorney General shall use the resources of Federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements."). Additional authority is derived from the Attorney General's Memorandum, Implementation of National Anti-Violent Crime Initiative (March 1, 1994); Attorney General's Memorandum, Policy on Fugitive Apprehension in FBI and DEA Cases (dated August 11, 1988); Memorandum of Understanding between the Drug Enforcement Administration and the United States Marshals Service (dated September 28, 2018, or as hereafter amended); and Federal Rules of Criminal Procedure 41 – Search and Seizure.

**MISSION:** The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active warrants for their arrest. The intent of the joint effort is to investigate and apprehend federal, local, state, tribal, and territorial fugitives, thereby improving public safety and reducing violent crime. Each participating agency agrees to refer cases for which they hold the primary warrant for the subject to the RFTF (Regional Fugitive Task Force) or VOTF (Violent Offender Task Force) for adoption and investigation. Cases will be adopted by the RFTF/VOTF at the discretion of the RFTF/VOTF Chief Inspector/Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by

subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the RFTF/VOTF may also adopt non-participating law enforcement agencies in investigating, locating, and arresting their fugitives. Task force personnel will be assigned federal and adopted fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the RFTF/VOTF. Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State, local, tribal, or territorial fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned agency.

**SUPERVISION:** The RFTF/VOTF may consist of law enforcement and administrative personnel from federal, state, local, tribal, and territorial law enforcement agencies. Agency personnel must be approved by the RFTF/VOTF Chief Inspector/Chief Deputy prior to assignment to the RFTF/VOTF. Agency personnel may be removed at any time at the discretion of the RFTF/VOTF Chief Inspector/Chief Deputy. Direction and coordination of the RFTF/VOTF shall be the responsibility of the RFTF/VOTF Chief Inspector/Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel. A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS RFTF/VOTF personnel, may be established at the discretion of the RFTF/VOTF Chief Inspector/Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the RFTF/VOTF.

**PERSONNEL:** In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

**REIMBURSEMENT:** If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state, local, tribal, or territorial investigators who provide full time support to USMS RFTF/VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state, local, tribal, or territorial investigators in direct support of state, local, tribal or territorial investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided. Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped the equivalent 25% of a GS-1811-12 Step 1, of the general pay scale for the Rest of United States. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the RFTF/VOTF during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost. The request for reimbursement must be submitted to the RFTF/VOTF Chief

Inspector/Chief Deputy, who will review the request for reimbursement, stamp and sign indication that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests for reimbursement for equipment, supplies, training, fuel, and vehicle leases.

Reimbursement for other types of qualified expenses (i.e., investigative or travel) shall be contingent upon availability of funds and the submission of a proper request for reimbursement. Task force personnel may incur investigative expenses or may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State, local, tribal, or territorial task force officers (TFOs) traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their authorized travel expenses in accordance with applicable USMS policy, federal laws, rules, and regulations. The request for reimbursement must be submitted to the RFTF/VOTF Chief Inspector/Chief Deputy, or IOD program Chief (i.e., SOIB or OCAG), and must include appropriate supporting documentation.

**VEHICLES:** Pending the availability of asset forfeiture funding, the USMS may acquire vehicles to be utilized by state, local, tribal, or territorial investigators assigned to the RFTF/VOTF. Vehicles provided by the USMS remain in the control of the USMS and must be used solely in support of RFTF/VOTF operations. The vehicles must be available for exclusive use of the TFOs assigned to the RFTF/VOTF by the undersigned participant agency for the duration of the agency's participation on the task force. If the agency is no longer a participating member of the RFTF/VOTF, any USMS vehicle provided to the agency for use by TFO(s) must be returned to the USMS. Operators of USMS-provided vehicles must adhere to USMS policy regarding the use of government owned vehicles. Any violation of the USMS vehicle policy may result in the vehicle being repossessed by the USMS and the operator and/or agency forfeiting the opportunity to utilize a USMS-provided vehicle in the future. Vehicles provided to state, local, tribal, or territorial investigators may be subject to additional regulations or restrictions pursuant to USMS lease agreements. Replacement or removal of any vehicle provided by the USMS will be at the discretion of the USMS and/or subject to lease agreement terms.

**EQUIPMENT:** Pending the availability of Asset Forfeiture funding, the USMS may purchase equipment for state, local, tribal, or territorial investigators assigned to the RFTF/VOTF. Equipment purchased by the USMS using Asset Forfeiture funding must be used solely in support of RFTF/VOTF operations. The equipment must be available for exclusive use of the TFOs assigned to the RFTF/VOTF by the undersigned participant agency for the duration of the agency's participation on the task force. If the agency is no longer a participating member of the RFTF/VOTF, any equipment purchased with Asset Forfeiture and provided to TFOs from the agency may be retained by the agency. Equipment provided by the USMS that is not purchased using Asset Forfeiture funding remains the property of the USMS and will be issued to state, local, tribal, or territorial investigators for exclusive use in support of the RFTF/VOTF. If the investigator or agency is no longer a participating member of the RFTF/VOTF, any equipment issued that was not purchased with Asset Forfeiture funding will be returned to the USMS.

**BODY-WORN CAMERAS AND TASK FORCE OFFICERS:** As per USMS Policy, Body Worn Cameras (BWC) may be worn by TFOs operating on a USMS Task Force when their parent agency mandates their use by personnel assigned to the task force. A partner agency must



formally request to participate in the TFO BWC program and, upon approval, comply with all USMS policies, procedures, documentation, and reporting during their participation. The USMS will inform all partner agencies of which other partner agencies, if any, have been authorized to have their TFOs wear BWCs on the Task Force. Accordingly, all partner agencies should be aware that TFOs may be participating in the TFO BWC program and may be operating with BWCs on USMS task force operations in their agency's jurisdiction. TFOs whose parent agency is not approved for participation in the TFO BWC program are not allowed to deploy with BWCs on USMS missions. As of September 2021, DOJ law enforcement components are implementing BWC into their agency missions. Accordingly, all partner agencies should be aware that USMS and other DOJ law enforcement personnel may be operating with BWCs on USMS task force operations.

**RECORDS, REPORTS, AND TESTIMONY:** After the RFTF/VOTF has adopted a warrant, all investigative reports, evidence, and other materials generated, seized or collected by the RFTF/VOTF, relating to the fugitive investigation, shall be material within the custody and control of the RFTF/VOTF. Physical evidence, such as drugs, firearms, counterfeit credit cards, and related items may be released to the appropriate prosecuting agency. Records and information obtained during the RFTF/VOTF fugitive investigation are ordinarily not evidence and may not be released unless authorized by the Office of General Counsel (OGC). A participating agency may retain copies of RFTF/VOTF investigative reports, and other documents or materials, but they may be released only upon approval of the USMS (OGC), in consultation with the local U.S. Attorney's Office, if and as applicable. If an applicable state law mandates the release of records or reports pertaining to RFTF/VOTF activities, those documents may only be released after coordination with USMS OGC.

All investigative reporting will be prepared in compliance with existing USMS policy and procedures utilizing USMS case management systems. Every effort should be made to document investigative activities on USMS forms, such as USM-11s and USM- 210s. Reports should never contain information related to sensitive USMS programs that are deemed privileged and not subject to reporting. RFTF/VOTF records and documents, including reports on RFTF/VOTF activity prepared in cases assigned to TFOs, will be maintained in USMS electronic records and/or paper case files. Task force statistics will be maintained in the USMS case management systems. Statistics will be made available to any participating agency upon request. This section does not preclude the necessity of individual TFOs completing forms required by their employing agency. However, reports documenting task force related investigations or activities prepared by a TFO on their parent agency form, or authorized TFO BWC recordings during RFTF/VOTF operations, and any TFO's task force related email or text exchanges are deemed federal records under the control and purview of USMS, regardless of where these records are generated or kept. If an applicable state records law mandates the disclosure of task force records, the parent agency must coordinate with the USMS prior to any proposed disclosure. If information developed during a RFTF/VOTF investigation is included in such a form, the TFO's department will maintain the information as an agent of the RFTF/VOTF. Documents containing information that identifies, or tends to identify, a USMS confidential source, a USMS sensitive

program, or the use of sensitive equipment/techniques shall not be released outside of the USMS unless approved by the Office of General Counsel.

No information related to RFTF/VOTF activities may be disseminated at any time to any third party (including a non-task force law enforcement officer, other law enforcement agency, or prosecutor's office) by any task force member without the express permission of the RFTF/VOTF Chief Inspector/Chief Deputy or his/her designee, in consultation with USMS OGC where appropriate. This prohibition applies to formal and informal communications, as well as reports, memoranda, or other records compiled during the course of RFTF/VOTF operations. This prohibition also applies to information conveyed in the course of testimony. All requests for task-force related testimony requires compliance with the DOJ Touhy Regulations, 28 C.F.R. § 16.21, et seq. TFOs receiving requests to testify in federal or state court must notify the Office of General Counsel.

**CONFIDENTIAL SOURCES / CONFIDENTIAL INFORMANTS:** Pending the availability of funds, the USMS may provide funding for payment of Confidential Sources (CS) or Confidential Informants (CI). The use of CS/CIs, registration of CS/CIs and all payments to CS/CIs shall comply with USMS policy. USMS payment to an individual providing information or “tip” related to a USMS offered reward on an active fugitive case shall be accomplished by registering the individual or “tipster” through the established USMS CS payment process.

**USE OF FORCE:** All members of the RFTF/VOTF will comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-than lethal devices, to include completing all necessary training and certification requirements. All members of the RFTF/VOTF will read and adhere to the DOJ Policy Statement on the Use of Less-Than-Lethal Devices, dated May 16, 2011, and their parent agencies will review the Policy Statement to assure that they approve. Copies of all applicable firearms, deadly force, and less-than-lethal policies shall be provided to the RFTF/VOTF Chief Inspector/Chief Deputy and each concerned TFO. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(ies). Additionally, in the event of a shooting, the required reporting for the FBI National Use of Force Data Collection (NUOFDC) should be accomplished by the involved task force personnel's employing agency when the TFO is inside their primary/physical jurisdiction and by the USMS when the TFO is outside their employing agency's primary/physical jurisdiction. If the employing agency wishes to submit such NUOFDC entries regardless of the physical location of the event, that is allowed under this MOU with prior written notice to the USMS.

**NEWS MEDIA:** Media inquiries will be referred to the RFTF/VOTF Chief Inspector/Chief Deputy. A press release may be issued, and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force and participant agencies.

**RELEASE OF LIABILITY:** Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives, limits, or modifies any party's sovereign rights or immunities under applicable law.

**EFFECTIVE DATE AND TERMINATION:** This MOU is in effect once signed by all parties. Participating agencies may withdraw their participation after providing 30 days advanced written notice to the RFTF/VOTF Chief Inspector/Chief Deputy.

**Task Force: CO-D VOTF**

**UNITED STATES MARSHAL:**

**Print Name:** David Weaver

**Signature:**

**Date:**

**CDUSM / RFTF COMMANDER (where applicable):**

**Print Name:** Crouse, Katrina (USMS)

**Signature:**

**Date:**

**PARTNER AGENCY:**

**Name:** Aurora Police

**Location (City, State):** Aurora, CO

**PARTNER AGENCY REPRESENTATIVE:**

**Print Name and Title:** Vanessa Wilson, Chief of Police

**Signature:**

**Date:**

**ASSISTANT DIRECTOR, INVESTIGATIVE OPERATIONS DIVISION:**

**Print Name:** Richard Kelly

**Signature:**

**Date:**



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> RESOLUTION – FEMA IPAWS Memorandum of Agreement
<b>Item Initiator:</b> Scott Newman / Matt Chapman
<b>Staff Source/Legal Source:</b> Scott Newman, Matt Chapman / Kim Skaggs, Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 1.7--Minimize injury, property losses, and death, while maintaining city govern. operations

**COUNCIL MEETING DATES:**

**Study Session:** 3/21/2022

**Regular Meeting:** 3/28/2022

**ITEM DETAILS:**

RESOLUTION – FEMA IPAWS Memorandum of Agreement

The Information Technology Department and Office of Emergency Management (OEM) are requesting City Council consider entering an agreement with the Federal Emergency Management Agency (FEMA) to utilize their Integrated Public Alert and Warning System (IPAWS). The IPAWS system will allow trained and authorized staff in the OEM or 911 Communications to trigger an electronic notification to all cellular phones within a geographic region when a life safety event occurs. These notifications are similar to the Amber Alerts that are received on cellular phones today. IPAWS will allow OEM and/or Aurora911 staff to target the message to specific areas within the City, most closely associated with the event. IPAWS does not require enlistment or subscription by the cellular device owner, thus all individuals within the geographic area targeted can be warned of imminent threats or dangers.

FEMA requires the City to enter into a Memorandum of Agreement (MOA) to utilize the IPAWS system. Therefore, the Information Technology Department and Office of Emergency Management are requesting Council approve entering the MOA through a formal resolution.

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**ACTIONS(S) PROPOSED** *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Study Session<br><br><input type="checkbox"/> Approve Item and Move Forward to Regular Meeting<br><br><input type="checkbox"/> Information Only<br><br><input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. | <input type="checkbox"/> Approve Item as proposed at Study Session<br><br><input type="checkbox"/> Approve Item as proposed at Regular Meeting |
|---|--|

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**PREVIOUS ACTIONS OR REVIEWS:**

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

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**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

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**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

RESOLUTION to enter the Memorandum of Agreement with FEMA to utilize the IPAWS alerting platform.

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**QUESTIONS FOR COUNCIL**

Does the Committee wish to approve the resolution, and advance the item to study session?

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**LEGAL COMMENTS**

The council may, by resolution, enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment or facilities, and for furnishing or receiving commodities or services. (City Charter Art. 10-12). Upon authorization by a majority vote of the members of council voting thereon, the mayor shall execute all intergovernmental agreements to which the City is a party. (City Code Sec. 2-31(b)(2)). City Council has the authority to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the city and its inhabitants. (City Code Sec. 2-32). (Skaggs)

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**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

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**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A

RESOLUTION NO. R2022- \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY WITHIN THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR AURORA'S PARTICIPATION IN AND ACCESS TO THE INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

WHEREAS, the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) maintains a national system known as the Integrated Public Alert and Warning System (IPAWS) for local alerting that provides authenticated emergency and life-saving information to the public through various means, including via mobile phones using Wireless Emergency Alerts; and

WHEREAS, Public Law 93-288, The Stafford Act. Sec. 202. Disaster Warning, directs FEMA to provide technical assistance to State and local governments to ensure that disaster warning is provided timely and effectively; and

WHEREAS, FEMA's IPAWS-OPEN platform is available to U.S.-based organizations to issue critical public alerts and warnings in their jurisdictions; and

WHEREAS, City Council finds that the ability to use IPAWS-OPEN to issue Wireless Emergency Alerts will improve public safety notification thereby enhancing the health, safety, and welfare of the people of Aurora and visitors to the City; and

WHEREAS, Article XIV, Section 18, of the Colorado Constitution permits the City to contract with the U.S. government to provide services;

WHEREAS, Article 10-12 of the City Charter provides that City Council may, by resolution, enter into agreements with other governmental units for furnishing or receiving services, and Section 2-31(b)(2) of the City Code requires that, upon authorization by a majority vote of the members of City Council voting thereon, the Mayor shall execute all intergovernmental agreements to which the City is a party;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, THAT:

Section 1. The intergovernmental agreement entitled Memorandum of Agreement between the City of Aurora and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office Regarding the use of: City of Aurora Interoperable System(s) and the IPAWS OPEN Platform for Emergency Networks (IPAWS-OPEN), dated January 19, 2022, is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MIKE COFFMAN, Mayor

ATTEST:

\_\_\_\_\_  
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

 <sup>RLA</sup>  
\_\_\_\_\_  
KIMBERLY SKAGGS, Assistant City Attorney

**Memorandum of Agreement  
between the  
City of Aurora  
and the**



**Federal Emergency Management Agency  
Integrated Public Alert and Warning System  
(IPAWS) Program Management Office**

---

**Regarding the use of:  
City of Aurora  
Interoperable System(s)  
and  
IPAWS OPEN Platform for Emergency Networks  
(IPAWS-OPEN)**

Version 4.7

19 Jan 2022

**WARNING:** This document is FOR OFFICIAL USE ONLY (FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid “need-to-know” without prior approval of the FEMA Integrated Public and Warning System and the FEMA Disclosure Offices.



## Document Change History

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Description</b>
4.0	06/13/2019	Al Kenyon	Updated COG MOA with stakeholders' input
4.1	06/13/2019	Al Kenyon	Delete CISO and CIO signature blocks per CIO Corrected IPAWS Suite #, Zipcode
4.2	6/20/2019	Gustavo Barbet Jr	Fixed grammatical errors and made minor wording changes throughout document
4.3	9/6/2019	Mark Lucero	Changes to Section 3.0 from paragraph to bullet format
4.4	1/31/2020	Gustavo Barbet Jr	Updated FEMA CISO POC
4.5	6/30/2020	Gustavo Barbet Jr	Updated FEMA CISO POC
4.6	10/15/2020	Mark Lucero, Al Kenyon, Justin Singer	Authority Section, Version History Page, and Footer Updates
4.7	5/24/21	Mark Lucero	Update AWS Cloud, IPAWS-OPEN Tech Lead

## MEMORANDUM OF AGREEMENT

### 1.0 SUPERSEDES: None

### 2.0 INTRODUCTION

The purpose of this memorandum is to establish a management agreement between the City of Aurora hereinafter referred to as the Collaborative Operating Group (COG), and the Federal Emergency Management Agency (FEMA) IPAWS Program regarding the utilization and security of City of Aurora Interoperable System(s) (as shown in Appendix A), which interoperate with the IPAWS-Open Platform for Emergency Networks (IPAWS-OPEN). The expected benefit is to enable information interoperability across emergency response organizations and systems as intended by the FEMA IPAWS Program.

This agreement will govern the relationship between the Collaborative Operating Group and FEMA, including designated managerial and technical staff and system users associated with the aforementioned COG. As indicated within the terms of this agreement, both parties agree to allow system interoperability through the use of SOAP over HTTPS via the public internet. Under this agreement, no direct or networked connection using VPN (or equivalent technology) between the systems named in Appendix A and IPAWS-OPEN is allowed. In the event a direct connection is required, an Interconnection Security Agreement must be executed.

### 3.0 AUTHORITY

This agreement is authorized under the following authorities and regulations:

- Section 706 of 47 U.S.C. 666, The War Powers Act: Provides for Presidential Access to commercial communications during “a state of public peril or disaster or other national emergency”
- Public Law 93-288, The Stafford Act. Sec. 202. Disaster Warning: Directs FEMA to provide technical assistance to State and local governments to ensure that timely and effectively disaster warning is provided
- Public Law 114-143, The IPAWS Modernization Act: Enacts to law the policy statement and similar requirements found in Executive Order 14307
- Sec. 202. Disaster Warning: Directs FEMA to provide technical assistance to State and local governments to ensure that timely and effectively disaster warning is provided
- Executive Order 13407 of June 26, 2006, Public Alert and Warning System: Established as policy the requirement for the United State to have an effective, reliable, integrated, flexible, and comprehensive system to alert and warn the American people
- 47 CFR Part 10, Wireless Emergency Alert (WEA): Provide for alert and warning to devices on wireless carrier networks
- 47 CFR Part 11, Emergency Alert System (EAS): Provide for alert and warning over TV and radio broadcast

### 4.0 BACKGROUND

It is the intent of both parties to this agreement to establish and utilize a standardized web based application interface (as defined by the IPAWS-OPEN Web Service Interface Design Guidance) between the information technology (IT) systems shown below to facilitate the exchange of emergency messages within the production environment. The testing of the interoperability of these systems has been performed through the use of FEMA's Test and Development environment to ensure the transference and receipt of emergency messages using approved messaging standards. The interoperability between these systems is supported by the use of SOAP over HTTPS via the public internet.

### 5.0 COMMUNICATIONS

Frequent formal communications are essential to ensure the successful management and operation of system interoperability. Both parties agree to maintain open lines of communication between designated staff (as indicated in Appendix B) at both the managerial and technical levels. All communications described herein must be conducted in writing and may be disseminated by electronic means unless otherwise noted.

The owners of the respective systems agree to designate and provide contact information for technical leads for their respective systems, and to facilitate direct contacts between technical leads to support the management and operation of system interoperability. To safeguard the confidentiality, integrity, and availability of the systems and the data they store, process, and transmit, both parties agree to provide notice of specific events within the timeframes indicated below:

- **Security Incidents:** Technical, administrative and/or help desk staff will immediately notify their designated counterparts by telephone or e-mail when a security incident(s) is detected and/or a violation of the Rules of Behavior (see Appendix C) has been identified. Both parties agree to make the appropriate technical and administrative individuals available for all necessary inquiries and/or investigations. Containment and/or resolution procedures will be documented by the identifying party and after-action reports generated and submitted to the system owner and/or designated security officials within five (5) business days after detection of the incident(s).
- **Disasters and Other Contingencies:** The FEMA IPAWS Program Office will notify the COG by telephone, e-mail or other acceptable means in the event of a disaster or other contingency that disrupts the normal operation of IPAWS-OPEN.
- **System Interconnections:** This MOA is intended for systems interoperating with IPAWS-OPEN using SOAP over HTTPS via the public Internet. If in the future, an interconnection (i.e. dedicated system-to-system connection) is required to IPAWS-OPEN, this MOA must be updated and an Interconnection Security Agreement (ISA) must be executed. If a change in status from interoperating to interconnected system is required, the initiating party will notify the other party at least 3 months before the planned interconnection is to be in place.
- **Discontinuation of Use:** In the event the use of IPAWS-OPEN is no longer required, the COG agrees to immediately notify, in writing, the FEMA IPAWS Program Office at which time the COGID and associated access credentials will be deactivated.
- **Personnel Changes:** Both parties agree to provide notification of changes to their respective system owner or technical lead. In addition, both parties will provide notification of any changes in the point of contact information provided in Appendix B. All relevant personnel changes and changes to contact information must be provided within 5 business days of the change.

## 6.0 TYPE OF INTERCONNECTIVITY

Both parties agree that the COG will utilize only the assigned COGID, associated credentials and digital certificates provided by the FEMA IPAWS Program Office to support interoperability between the system(s) listed in Appendix A and IPAWS-OPEN. In addition, all interoperable systems must be configured to interface with IPAWS-OPEN over the public Internet using only approved web service standards and associated requirements. A listing of approved web service standards and supporting requirements can be obtained from the IPAWS-OPEN Web Service Interface Design Guidance document.

In the event, a dedicated connection is required, both parties will agree to negotiate and execute an Interconnection Security Agreement (ISA) as required per Department of Homeland Security (DHS) policy which must be signed by all required parties before the interconnection is activated. Proposed changes to either system that affect system interoperability will be reviewed and evaluated to determine the potential impact. If the proposed changes impact the agreed upon terms, the MOA will be renegotiated and executed before changes are implemented.

## 7.0 SECURITY

To ensure the joint security of the systems and the message data they store, process, and transmit, both parties agree to adhere to and enforce the Rules of Behavior (as specified in Appendix C). In addition, both parties agree to the following:

- Ensure authorized users accessing the interoperable system(s) receive, agree to abide by and sign (electronically or in paper form) the IPAWS-OPEN Rules of Behavior as specified in Appendix C. Each jurisdiction is responsible for keeping the signed Rules of Behavior on file or stored electronically for each system user.

- Utilize FEMA approved PKI certificates to digitally sign messages as they are transported over the public Internet.
- Certify that its respective system is designed, managed and operated in compliance with all relevant federal laws, regulations, and policies.
- Document and maintain jurisdictional and/or system specific security policies and procedures and produce such documentation in response to official inquiries and/or requests.
- Provide physical security and system environmental safeguards for devices supporting system interoperability with IPAWS-OPEN.
- Ensure physical and logical access to the respective systems as well as knowledge of the COGID and associated access criteria are only granted to properly vetted and approved entities or individuals.
- Where applicable, ensure that only individuals who have successfully completed FEMA-required training can utilize the interoperable systems to issue alerts and warnings intended for distribution to the public.
- Where applicable, document and maintain records of successful completion of FEMA-required training and produce such documentation in response to official inquiries and/or requests.

## 8.0 PROFICIENCY DEMONSTRATION

Once enabled, each COG operating under this agreement must demonstrate their ability to compose and send a message through the IPAWS-OPEN system at regular intervals. Such demonstration must be performed on a monthly basis through generation of a message successfully sent through the IPAWS-OPEN Training and Demonstration environment.

## 9.0 ASSOCIATED SOFTWARE REQUIREMENTS

The COG will need to select a software package which will allow the COG to properly populate a Common Alerting Protocol (CAP) message which complies with both the *OASIS Common Alerting Protocol Version 1.2* and the *OASIS Common Alerting Protocol, v. 1.2 USA Integrated Public Alert and Warning System Profile Version 1.0*. With respect to the software and the software vendor selected FEMA expects the selected software to provide the following minimum critical capabilities and services:

- Permissions:
  - The ability to assign and manage user permissions; and
  - The ability to retrieve and view IPAWS Alerting Permissions
- Proficiency:
  - The provision of vendor support, to include user training, and around the clock technical support; and
  - The ability to submit both live and test digital certificates, with clear, easily identifiable information that indicates the environment to which the software is pointed (Live or Test)
- User Interface:
  - The provision of an intuitive user interface, to include help menus; and
  - The ability to notify the user of digital certificate expiration; and
  - The ability to constrain event types and geocodes to user permissions; and
  - The ability to send one alert to multiple channels; and
  - The provision of displays that show required fields based on selected channel; and
  - The ability to pre-populate fields to the greatest extent possible; and
  - The ability to support templates; and
  - The ability to create a polygon or circle, of less than 100 nodes; and

- The ability to update or cancel an alert, without having to reenter all of the data; and
- The ability to alert the end user if a software license has expired; and
- Clear explanations if alert information is case sensitive when entered
- Confirmation and Error Checking:
  - The ability to pre-check an alert message for errors, prior to sending; and
  - The ability to create free-form 90-character WEA text, while preventing prohibited characters; and
  - The provision to IPAWS of alert status codes for any sent alert, with a clear definition of whether the codes are advice codes or error codes, along with the meaning of those codes; and
  - The provision of user confirmation of connectivity to IPAWS; and
  - The ability for users to see alert history and/or logs

## **10.0 COST CONSIDERATIONS**

This agreement does not authorize financial expenditures by the COG on behalf of FEMA. The FEMA IPAWS Program is responsible for the costs associated with developing, operating and maintaining the availability of the IPAWS-OPEN system. The COG is responsible for all costs related to providing their users with access to IPAWS-OPEN via the public Internet. These costs may include hardware, software, monthly Internet charges, completion of security awareness training and other related jurisdictional costs.

## **11.0 PROPERTY OWNERSHIP**

Each Party agrees and acknowledges that nothing in this Agreement shall be construed as giving a party any proprietary rights in or to the intellectual property of the other party. Each Party further agrees that nothing in this Agreement shall be construed as creating or granting to a party any implied or express license in or to the intellectual property of the other party.

## **12.0 TIMELINE**

This agreement will remain in effect based on the life of the Authority to Operate (ATO) for IPAWS-OPEN or a maximum of three (3) years after the last date on either signature in the signature block below. Upon expiration of the IPAWS-OPEN ATO or after three (3) years (whichever comes first), this agreement will expire without further action and system access privileges will be revoked. If the parties wish to extend this agreement, they may do so by reviewing, updating, and reauthorizing this agreement. This agreement supersedes all earlier agreements, which should be referenced above by title and date. If one or both of the parties wish to terminate this agreement prematurely, they may do so upon 30 days' advanced notice or in the event of a security incident that necessitates an immediate response. This agreement may be suspended by FEMA for failure to perform the Proficiency Demonstration for two consecutive months. A suspended COG may be reinstated upon a completion of a successful Proficiency Demonstration.

**SIGNATORY AUTHORITY**

I agree to the terms of this Memorandum of Agreement. Noncompliance on the part of either organization or its users or contractors concerning the policies, standards, and procedures explained herein may result in the immediate termination of this agreement.

**City of Aurora Official**  
**Name: Michael Coffman**  
**Title: Mayor**

**Federal Emergency Management Agency**  
**IPAWS-OPEN System Owner**  
**Name: Mark A. Lucero**  
**Title: Chief, IPAWS Engineering**

\_\_\_\_\_  
(Signature Date)  
**City of Aurora**  
**15151E. Alameda Pkwy.**  
**Aurora, CO, 80012**

\_\_\_\_\_  
(Signature Date)  
**Attn: IPAWS-OPEN System Owner, Suite 5NW-0309**  
**Federal Emergency Management Agency**  
**500 C Street SW**  
**Washington, D.C. 20472-3153**

## Appendix A

### Listing of Interoperable Systems

The FEMA IPAWS Program recognizes that Emergency Management organizations may utilize multiple tools to facilitate the emergency management process. As a result, jurisdictions may need to interoperate with IPAWS-OPEN using more than one system. In order to comply with DHS policy, all systems interoperating with IPAWS-OPEN must be documented and supported by a Memorandum of Agreement. As a result, this appendix must be completed to identify all systems associated with the COG and used for interoperating with IPAWS-OPEN. This Appendix must be amended as applicable systems are added or removed from operations.

- **IPAWS-OPEN**

Function:	IPAWS-OPEN is the backbone system that structures the alert and distributes the message from one interoperating and/or interconnected system (message sender) to another interoperating and/or interconnected system (message recipient).
Location:	AWS GovCloud (US) East Region, West Region
Description of data, including sensitivity or classification level:	Messaging data is considered Sensitive But Unclassified (SBU) information and does not contain Personally Identifiable Information (PII), Financial data, Law Enforcement Sensitive Information or classified information. Each message that flows through the IPAWS-OPEN system will be associated to a specifically assigned system User ID and COGID as captured within the message elements. This information will be retained in system logs.

The systems listed below are managed and operated by the COG and are subject to the terms defined within the Memorandum of Agreement including the Rules of Behavior in Appendix C. Each interoperable system will be assigned unique authentication credentials, which must be protected by the COG. In the event these credentials are compromised, the COG is expected to immediately contact the FEMA IPAWS Program Management Office. The systems listed below are only allowed to interoperate with IPAWS-OPEN based on the criteria set forth within the IPAWS-OPEN Web Service Interface Design Guidance.

- **CodeRED**

Function:	Web based public notification system
Location:	Atlanta, GA; Dallas, TX; Las Vegas, NV;
Description of data, including sensitivity or classification level:	Comprised of Unclassified, Non-sensitive CAP data.

## **Appendix B**

### **COG Point of Contact Information**

**Designated COG Primary Point of Contact:**

**Name:** Matthew Chapman

**Title:** Battalion Chief / Fire Emergency Management

**Business Email Address:** mchapman@auroragov.org

**Primary Phone Number:** 303-326-8963

**Alternate Phone Number:**

**Organization:** City of Aurora

**Mailing Address:** 15151 E. Alameda Pkwy, Aurora, CO, 80012

**Designated Alternate Point of Contact:**

**Name:** Scott Newman

**Title:** Chief Information Officer

**Business Email Address:** smnewman@auroragov.org

**Primary Phone Number:** 303-739-7712

**Alternate Phone Number:**

**Organization:** City of Aurora, CO / Information Technology

**Mailing Address:** 303-739-7712, Aurora, CO, 80012

**Designated Technical Point of Contact:**

**Name:** Robert Greer

**Title:** Public Safety Business Solution Architect

**Business Email Address:** rgreer@auroragov.org

**Primary Phone Number:** 303-627-3116

**Alternate Phone Number:**

**Organization:** City of Aurora, CO / Information Technology

**Mailing Address:** 15151 E. Alameda Pkwy., Aurora, CO, 80012



**FEMA: Integrated Public Alert and Warning System  
Open Platform for Emergency Networks (IPAWS-OPEN)**

<b>Contact Name</b>	<b>Contact Number</b>	<b>Email Address</b>	<b>Summary of System Responsibilities</b>
Lytwaive Hutchinson	202-212-2480	lytwaive.hutchinson@fema.dhs.gov	Chief Information Officer, FEMA
Cynthia Sutherland	202-710-5329	cynthia.sutherland@fema.dhs.gov	Chief Information Security Officer
Mark Lucero	202-646-1386	mark.lucero@fema.dhs.gov	System Owner
Gary Ham	703-899-6241	gary.ham@associates.fema.dhs.gov	FEMA PMO - IPAWS-OPEN
Gustavo Barbet	202-212-3586	gustavo.barbet@associates.fema.dhs.gov	FEMA ISSO - IPAWS-OPEN
Cameron Hayes	720-838-1621	cameron.hayes@associates.fema.dhs.gov	IPAWS-OPEN Tech Lead

## **Appendix C**

### **IPAWS-OPEN Rules of Behavior**

#### **1.0 INTRODUCTION**

The following rules of behavior apply to all persons with application access to City of Aurora Interoperable System(s) and/or who have been issued a COGID with associated credentials for IPAWS-OPEN. These individuals shall be held accountable for their actions related to the information resources entrusted to them and must comply with the following rules or risk losing their access privileges. The Rules of Behavior apply to users on official travel as well as at their primary workplace (e.g., Emergency Operations Center – EOC) and at any alternative workplace (e.g., telecommuting from a remote or satellite site) using any electronic device including laptop computers and portable electronic devices (PED's). PED's include personal digital assistants (PDA's) (e.g. Palm Pilots), cell phones, text messaging systems (e.g., Blackberry), and plug-in and wireless peripherals that employ removable media (e.g. CDs, DVDs, etc.). PEDs also encompass USB flash memory (thumb) drives, external drives, and diskettes. These Rules of Behavior are consistent with existing DHS policies and DHS Information Technology (IT) Security directives and are intended to enhance the awareness of each user's responsibilities regarding accessing, storing, receiving and/or transmitting information using IPAWS-OPEN.

#### **2.0 APPLICATION RULES**

##### **2.1 Official Use**

- IPAWS-OPEN is a Federal application to be used only in the performance of the user's official duties in support of public safety as described in the National Incident Management System (NIMS).
- The use of the IPAWS-OPEN for unauthorized activities is prohibited and could result in verbal or written warning, loss of access rights, and/or criminal or civil prosecution.
- By utilizing IPAWS-OPEN, the user of the interoperable system(s) consents to allow system monitoring to ensure appropriate usage for public safety is being observed.
- City of Aurora will be held accountable for safeguarding all configuration items and information entrusted to them by FEMA. City of Aurora is expected to manage the relationship with supporting vendors, consultants and any other entities providing system support on their behalf. In addition, City of Aurora will be held accountable in the event of a security breach or disclosure of sensitive configuration information such as digital certificates. City of Aurora understands that the use of digital signatures, used on their behalf, is binding and City of Aurora will be held accountable accordingly. In the event sensitive information is mishandled, utilization of IPAWS-OPEN may be immediately revoked by FEMA.
- If software interoperating with IPAWS-OPEN enables users to geo-target public alert messages by means of geospatial polygons or circles, then the user shall restrict any such geospatial boundaries so as to remain within the geographical limits of their public warning authority (or as near as possible), as determined by applicable state and/or local laws and duly adopted operational plans.

##### **2.2 Access Security**

- All Email addresses provided in connection with interoperable system(s) user accounts must be associated to an approved email account assigned by the user's emergency management organization. The use of personal email accounts to support emergency messaging through IPAWS-OPEN is prohibited.
- Upon approval of the MOA by FEMA, a COG account with COGID and Digital Certificate will be created and issued to the designated technical representative. All individuals with knowledge of these credentials must not share or alter these authentication mechanisms without explicit approval from the FEMA IPAWS Program.

- Every interoperable system user is responsible for remote access security as it relates to their use of IPAWS-OPEN and shall abide by these Rules of Behavior.

### **2.3 Interoperable System User Accounts and Passwords**

- All users must have a discrete user account ID which cannot be the user's social security number. To protect against unauthorized access, passwords linked to the user ID are used to identify and authenticate authorized users.
- Accounts and passwords shall not be transferred or shared. The sharing of both a user ID and associated password with anyone (including administrators) is prohibited.
- Accounts and passwords shall be protected from disclosure and writing passwords down or electronically storing them on a medium that is accessible by others is prohibited.
- The selection of passwords must be complex and shall:
  - Be at least eight characters in length
  - Contain a combination of alphabetic, numeric and special characters
  - Not the same as any of the user's previous 8 passwords.
- Passwords shall not contain any dictionary word.
- Passwords shall not contain any proper noun or the name of any person, pet, child, or fictional character. Passwords shall not contain any employee serial number, Social Security number, birth date, phone number, or any information that could be readily guessed about the creator of the password.
- Passwords shall not contain any simple pattern of letters or numbers, such as “qwerty” or “xyz123”.
- Passwords shall not be any word, noun, or name spelled backwards or with a single digit appended, or with a two-digit “year” string, such as 98xyz123.
- Pass phrases, if used in addition to or instead of passwords, should follow the same guidelines.
- Passwords shall not be the same as the User ID.
- Users shall either log off or lock their workstations when unattended.
- Workstations shall be configured to either log off, or activate a password-protected lock, or password-protected screensaver within fifteen (15) minutes of user inactivity.
- Locked sessions shall remain locked until the user re-authenticates.
- Workstations shall be protected from theft.
- A user's account shall be automatically locked after three consecutive failed logon attempts.
- The automatic lockout period for accounts locked due to failed login attempts shall be set for a minimum of twenty (20) minutes.
- A process shall exist for manually unlocking accounts prior to the expiration of the twenty (20) minute period, after sufficient user identification is established.
- Sessions shall automatically be terminated after sixty (60) minutes of inactivity.
- Users are required to change their passwords at least once every 90 days.

- Passwords must be promptly changed whenever a compromise of a password is known or suspected.

#### **2.4 Integrity Controls & Data Protection**

- All computer workstations accessing IPAWS-OPEN must be protected by up-to-date anti-virus software. Virus scans must be performed on a periodic basis and when notified by the anti-virus software.
- Users accessing interoperable system(s) to utilize IPAWS-OPEN must:
  - Physically protect computing devices such as laptops, PEDs, blackberry devices, smartphones, etc;
  - Protect sensitive data sent to or received from IPAWS-OPEN;
  - Not use peer-to-peer (P2P) file sharing, which can provide a mechanism for the spreading of viruses and put sensitive information at risk;
  - Not program computing devices with automatic sign-on sequences, passwords or access credentials when utilizing IPAWS-OPEN.

Users may not provide personal or official IPAWS-OPEN information solicited by e-mail. If e-mail messages are received from any source requesting personal information or asking to verify accounts or other authentication credentials, immediately report this and provide the questionable e-mail to the Local System Administrator and/or the City of Aurora Help Desk.

- Only devices officially issued through or approved by DHS, FEMA and/or approved emergency management organizations are authorized for use to interoperate with IPAWS-OPEN and use of personal devices to access and/or store IPAWS-OPEN data and information is prohibited.
- If a Blackberry, smartphone or other PED is used to access the interoperable system(s) to utilize IPAWS-OPEN, the device must be password protected and configured to timeout or lock after 10 minutes of inactivity.
- If sensitive information is processed, stored, or transmitted on wireless devices, it must be encrypted using approved encryption methods.

#### **2.5 System Access Agreement**

- I understand that I am given access to the interoperable system(s) and IPAWS-OPEN to perform my official duties.
- I will not attempt to access data, information or applications I am not authorized to access nor bypass access control measures.
- I will not provide or knowingly allow other individuals to use my account credentials to access the interoperable system(s) and IPAWS-OPEN.
- To prevent and deter others from gaining unauthorized access to sensitive resources, I will log off or lock my computer workstation or will use a password-protected screensaver whenever I step away from my work area, even for a short time and I will log off when I leave for the day.
- To prevent others from obtaining my password via “shoulder surfing”, I will shield my keyboard from view as I enter my password.
- I will not engage in, encourage, or conceal any hacking or cracking, denial of service, unauthorized tampering, or unauthorized attempted use of (or deliberate disruption of) any data or component within the interoperable system(s) and IPAWS-OPEN.
- I agree to inform my Local System Administrator when access to the interoperable system(s) and/or

IPAWS-OPEN is no longer required.

- I agree that I have completed Computer Security Awareness training as may be required by my jurisdiction prior to my initial access to the interoperable system(s) and IPAWS-OPEN and that as long as I have continued access, I will complete Computer Security Awareness training on an annual basis. If my jurisdiction does not provide Computer Security Awareness training, I will complete the FEMA self-study course *IS-906: Workplace Security Awareness* (<https://training.fema.gov/is/courseoverview.aspx?code=IS-906>) on an annual basis.

**2.6 Accountability**

- I understand that I have no expectation of privacy while using any services or programs interoperating with IPAWS-OPEN.
- I understand that I will be held accountable for my actions while accessing and using interoperable system(s) and IPAWS-OPEN, including any other connected systems and IT resources.
- I understand it is my responsibility to protect sensitive information from disclosure to unauthorized persons or groups.
- I understand that I must comply with all software copyrights and licenses pertaining to the use of IPAWS-OPEN.

**2.7 Incident Reporting**

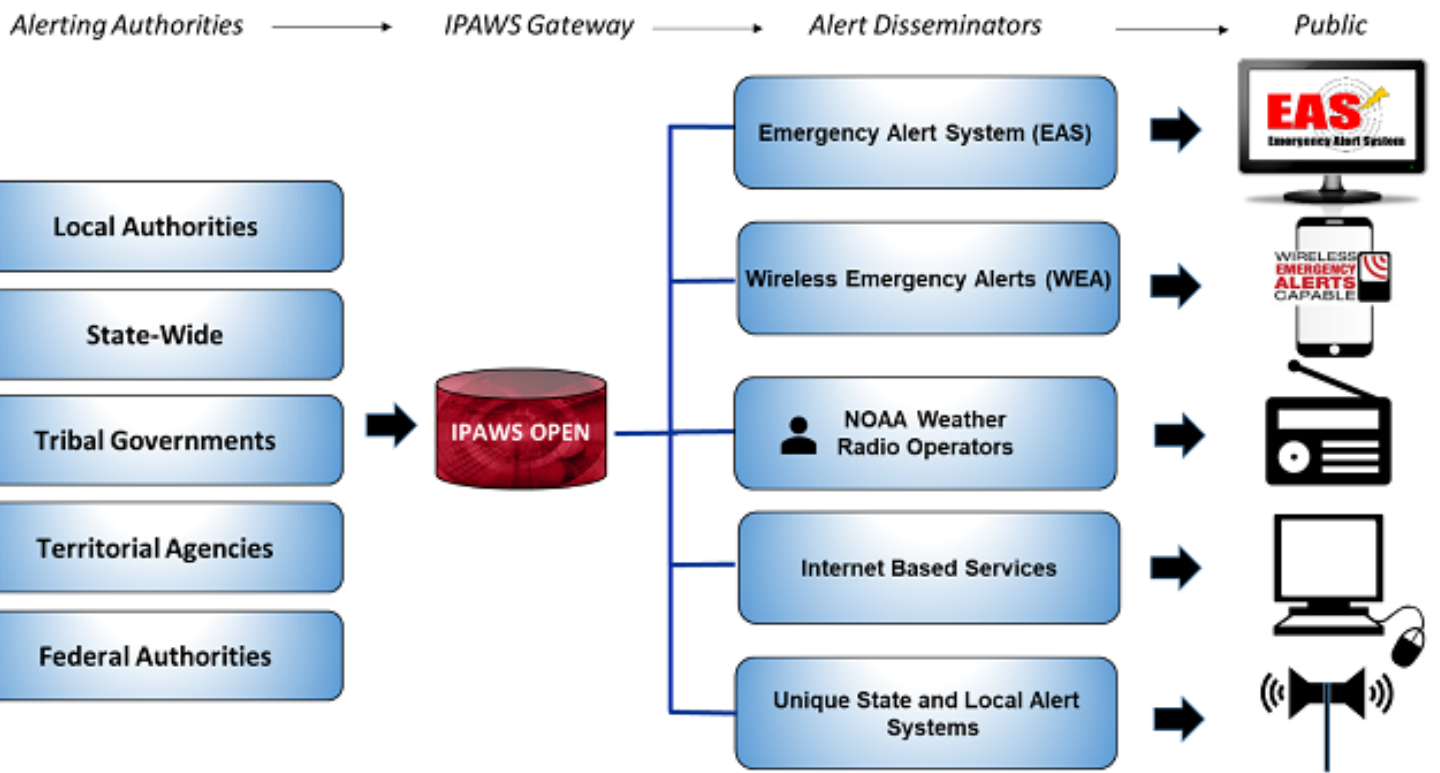
- I will promptly report IT security incidents, or any incidents of suspected fraud, waste or misuse of systems to the Local System Administrator and/or the City of Aurora Help Desk.

**3.0 IPAWS-OPEN Rules of Behavior Statement of Acknowledgement**

*I have read and agree to comply with the requirements of these Rules of Behavior. I understand that the terms of this agreement are a condition of my initial and continued access to City of Aurora Interoperable System(s) and IPAWS-OPEN and related services and that if I fail to abide by the terms of these Rules of Behavior, my access to any and all IPAWS-OPEN information systems may be terminated and I may be subject to criminal or civil prosecution. I have read and presently understand the above conditions and restrictions concerning my access.*

Printed Name (as listed in Appendix B): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_





# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> March 2022 Crime and Police Attrition Update
<b>Item Initiator:</b> Darin Parker, Deputy Chief of Police
<b>Staff Source/Legal Source:</b> Darin Parker, Deputy Chief of Police / Megan Platt, Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 1.0--Assure a safe community for people

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Deputy Chief Darin Parker / Business Services Manager John Schneebeck  
10 minutes

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### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

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### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

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**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

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**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

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**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

Monthly Update on crime statistics and police attrition

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**QUESTIONS FOR COUNCIL**

Information only

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**LEGAL COMMENTS**

The City Manager shall be responsible to the council for the proper administration of all affairs of the City placed in his charge and, to that end, he shall have the power and duty to make written or verbal reports to the Council concerning the affairs of the city under his supervision: City Charter §7-4(e). (Platt)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A





# Aurora Police Department - UCR Statistics

District: ALL

<i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i>	4 Week Last Year	4 Week Current Year	4 Week Difference	4 Week % Chg	Y-T-D Last Year	Y-T-D Current Year	Y-T-D Difference	Y-T-D % Chg - or - % of Total
Current Wk 9: 02/21/22 - 02/27/22	<b>01/24 - 02/20</b>		+ or -	% chg	<b>01/01 - 02/20</b>		+ or -	% chg

**Major Crimes** 01/25/21 - 02/21/21

Murder Victims	2	4	+2	100.0%	4	5	+1	25.0%
Sex Assault Victims	25	20	-5	(20.0%)	47	41	-6	(12.8%)
Spouse / Dating	6	5	-1	(16.7%)	11	12	+1	29%
Familial	1	3	+2	200.0%	4	5	+1	12%
Otherwise Known	7	4	-3	(42.9%)	15	10	-5	24%
Sex Assault DV Victims	4	5	+1	25.0%	9	10	+1	24%
Agg Assault Victims	189	227	+38	20.1%	345	403	+58	16.8%
Spouse / Dating	36	35	-1	(2.8%)	60	64	+4	16%
Familial	21	20	-1	(4.8%)	29	35	+6	9%
Otherwise Known	37	44	+7	18.9%	83	85	+2	21%
Agg Assault DV Victims	43	40	-3	(7.0%)	71	73	+2	18%
Robbery	73	95	+22	30.1%	114	159	+45	39.5%
<b>Major Violent Crimes Reported</b>	<b>289</b>	<b>346</b>	<b>+57</b>	<b>19.7%</b>	<b>510</b>	<b>608</b>	<b>+98</b>	<b>19.2%</b>
Burglary	163	120	-43	(26.4%)	280	237	-43	(15.4%)
MVT	493	581	+88	17.8%	899	1,018	+119	13.2%
Larceny	705	501	-204	(28.9%)	1,244	964	-280	(22.5%)
<b>Major Property Crimes Reported</b>	<b>1,361</b>	<b>1,202</b>	<b>-159</b>	<b>(11.7%)</b>	<b>2,423</b>	<b>2,219</b>	<b>-204</b>	<b>(8.4%)</b>
<b>Major Index Crimes Reported</b>	<b>1,650</b>	<b>1,548</b>	<b>-102</b>	<b>(6.2%)</b>	<b>2,933</b>	<b>2,827</b>	<b>-106</b>	<b>(3.6%)</b>

**Criminal Arrests**

Physical Arrests	313	337	+24	7.7%	581	589	+8	1.4%
Criminal Summonses	379	368	-11	(2.9%)	650	613	-37	(5.7%)
DUI/DUID (Detox Summons)	50	57	+7	14.0%	91	88	-3	(3.3%)
<b>Total Arrests</b>	<b>692</b>	<b>705</b>	<b>+13</b>	<b>1.9%</b>	<b>1,231</b>	<b>1,202</b>	<b>-29</b>	<b>(2.4%)</b>

**Traffic Enforcement**

Traffic Tickets Muni	1,504	620	-884	(58.8%)	2,930	1,067	-1,863	(63.6%)
Traffic Tickets in GO's Muni	257	193	-64	(24.9%)	457	362	-95	(20.8%)
Total MET Tickets Muni	1,437	501	-936	(65.1%)	2,585	869	-1,716	(66.4%)
<b>Total Traffic Tickets Muni</b>	<b>1,761</b>	<b>813</b>	<b>-948</b>	<b>(53.8%)</b>	<b>3,387</b>	<b>1,429</b>	<b>-1,958</b>	<b>(57.8%)</b>
<b>Total Traffic Tickets State</b>	<b>124</b>	<b>103</b>	<b>-21</b>	<b>(16.9%)</b>	<b>199</b>	<b>178</b>	<b>-21</b>	<b>(10.6%)</b>
<b>Total Traffic Tickets</b>	<b>1,885</b>	<b>916</b>	<b>-969</b>	<b>(51.4%)</b>	<b>3,586</b>	<b>1,607</b>	<b>-1,979</b>	<b>(55.2%)</b>

**Traffic Accidents**

Accident - Fatal	0	2	+2	--	1	5	+4	400.0%
Accident - All Other	868	527	-341	(39.3%)	1,523	964	-559	(36.7%)
<b>Total Accidents</b>	<b>868</b>	<b>529</b>	<b>-339</b>	<b>(39.1%)</b>	<b>1,524</b>	<b>969</b>	<b>-555</b>	<b>(36.4%)</b>



# Aurora Police Department - UCR Statistics

District: 1

<i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i>	4 Week Last Year	4 Week Current Year	4 Week Difference	4 Week % Chg	Y-T-D Last Year	Y-T-D Current Year	Y-T-D Difference	Y-T-D % Chg - or - % of Total
Current Wk 9: 02/21/22 - 02/27/22	01/24 - 02/20		+ or -	% chg	01/01 - 02/20		+ or -	% chg
<b>Major Crimes</b> <span style="float:right">01/25/21 - 02/21/21</span>								
Murder Victims	1	1	--	0.0%	3	2	-1	(33.3%)
Sex Assault Victims	8	7	-1	(12.5%)	14	18	+4	28.6%
Spouse / Dating	1	4	+3	300.0%	3	8	+5	44%
Familial	1	0	-1	(100.0%)	1	1	--	6%
Otherwise Known	0	1	+1	--	3	2	-1	11%
Sex Assault DV Victims	1	3	+2	200.0%	3	6	+3	33%
Agg Assault Victims	104	84	-20	(19.2%)	180	174	-6	(3.3%)
Spouse / Dating	15	11	-4	(26.7%)	29	30	+1	17%
Familial	8	9	+1	12.5%	12	17	+5	10%
Otherwise Known	19	18	-1	(5.3%)	37	41	+4	24%
Agg Assault DV Victims	19	13	-6	(31.6%)	37	32	-5	18%
Robbery	36	53	+17	47.2%	60	88	+28	46.7%
<b>Major Violent Crimes Reported</b>	<b>149</b>	<b>145</b>	<b>-4</b>	<b>(2.7%)</b>	<b>257</b>	<b>282</b>	<b>+25</b>	<b>9.7%</b>
Burglary	71	48	-23	(32.4%)	127	96	-31	(24.4%)
MVT	210	276	+66	31.4%	375	475	+100	26.7%
Larceny	256	178	-78	(30.5%)	475	335	-140	(29.5%)
<b>Major Property Crimes Reported</b>	<b>537</b>	<b>502</b>	<b>-35</b>	<b>(6.5%)</b>	<b>977</b>	<b>906</b>	<b>-71</b>	<b>(7.3%)</b>
<b>Major Index Crimes Reported</b>	<b>686</b>	<b>647</b>	<b>-39</b>	<b>(5.7%)</b>	<b>1,234</b>	<b>1,188</b>	<b>-46</b>	<b>(3.7%)</b>
<b>Criminal Arrests</b>								
Physical Arrests	138	128	-10	(7.2%)	236	235	-1	(0.4%)
Criminal Summonses	157	133	-24	(15.3%)	270	219	-51	(18.9%)
DUI/DUID (Detox Summons)	25	25	--	0.0%	42	36	-6	(14.3%)
<b>Total Arrests</b>	<b>295</b>	<b>261</b>	<b>-34</b>	<b>(11.5%)</b>	<b>506</b>	<b>454</b>	<b>-52</b>	<b>(10.3%)</b>
<b>Traffic Enforcement</b>								
Traffic Tickets Muni	285	56	-229	(80.4%)	479	130	-349	(72.9%)
Traffic Tickets in GO's Muni	84	71	-13	(15.5%)	152	133	-19	(12.5%)
Total MET Tickets Muni	219	37	-182	(83.1%)	392	93	-299	(76.3%)
<b>Total Traffic Tickets Muni</b>	<b>369</b>	<b>127</b>	<b>-242</b>	<b>(65.6%)</b>	<b>631</b>	<b>263</b>	<b>-368</b>	<b>(58.3%)</b>
<b>Total Traffic Tickets State</b>	<b>35</b>	<b>41</b>	<b>+6</b>	<b>17.1%</b>	<b>57</b>	<b>65</b>	<b>+8</b>	<b>14.0%</b>
<b>Total Traffic Tickets</b>	<b>404</b>	<b>168</b>	<b>-236</b>	<b>(58.4%)</b>	<b>688</b>	<b>328</b>	<b>-360</b>	<b>(52.3%)</b>
<b>Traffic Accidents</b>								
Accident - Fatal	0	0	--	--	1	2	+1	100.0%
Accident - All Other	354	202	-152	(42.9%)	614	365	-249	(40.6%)
<b>Total Accidents</b>	<b>354</b>	<b>202</b>	<b>-152</b>	<b>(42.9%)</b>	<b>615</b>	<b>367</b>	<b>-248</b>	<b>(40.3%)</b>



# Aurora Police Department - UCR Statistics

District: 2

<i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i>	4 Week Last Year	4 Week Current Year	4 Week Difference	4 Week % Chg	Y-T-D Last Year	Y-T-D Current Year	Y-T-D Difference	Y-T-D % Chg - or - % of Total
Current Wk 9: 02/21/22 - 02/27/22	<b>01/24 - 02/20</b>		+ or -	% chg	<b>01/01 - 02/20</b>		+ or -	% chg
<b>Major Crimes</b> <span style="float: right;">01/25/21 - 02/21/21</span>								
Murder Victims	1	2	+1	100.0%	1	2	+1	100.0%
Sex Assault Victims	12	8	-4	(33.3%)	23	12	-11	(47.8%)
Spouse / Dating	3	0	-3	(100.0%)	5	2	-3	17%
Familial	0	2	+2	--	2	2	--	17%
Otherwise Known	6	1	-5	(83.3%)	9	2	-7	17%
Sex Assault DV Victims	3	1	-2	(66.7%)	5	3	-2	25%
Agg Assault Victims	62	72	+10	16.1%	116	128	+12	10.3%
Spouse / Dating	14	13	-1	(7.1%)	22	20	-2	16%
Familial	9	7	-2	(22.2%)	11	8	-3	6%
Otherwise Known	14	15	+1	7.1%	32	30	-2	23%
Agg Assault DV Victims	17	14	-3	(17.6%)	24	23	-1	18%
Robbery	24	24	--	0.0%	35	40	+5	14.3%
<b>Major Violent Crimes Reported</b>	<b>99</b>	<b>106</b>	<b>+7</b>	<b>7.1%</b>	<b>175</b>	<b>182</b>	<b>+7</b>	<b>4.0%</b>
Burglary	58	33	-25	(43.1%)	100	73	-27	(27.0%)
MVT	192	209	+17	8.9%	349	363	+14	4.0%
Larceny	264	226	-38	(14.4%)	440	383	-57	(13.0%)
<b>Major Property Crimes Reported</b>	<b>514</b>	<b>468</b>	<b>-46</b>	<b>(8.9%)</b>	<b>889</b>	<b>819</b>	<b>-70</b>	<b>(7.9%)</b>
<b>Major Index Crimes Reported</b>	<b>613</b>	<b>574</b>	<b>-39</b>	<b>(6.4%)</b>	<b>1,064</b>	<b>1,001</b>	<b>-63</b>	<b>(5.9%)</b>
<b>Criminal Arrests</b>								
Physical Arrests	104	134	+30	28.8%	190	214	+24	12.6%
Criminal Summonses	140	166	+26	18.6%	245	265	+20	8.2%
DUI/DUID (Detox Summons)	13	22	+9	69.2%	24	31	+7	29.2%
<b>Total Arrests</b>	<b>244</b>	<b>300</b>	<b>+56</b>	<b>23.0%</b>	<b>435</b>	<b>479</b>	<b>+44</b>	<b>10.1%</b>
<b>Traffic Enforcement</b>								
Traffic Tickets Muni	713	381	-332	(46.6%)	1,579	602	-977	(61.9%)
Traffic Tickets in GO's Muni	83	60	-23	(27.7%)	154	110	-44	(28.6%)
Total MET Tickets Muni	728	312	-416	(57.1%)	1,401	508	-893	(63.7%)
<b>Total Traffic Tickets Muni</b>	<b>796</b>	<b>441</b>	<b>-355</b>	<b>(44.6%)</b>	<b>1,733</b>	<b>712</b>	<b>-1,021</b>	<b>(58.9%)</b>
<b>Total Traffic Tickets State</b>	<b>66</b>	<b>28</b>	<b>-38</b>	<b>(57.6%)</b>	<b>103</b>	<b>35</b>	<b>-68</b>	<b>(66.0%)</b>
<b>Total Traffic Tickets</b>	<b>862</b>	<b>469</b>	<b>-393</b>	<b>(45.6%)</b>	<b>1,836</b>	<b>747</b>	<b>-1,089</b>	<b>(59.3%)</b>
<b>Traffic Accidents</b>								
Accident - Fatal	0	1	+1	--	0	1	+1	--
Accident - All Other	260	174	-86	(33.1%)	485	313	-172	(35.5%)
<b>Total Accidents</b>	<b>260</b>	<b>175</b>	<b>-85</b>	<b>(32.7%)</b>	<b>485</b>	<b>314</b>	<b>-171</b>	<b>(35.3%)</b>



# Aurora Police Department - UCR Statistics

District: 3

<i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i>	4 Week Last Year	4 Week Current Year	4 Week Difference	4 Week % Chg	Y-T-D Last Year	Y-T-D Current Year	Y-T-D Difference	Y-T-D % Chg - or - % of Total
Current Wk 9: 02/21/22 - 02/27/22	01/24 - 02/20		+ or -	% chg	01/01 - 02/20		+ or -	% chg

## Major Crimes 01/25/21 - 02/21/21

Murder Victims	0	1	+1	--	0	1	+1	--
Sex Assault Victims	4	5	+1	25.0%	9	11	+2	22.2%
Spouse / Dating	1	1	--	0.0%	2	2	--	18%
Familial	0	1	+1	--	1	2	+1	18%
Otherwise Known	1	2	+1	100.0%	3	6	+3	55%
Sex Assault DV Victims	0	1	+1	--	1	1	--	9%
Agg Assault Victims	23	71	+48	208.7%	49	100	+51	104.1%
Spouse / Dating	7	11	+4	57.1%	9	14	+5	14%
Familial	4	4	--	0.0%	6	10	+4	10%
Otherwise Known	4	11	+7	175.0%	14	13	-1	13%
Agg Assault DV Victims	7	13	+6	85.7%	10	18	+8	18%
Robbery	13	18	+5	38.5%	19	31	+12	63.2%
<b>Major Violent Crimes Reported</b>	<b>40</b>	<b>95</b>	<b>+55</b>	<b>137.5%</b>	<b>77</b>	<b>143</b>	<b>+66</b>	<b>85.7%</b>
Burglary	33	39	+6	18.2%	52	68	+16	30.8%
MVT	89	96	+7	7.9%	173	180	+7	4.0%
Larceny	182	96	-86	(47.3%)	325	242	-83	(25.5%)
<b>Major Property Crimes Reported</b>	<b>304</b>	<b>231</b>	<b>-73</b>	<b>(24.0%)</b>	<b>550</b>	<b>490</b>	<b>-60</b>	<b>(10.9%)</b>
<b>Major Index Crimes Reported</b>	<b>344</b>	<b>326</b>	<b>-18</b>	<b>(5.2%)</b>	<b>627</b>	<b>633</b>	<b>+6</b>	<b>1.0%</b>

## Criminal Arrests

Physical Arrests	54	59	+5	9.3%	106	103	-3	(2.8%)
Criminal Summonses	81	68	-13	(16.0%)	133	123	-10	(7.5%)
DUI/DUID (Detox Summons)	12	10	-2	(16.7%)	24	20	-4	(16.7%)
<b>Total Arrests</b>	<b>135</b>	<b>127</b>	<b>-8</b>	<b>(5.9%)</b>	<b>239</b>	<b>226</b>	<b>-13</b>	<b>(5.4%)</b>

## Traffic Enforcement

Traffic Tickets Muni	473	166	-307	(64.9%)	834	299	-535	(64.1%)
Traffic Tickets in GO's Muni	89	58	-31	(34.8%)	144	114	-30	(20.8%)
Total MET Tickets Muni	471	136	-335	(71.1%)	763	233	-530	(69.5%)
<b>Total Traffic Tickets Muni</b>	<b>562</b>	<b>224</b>	<b>-338</b>	<b>(60.1%)</b>	<b>978</b>	<b>413</b>	<b>-565</b>	<b>(57.8%)</b>
<b>Total Traffic Tickets State</b>	<b>19</b>	<b>16</b>	<b>-3</b>	<b>(15.8%)</b>	<b>32</b>	<b>22</b>	<b>-10</b>	<b>(31.3%)</b>
<b>Total Traffic Tickets</b>	<b>581</b>	<b>240</b>	<b>-341</b>	<b>(58.7%)</b>	<b>1,010</b>	<b>435</b>	<b>-575</b>	<b>(56.9%)</b>

## Traffic Accidents

Accident - Fatal	0	1	+1	--	0	2	+2	--
Accident - All Other	239	142	-97	(40.6%)	389	270	-119	(30.6%)
<b>Total Accidents</b>	<b>239</b>	<b>143</b>	<b>-96</b>	<b>(40.2%)</b>	<b>389</b>	<b>272</b>	<b>-117</b>	<b>(30.1%)</b>



# Aurora Police Department



Mission: Partnering with our community  
to make Aurora safer every day

Vision: APD will continually evolve as an innovative agency

## Business Services Division

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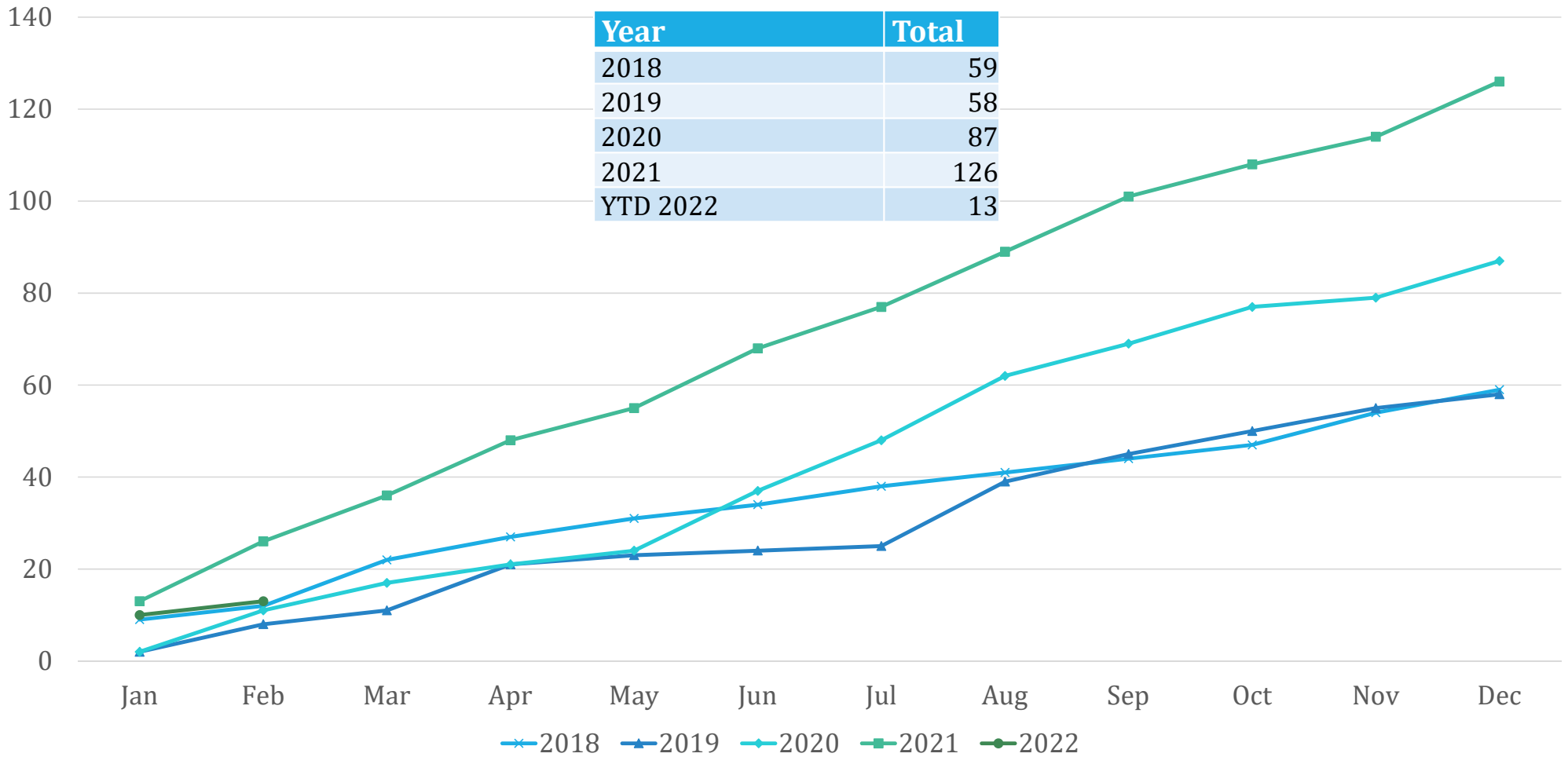
### MONTHLY ATTRITION REVIEW

# Police Turnover Percent



# Attrition Review

Year	Total
2018	59
2019	58
2020	87
2021	126
YTD 2022	13



# 2022 Sworn Staffing

## Additions:

12 Basics (2022-1B 12)  
0 Lateral  
3 Reinstatement  
**15 Total Adds**

## Losses as of 2/28/22:

5 Resignations (4 commissioned, 1 FTEP, 0 recruits)  
4 Retirements  
1 Med. Retirements  
1 Transfer to Career Service (1 FTEP)  
1 Termination  
1 Death (1 commissioned)  
**13 Total Losses**

**2 Net Adds**



## February Sworn Separations Detail

2 Resignations (2 commissioned)

1 Termination (1 commissioned)

3 Total Losses

Reason	Count
Another job	1
Move from area	1
Termination	1
<b>Total</b>	<b>3</b>

Assignment	Count
Patrol	2
Traffic	1
<b>Total</b>	<b>3</b>



# APD Resource Deployment



APD has an authorized strength of 744 sworn  
Chief and Executive Staff design the placement of positions to  
achieve the Mission & Vision of the organization

**Mission: Partnering with our community  
to make Aurora safer every day**

**Vision: APD will continually evolve as an innovative  
agency**

The position placement is called 'Billet' by rank and assignment  
Continuous evaluation is done to align and adjust to changes throughout the year  
Chief may temporarily move staff to accomplish initiatives or fill vacancies as needed  
In the following slide, we have summarized the organization reflecting the distribution of Billets by  
functional categories

## February Sworn Staffing Detail

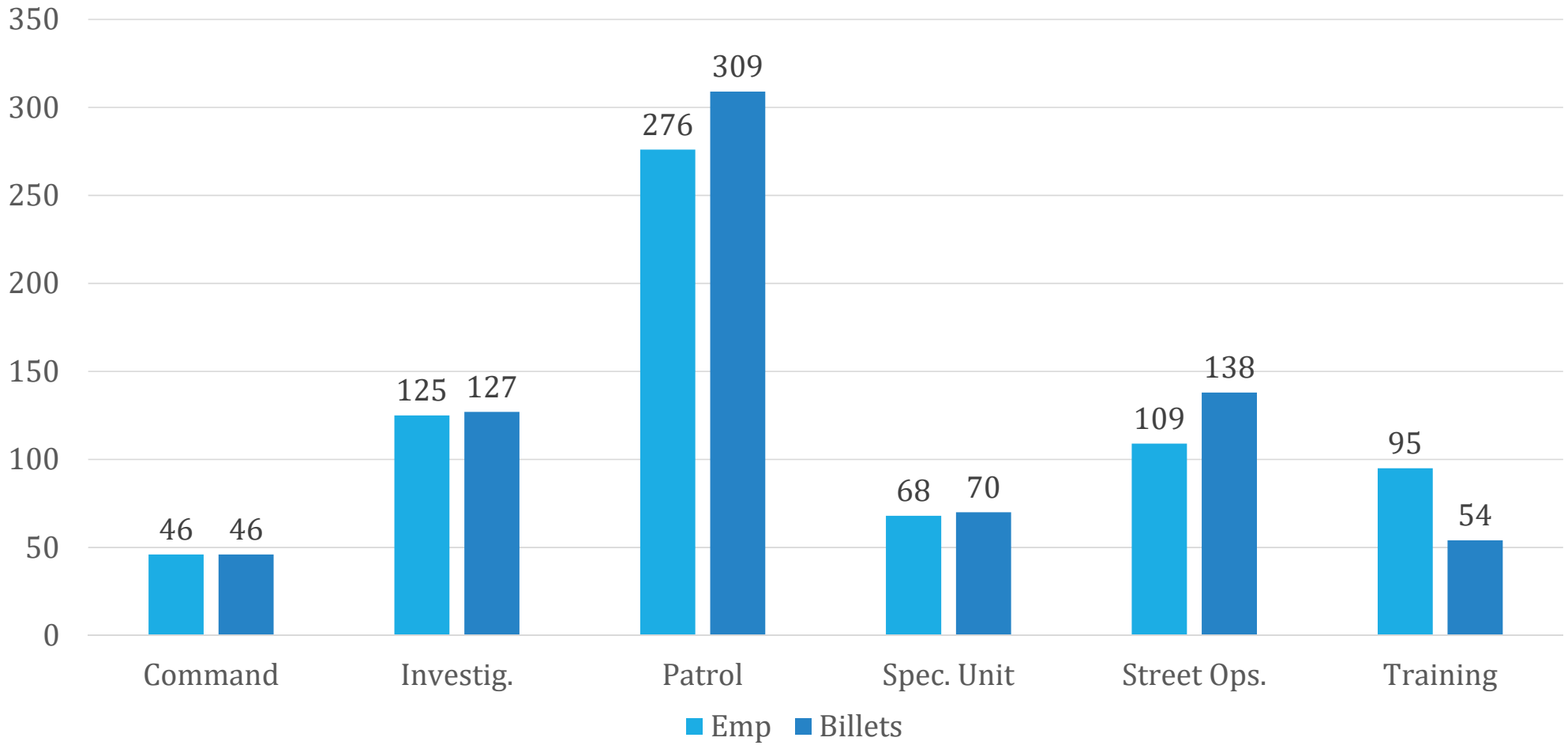
Function	EMP	Billets	Variance	Actual	Design
Command	46	46	0	6%	6%
Investigations	125	127	(2)	17%	17%
Patrol	276*	309	(33)	38%	42%
Special Unit	68	70	(2)	9%	9%
Street Ops.	109	138	(29)	15%	19%
Training	95*	54	41	13%	7%
<b>Grand Total</b>	<b>719</b>	<b>744</b>	<b>(25)</b>		

\*Includes Field Training Officers (FTOs) training 35 FTEP recruits

\*Includes 35 recruits in FTEP

Class	Count	FTEP Completion
2021-3B (6/21/21) FTEP	16	4/8/22
2021-4B (8/30/21) FTEP	18	6/17/22
2021-2L (11/22/21) FTEP	1	3/25/22
2021-5B (10/25/21)	7	8/12/22
2022-1B (2/28/21)	12	12/16/22
<b>Total</b>	<b>55</b>	

## Functional Resource Deployment



# Functional Category Breakdown

<u>Command</u>	<u>Investigations</u>	<u>Training</u>	<u>Special Unit</u>	<u>Patrol</u>	<u>Street Ops.</u>
Lieutenants and Above	District Detective Units	Academy	Employee Support	District Patrol Units	District PAR Units
	Crimes Against Children	Range	Media Relations	Field Training Officers	SROs
	Domestic Violence Unit	Recruit Classroom	Recruiting		Crisis Response Team
	Economic Crimes	Recruit FTEP	Aurora for Youth		Gang Intervention
	Forensic Services	Military Leave	Equipment & Facilities		K9
	Intelligence	Not Available for Duty	Property & Evidence		SWAT
	Internet Crimes Against Children		Vehicle Impound		Traffic
	Gang & Robbery Invest. Team		Community Relations		
	Major Crime/Homicide		Front Desk		
	Sex Crimes		Dispatch		
	Special Victims		Electronic Support		
	Joint Terrorism TF		Internal Affairs		
	Safe Streets TF		CMATT		
			FAST		
			Narcotics		
			RAVEN		
			Backgrounds		
			Force Investigations		
			Professional Standards		
			Emergency Mgmt.		
			ATF TF		
			Front Range TF		
			Fugitive TF		



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Aurora Fire Rescue Attrition Data for February 2022
<b>Item Initiator:</b> Fernando Gray, Fire Chief, Aurora Fire Rescue
<b>Staff Source/Legal Source:</b> Mathew Wasserburger, Assistant Director Fire Management Services / Angela Garcia, Senior Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 1.0--Assure a safe community for people

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

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### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Information Only
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Approve Item with Waiver of Reconsideration  
Why is a waiver needed?

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

#### Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
  - Does Not Recommend Approval
  - Forwarded Without Recommendation
  - Recommendation Report Attached
  - Minutes Attached
  - Minutes Not Available
-

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**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

N/A

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**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

Aurora Fire Rescue monthly turnover and attrition rate for sworn personnel.

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**QUESTIONS FOR COUNCIL**

N/A

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**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary. The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Garcia)

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**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

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**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

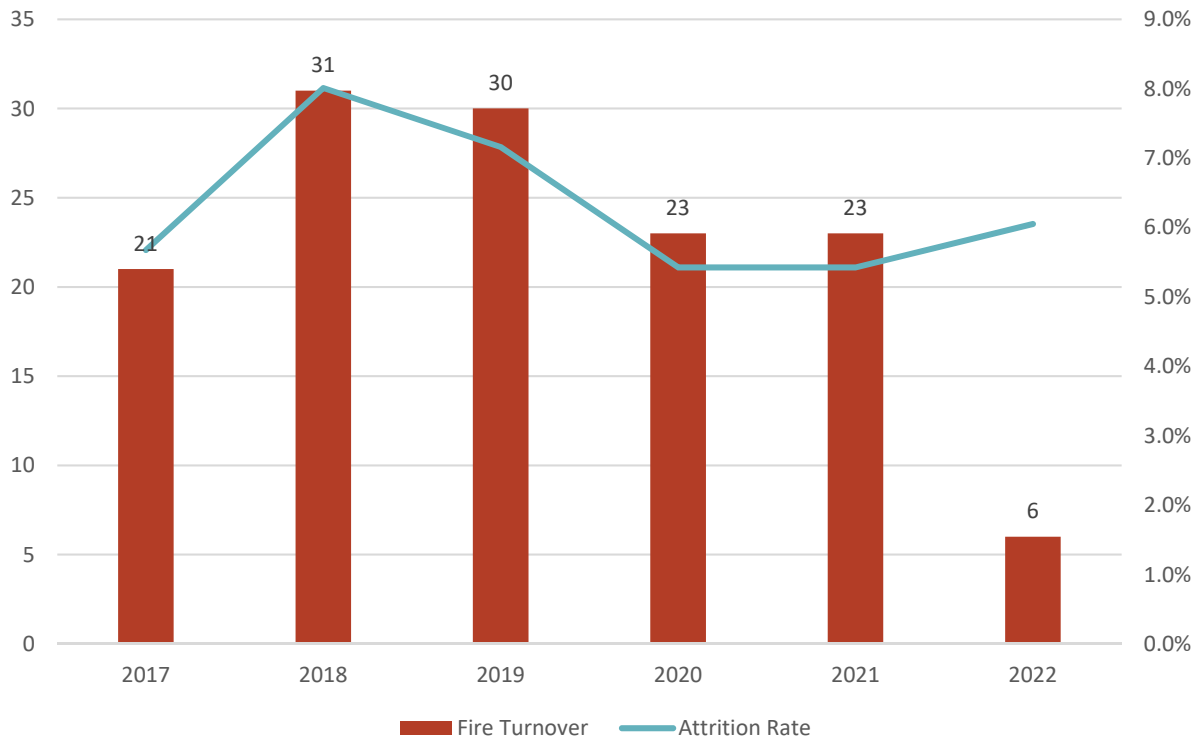
**If Significant or Nominal, explain:** N/A

# Aurora Fire Rescue

## Civil FTE Attrition – February 2022



Fire Civil FTE Turnover and Attrition Rates



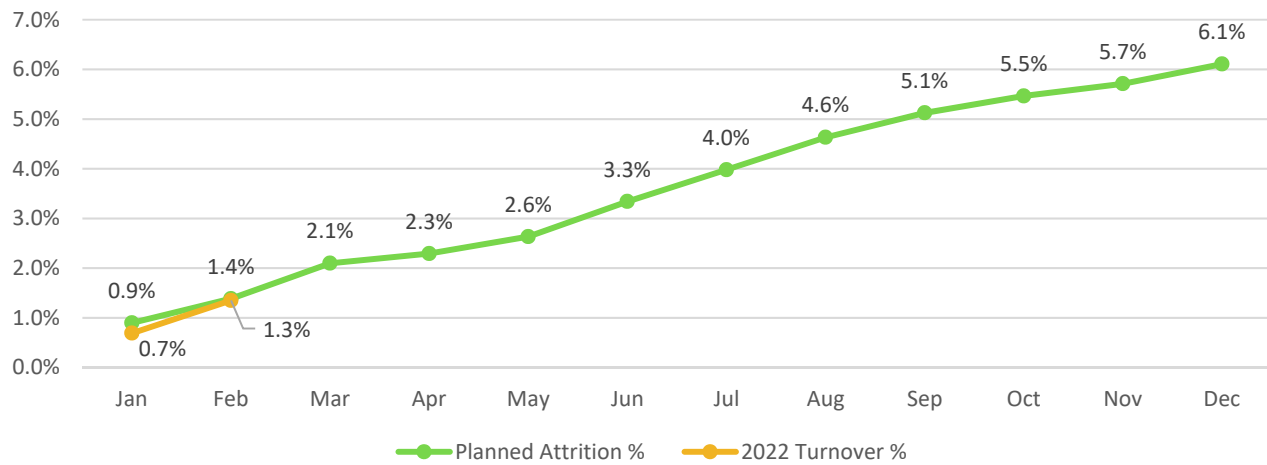
- 2022 YTD Attrition = 6 FTE
- 5-Year Average Attrition = 27 FTE



# Aurora Fire Rescue Civil FTE Attrition – February 2022



AFR Turnover % By Month



- 2022 YTD Attrition Rate = 1.3%
- 2021 Attrition Rate = 5.4%
- 5-Year Average Attrition Rate = 6.1%



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Aurora911 Staffing Update
<b>Item Initiator:</b> Tina Buneta, Director
<b>Staff Source/Legal Source:</b> Elizabrteh Joyce, Professional Development Manager
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 1.3--Provide a state-of-the-art Public Safety Comm Center and quality 911 services

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Aurora911 Staffing Update

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### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** Public Safety, Courts & Civil Service

**Policy Committee Date:** 3/10/2022

---

**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

---

**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

Aurora911 staffing update

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**QUESTIONS FOR COUNCIL**

N/A

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**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary. The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Bajorek)

---

**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



**AUROA911**

**PSCSS Staffing Update**

**March 2022**

# Recruiting and Retention

Authorized  
FTE: 91

Current FTE:  
64 (27  
Vacancies)

Staffing  
Percentage:  
70.32% Staffed

**Academy 22-2**  
*began Feb 8th*

# Recruitment Stats

Feb 25, 2022

22-1 Academy Recruits: 3

Current Recruit Applications: 122

Skills Testing and Initial Interviews: 46

Conditional Offers (in backgrounds): 16

1 Reinstatement Pending

Next academy in May

# Vacancy Detail

---



Entry Level  
Positions: 21

Next academy  
starting in May

Intent to over  
hire, seek addtl  
FTE as we reach  
goals



Records and  
Reporting  
Specialist and  
Supervisor: 2

Final  
Interviews  
conducted last  
week



Professional  
Development  
Specialists: 4

2 Vacancies  
2 Additions  
15 applications

# Separation Data (2022)

- Feb 18, 2022 – one ECS-2 resignation (following partner out of state)
- March 1, 2022 – one ECS-1 termination



# Actions in place for retention

- Compensation review and increase
- Retention, Referral Bonuses
- Sending employees to National industry conferences
- Monthly continuing education
- Navigating Adversity training for employees and loved ones
- Continuous review of staffing and workload
- New committees to stay engaged
- New console and office furniture, to include improved emotional recovery and nursing mothers' room



**AUROA911**

**THANK YOU!**

Questions?  
Clarifications?



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Police Auditor Q1 2022 Update
<b>Item Initiator:</b> Michelle Crawford, Police Auditor
<b>Staff Source/Legal Source:</b> Michelle Crawford, Police Auditor; Megan Platt, Assistant City Attorney
<b>Outside Speaker:</b> None
<b>Council Goal:</b> 2012: 1.0--Assure a safe community for people

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Review of the Colorado Criminal Justice Records Act Audit, Records Culture Survey, and update on current audit(s).

Michelle Crawford, Police Auditor

Estimated time is 15 minutes for presentation and questions.

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

**PREVIOUS ACTIONS OR REVIEWS:**

**Policy Committee Name:** Public Safety, Courts & Civil Service

**Policy Committee Date:** 3/10/2022

**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

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**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

Review of the CCJRA audit, including findings and recommendations. Review of the Records Culture Survey, including findings and recommendations. Update on the Crisis Response Team audit.

---

**QUESTIONS FOR COUNCIL**

N/A

---

**LEGAL COMMENTS**

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The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Schulte)

---

**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

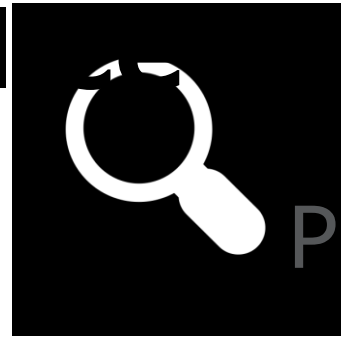
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**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A

# Police Auditor Q1 Update



Presentation



Michelle Crawford, M.Acct., CIA, CFE, CRMA  
Police Auditor, City of Aurora

# Presentation agenda

- CCJRA Audit – Released 12/13/21
- Records Culture Survey – Released 1-21-22
- Update on in progress audit



# Colorado Criminal Justice Records Act

## Objectives

- Determine if policies and procedures comply with laws and leading practices
- Determine if the records release process is accessible and transparent
- Extent to which APD tracks requests and fulfillments and complies with laws



# Colorado Criminal Justice Records Act

## Conclusion:

- Policies and procedures address some but not all aspects of CCJRA
- Current request process needs improvement to increase accessibility and transparency
- APD did not always comply with rules or regulations





# Colorado Criminal Justice Records Act

## Roles and Responsibilities

- No defined roles and responsibilities for both units handling record release requests
- No SOPs for Public Records Detail

*Recommendation: Define roles and responsibilities and develop SOPs for the Public Records Detail*



# Colorado Criminal Justice Records Act

## Request tracking

- Manual process
- Outstanding requests on 6-8-21
  - Records Section: Manually counted 8,851 requests – 7,712 Lexis Nexus; 1,139 others
  - Public Records Detail: 250 requests

*Recommendation: Work with IT and the City Clerk's Office to implement the citywide record release system.*



# Colorado Criminal Justice Records Act

## Performance Measures

- APD Records does not have internal goals or performance measures

*Recommendation: Establish the average turnaround time for requests and report the information quarterly to the Chief's Office.*



# Colorado Criminal Justice Records Act

## Limitations to audit review

Due to the current APD processes, we could not ensure a complete and accurate population of all requests to select a test sample.

We chose to perform a limited scope review, we cannot extrapolate the results to the entire population, but we saw enough issues within our review to believe the issues need management's attention.



# Colorado Criminal Justice Records Act

## Non-compliance

- APD Records did not retain all request forms in compliance with Colorado statutes.

*Recommendation: Retain forms to comply with statutes*



# Colorado Criminal Justice Records Act

## Redaction

- APD Records needs to standardize practices related to redaction. Unredacted social security numbers were released and reasons for redaction were not always documented.

*Recommendation: Comply with rules and regulations for redactions and develop guidelines to standardize redaction process.*



# Colorado Criminal Justice Records Act

## Request forms and website need improvement

- APD uses two forms for record requests
- Record Section form included a driver's license number
- Current website is hard to navigate

*Recommendation: Collaborate with the City Attorney on a form that does not include a driver's license number. Improve the layout of the webpage and information to enhance its accessibility and user experience.*



# Questions on CCJRA Audit?





# Records Culture Survey

**Objective:** Establish a baseline for the state of the culture in the APD Records Section

**Conclusion:** There are both strengths and weaknesses within the Records culture, the current state is less than optimal. It is our opinion that the absence of sufficient management attention over time combined with a lack of strong management skills has contributed to the dysfunctional culture, which is clearly impacting performance as noted in the CCJRA audit.



# Records Culture Survey

## Leadership

- Management and Supervisors need to spend more quality time with staff to identify issues more quickly
- Employees perceive a lack of leadership and support from supervisors and above
- Employees commented that supervisors were not reliable or were unapproachable and, in some instances, staff feared giving negative information

*Recommendation: Basic Supervisory Certification and additional training and coaching for supervisors.*



# Records Culture Survey

## Team Goals and Performance Measures

- Records lacks goals and performance measures
- Where goals exist, Management sets them with minimal staff involvement

*Recommendation: Records Management works with all employees to establish Section and Team goals, performance metrics, and a communication plan to share updates on progress.*



# Records Culture Survey

## Professional Development and Training

- Half of employees do not have annual personal work goals
- Employees commented on the need for improved and standardized training for staff and supervisors
- Some employees noted tensions between shifts and work locations

*Recommendations: Actively encourage and support employee professional development. Training or activities explicitly related to cooperative teamwork across the Section.*



# Records Culture Survey

## Workload

- Employees perceive that their work is mainly controlled from the top down with some delegation
- Employees comments included concerns with workloads between shifts and work locations

*Recommendations: Identify opportunities to empower employees to work independently. Evaluate workloads across employees and shifts to ensure they are optimal and equitable.*



# Records Culture Survey

## Interactions

- Employees perceive those above them have an insufficient understanding of the problems they face
- Half of the employees rated the frequency of interactions with the Records Manager were at best occasional

*Recommendation: Records Manager regularly attend team meetings and supervisor meetings to increase employee interactions and understanding of work issues.*



# Records Culture Survey

## Employee compensation and well-being

- HR compensation project and changes to promotions appear to have negatively impacted employee's morale
- Half of employees do not believe management expresses an interest in their health or wellness nor encourages them to utilize resources
- Half of employees responded they do not have a healthy work/life balance

*Recommendations: Work with HR to educate employees on the compensation study and changes. Work with HR and APD wellness to create a list of resources for employees and identify and regularly provide resources to support employees' mental health.*



# Questions on Records Culture Survey





# Other Audit Updates

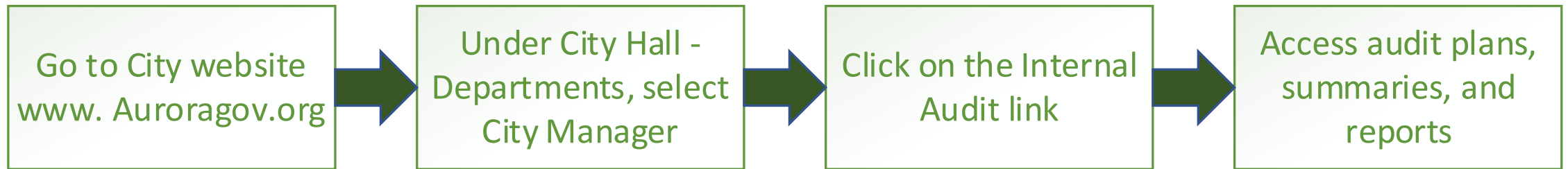
- Crisis Response Team Audit - starting fieldwork
- Next audit will be Body-Worn Camera Follow-Up



# Questions?



# How to locate audit reports



# Police Internal Audit Report



## Colorado Criminal Justice Records Act



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## Auditor's Conclusion

December 13, 2021

Internal Audit has completed the Police Colorado Criminal Justice Records Act (CCJRA) engagement. We conducted this engagement as part of our 2021 Police Annual Audit Plan.

The audit objectives were:

- Determine the degree to which policies and procedures ensure consistent compliance with state and local laws and best practices.
- Determine the degree to which the process is accessible and transparent.
- Determine the extent to which APD tracks records requests and fulfillments and complies with state and local laws.

To these ends, Internal Audit:

- Interviewed APD management and staff;
- Reviewed APD Policy and any laws related to CCJRA;
- Reviewed leading practices where available;
- Reviewed the current processes for tracking and fulfilling requests;
- Evaluated compliance with CCJRA and internal policies on a limited review basis; and,
- Evaluated the accessibility of the APD requests webpage.

Based on the results of our engagement procedures, we conclude that policies and procedures address some but not all aspects of the CCJRA: the current request process needs improvement to increase accessibility and transparency, and APD did not always comply with rules or regulations. We have detailed our issues and recommendations in the Issue Details section of this report. We want to acknowledge the cooperation of the Records Unit and the Public Records Coordinator throughout this engagement.

*Wayne Sommer*

Wayne C. Sommer, CPA, CGMA  
Internal Audit Manager

## Audit Profile

### *Audit Team*

Wayne Sommer, CPA, CGMA – Internal Audit Manager  
Michelle Crawford, M. Acct, CIA, CFE, CRMA – Police Auditor

### *Background*

It is the general policy of the Aurora Police Department that information can and will be released unless it is contrary to statute, a court order, or to the public interest. The potential disclosure of any record requires the examination and consideration of regulatory requirements and department and City policies and procedures.

The Aurora Police Department receives requests for records; most of these requests are for criminal justice information and fall under the Colorado Criminal Justice Act (CCJRA.) The Department has two units responsible for handling these requests: the Records Unit under the Business Services Section and the Public Records Detail (Open Records Coordinator) under the Chief’s office.

### *Scope*

Due to limitations in the available documentation, the scope of work covered processes in place as of March 2021 and requests received in 2021. As noted in our report below, APD does not have a system to track record requests. In addition, the request forms for all requests were not retained. As such, we could not ensure a complete population of all requests for our review. We limited the scope of our review to when we began our engagement through our fieldwork.

## Milestone Reports

Milestone 1 Engagement Letter  
Milestone 2 and 3 Client Evaluation  
and Process Controls and Efficiency  
Milestone 4 Risks  
Milestone 5 Revised Engagement Letter (if issued)  
Fieldwork

## Issued Date

March 2, 2021  
  
August 17, 2021  
December 13, 2021  
None issued  
December 31, 2021

## City Manager Response

I have reviewed The Police Internal Audit Report regarding the Police Department's handling of requests for records under the Colorado Criminal Justice Act (CCJRA). These records may take many forms, for example, photos, body worn camera videos, reports, digital evidence, and policies among others. The timing of this audit was fortuitous in that while the audit was ongoing a budget request from the department for additional personnel in this unit was made. At that time I already had some indication that there were issues with processes, policies, and recordkeeping in this workgroup. With that knowledge I believed that before adding employees it would be prudent to know more about how the unit performs its job and whether with process improvements and other changes the need for additional employees could potentially be reduced, if not eliminated. I sought the assistance from the City's Innovation Design Team (IDT), a cross functional group of employees, some of whom have training in Six Sigma style continuous or process improvement. I asked a small group from the IDT to evaluate some of the issues in the records unit and look for quick wins that could make improvements. The IDT group worked in different sections and identified some recommendations. However, because each member had their own full time job they could not devote the time necessary to make the number and complexity of the changes required. Their recommendation was that we hire a consultant to help with this effort, which we are pursuing.

After reading the Report, the Management Responses, and Estimated Implementation Dates I am convinced that professional, outside assistance will be needed to make the improvements necessary. The problems this section faces did not occur over a short period of time, are numerous and in some cases complex. I do not believe present management has the capacity to satisfactorily resolve all the challenges outlined in the Report in the timeframes cited. We have approved some additional hiring for the section because the backlog they face is so large. My charge to the outside expert, in addition to process improvements, better recordkeeping, definition of roles and all the other recommendations from the Report will be to advise us on how we make the improvements sustainable and how the section should be organized and structured to maintain the records request system to be responsive, transparent and comply with the law.

I appreciate the Police Department's desire to be responsive to the Report and to set lofty goals for implementation of improvements. I also credit Chief Wilson for acknowledging that the Records Section needs help and the ask for additional employees. As I've mentioned above, this situation didn't happen overnight and I believe she inherited much of it. As management we are committed to improving this operation beyond the issues identified in the Report and making it a model of efficiency and responsive to the needs of our community.

James Twombly  
Aurora City Manager





Milestone 2 Report  
Colorado Criminal Justice Records Act

August 17, 2021

**BACKGROUND**

In Milestone 2, we gain a deeper understanding of the client's operating environment and client issues that may affect the engagement objectives and influence subsequent engagement procedures. We accomplish this by reviewing policies and procedures, and performance measures.

<b>PROCEDURES</b>	<b>CONCLUSIONS</b>
<ul style="list-style-type: none"><li>Review policies and procedures</li></ul>	Policies address some, but not all areas of the Colorado Criminal Justice Records Act (CCJRA) and leading practices. See recommendations below.
<ul style="list-style-type: none"><li>Review performance measures</li></ul>	Performance measures for the department, and the Records unit relating to records requests do not exist. The Open Records Coordinator's performance measure began in 2021. See recommendation below.



Milestone 3 Report  
Colorado Criminal Justice Records Act

August 17, 2021

**Internal Controls**

In Milestone 3, we determine whether appropriate process controls exist for key processes and whether processes are efficient. We accomplish this by flowcharting key processes, then identifying missing controls and process inefficiencies.

PROCEDURES	CONCLUSIONS
<ul style="list-style-type: none"><li>Flowchart key processes. Evaluate key processes for missing or weak internal controls, efficiency issues, and IT-related issues.</li></ul>	Key processes are inefficient and have weak or missing internal controls. See recommendations below.
<ul style="list-style-type: none"><li>Determine any impact on testwork procedures.</li></ul>	Our testwork included reviewing statistics related to staffing and outstanding requests where the data was available.

## Issue Details

### ISS.1 – Define roles and responsibilities

The Public Records Detail (Open Records Coordinator) and Records Section that handle criminal justice record requests lack clearly defined roles and responsibilities. No policies or procedures address the Public Records Detail practices.

Directive 8.22.7, updated May 2021, states:

Routine requests for information are processed and distributed/referred/denied by a Records Technician or Supervisor in the Records Unit. Requests for basic Traffic Accident Photos may be processed by the Digital Records Unit. If it is found that there are review considerations or factors, the request is routed to the Public Records Detail for review. Complex/high profile requests including reports, digital evidence, internal affairs investigations and other records are processed and distributed/referred/denied by the Open Records Coordinator.

The Directive does not define “routine” or “complex” requests.

#### Public Records Detail

This unit consists of one full-time employee and a second part-time grant funded position. In addition, another grant request is outstanding for a second full-time grant funded position. (The part-time position is vacant but moving through the recruitment process.) The unit reports to the Executive Officer in the Chief’s Office. The Open Records Coordinator position handles record requests for body-worn camera videos (BWC), photos, third party video, halo and mesh cameras, directives, policies, statistics, 911 audio, Internal Affairs, disciplinary files, and requests from the media. The Open Records Coordinator position was created and staffed in 2019.

#### Records Management Unit

The Records Management Unit (RMU) is within the Records and Support Services Section which reports to the Business Services Manager. The Records Manager created this unit in 2021 to focus on CCJRA requests among other tasks. There are seven full-time technician positions and one supervisor position within this unit. This unit handles record requests for reports, background checks/arrest histories, address histories, Computer Aided Dispatch/incident reports, and requests for booking photos from the public. The RMU sends all other requests to the Open Records Coordinator. This unit is also responsible for transcription, phone calls, and other duties. (See ISS. 3 Prioritization.)

Our understanding is that the Department created the Open Records Coordinator position to handle sensitive or complicated requests needing a more thorough review. This position currently processes requests outside that description, such as requests for body-worn camera footage for vehicle accidents.

Without clear expectations from management regarding their responsibilities, the request assignments may be unclear or could burden one unit over another. Additionally, a staffing disparity could result in longer wait times for requestors, which may have the appearance of stalling request fulfillment.

## Recommendation

We recommend the following:

- APD clearly defines the roles and responsibilities related to processing records requests. The roles clarified should include the Open Records Coordinator, Records Management Unit, supervisors, and command staff responsibilities for reviewing requests.
- APD defines the request types and creates a flow chart or process map distinguishing responsibilities for the request types for each unit and the workflow to process them.
- APD develops SOPs for the Open Records Coordinator.

## Management Response

The Public Records Detail and the Records Unit will collaborate to define roles and responsibilities for the CCJRA and related operational processes. The Executive Officer will develop SOPs for the Public Records Detail and Open Records Coordinator.

*Estimated Implementation Date:* December 31, 2021

*Issue Owner:* Manager of Records and Executive Officer

*Issue Final Approver:* Deputy Chief of Police

## ISS.2 – Request tracking needs improvement

Aurora Police currently have no department method for tracking record requests. While APD has attempted to procure solutions to assist with tracking, to date no solution has been acquired.

The Records Unit provided the breakout of pending requests as of June 8, 2021 below:

<b>Number of requests</b>	<b>Type of request</b>
<b>173</b>	In person requests
<b>412</b>	Emails to process for payment
<b>42</b>	Emails to release reports that are paid
<b>411</b>	Email requests awaiting payment
<b>101</b>	Mailed in requests
<b>3,212</b>	LexisNexis 2020 requests
<b>4,500</b>	LexisNexis 2021 requests <sup>1</sup>
<b>8,851</b>	<b>Total Records requests</b>

<sup>1</sup> This company requests information regarding accidents and any report where a citizen has filed a claim with their insurance company. Insurance companies use LexisNexis as a report resource.

Per the Open Records Coordinator, as of June 4<sup>th</sup>, there were 250 requests pending.

#### Request tracking

The Aurora Police Department does not have a system or standardized process to track CCJRA requests. Without a method to track requests, APD cannot accurately assess how many requests are outstanding or ensure that no requests are lost. Untimely responses could result in the appearance that the department is purposefully unresponsive.

#### Request statuses

Additionally, there is no easy way for requestors to review the status of their requests. Utilizing a system would allow staff, and potentially requestors, to see and check their request status.

#### Request transfers

If the wrong unit or department receives a request, the receiver must forward the request to the correct department. One system across the City would allow for more effortless and trackable transfers of requests.

A record request application would increase operational efficiency, allow for better request tracking, and increase accountability. Utilizing a system whenever possible instead of paper forms increases efficiency by reducing staff time spent re-entering information into the system as well as processing and storing paper. A centralized citywide system would allow for a single point of entry for any city customer requesting records. The City Clerk's office is currently implementing a new solution for record request tracking.

The Department should also include in Policy how to handle requests that may require additional accommodations outside of a tracking system.

### Recommendation

We recommend APD work with IT and the City Clerk's office to utilize their record request tracking software. APD should also evaluate options such as a kiosk and alternative methods to accommodate requests and reduce the use of paper forms wherever possible.

### Management Response

APD agrees and is currently working with IT and the City Clerk's Office to accomplish this task. We will review and implement a system request & fulfillment management system that best fits the operations of APD and the reporting and tracking of recommendations for performance measuring.

*Estimated Implementation Date: December 31, 2021*

*Issue Owner: Manager of Records and Executive Officer*

*Issue Final Approver: Deputy Chief of Police*

### ISS.3 - Prioritization

There are no written procedures to prioritize requests or staff assignments to fulfill CCJRA requests. Aurora Police currently have hundreds of requests requiring fulfillment. To meet the demands, the department should develop a prioritization for completing requests.

Options could include processing the oldest requests first (first-in, first-out), requests from victims, or time-sensitive requests among other methods. Currently, the Records Unit verbally instructs staff to handle requests on a first-in, first-out basis.

The Records Management Unit uses a weekly schedule to divide assignments, however, staff may still be assigned multiple duties. The unit does not have any service level standards in place to assist with developing weekly assignment schedules. Understanding the expectations for the different tasks, including on average, how many can be processed in a given time period, would allow for a data driven approach to assignments.

Documenting the approach to assignments by policy ensures consistent treatment during changes in staff or under heavy volumes. Additionally, developing service level standards and using that data for staffing may assist in decreasing the backlog.

By prioritizing requests, APD can better assess resources needed to fulfill the backlog.

### Recommendation

We recommend that APD determine and document the policies and procedures for prioritizing requests including the priority for working on CCJRA requests in the Records Management Unit amongst their other duties.

### Management Response

*Executive Officer Response:* The Open Records Coordinator will work on creating a prioritization system for time-sensitive requests, giving priority to requests that are required by law to be produced within a certain timeframe and internal request (requests from the City Attorney's Office).

*Business Services Manager Response:* Agree with recommendation to review priority of request fulfillment and operational procedures in assigning team resources for accomplishing services level standards. Agree with the importance of using a data driven approach to assignment and staffing.

*Estimated Implementation Date:* January 31, 2022

*Issue Owner:* Manager of Records and Executive Officer

*Issue Final Approver:* Deputy Chief of Police

## ISS.4 - Policies and procedures lacking

Aurora Police policies, procedures, and training do not address all aspects of the Colorado Criminal Justice Records Act (CCJRA) and related leading practices. APD policies consist of Directives and Standard Operating Procedures (SOPs.) Directives serve as the policies that provide the guiding principles for critical activities across the Department. SOPs serve as the procedures stipulating how to implement the directives. The CCJRA governs criminal justice records. Below are the critical sections of the Colorado Revised Statute (CRS) sections related to CCJRA and their treatment within the directives and SOPs.

A *Policy* is a direct link between an organization’s *Vision* and its day-to-day operations. Policies identify the key activities and provide a general strategy to decision-makers to handle issues as they arise. Policies accomplish this by providing limits and recommending alternatives that staff can use to guide the decision-making process for overcoming problems.

*Procedures* provide a clear, required, and easily understood plan of action for implementing a policy. A well-written procedure will help eliminate common misunderstandings by identifying responsibilities and establishing boundaries for those charged with execution. Good procedures allow managers to control events in advance and prevent the organization (and employees) from making costly mistakes.<sup>2</sup>

State Statute reference	Statute information	Reference to where addressed or details on what is not addressed
<b>24-72-302 Definitions</b>		
	The statute defines terminology such as basic identification information, arrest and criminal records information, criminal justice records, etc.	Policies and training define some but not all frequently used words. Policy should define terms or reference the statute’s definitions.
<b>24-72-303 Records of official actions required - open to inspection - applicability</b>		
<i>Section 1</i>	Records of official actions shall be maintained by the criminal justice agency which took the action and shall be open for inspection by any person at reasonable times. The custodian may make rules and regulations for the inspection of such	Directive 8.22

<sup>2</sup> <http://www.pcg-services.com/are-your-policies-and-procedures-a-barrier-to-growing-yourcompany/>

	records.	
<i>Section 2</i>	If a record is not in the custodian’s custody and if requested by the applicant, the custodian shall notify in writing that the record is not in their custody or control and detail the agency with custody or control to the best of their knowledge.	Neither procedures nor training address how to handle these requests.
<i>Section 3</i>	If the record of official action is in active use or storage and not available at the time it was requested, the custodian is to notify the applicant of this in writing and, if requested, set a date and hour within three working days at which time the record will be available for inspection.	Neither procedures nor training address how to handle these requests.
<i>Section 4a</i>	Upon completing an internal investigation, including appeals, the investigation file is open for public inspection upon request. The Custodian may first provide a summary of the investigation file.	The procedures do not address the process for opening the entire investigation file upon request (once available per statute) or the method for providing a summary of the investigation file in place of the entire file.
<i>Section 4b-4d</i>	Process for redacting and removing certain information from investigative files.	The procedures do not address redacting or removing information from the investigation file in accordance with state statutes.
<i>Section 4e</i>	Custodian may deny inspection of investigative file if there is an ongoing criminal investigation or criminal case related to the investigation. File must be open for public inspection upon the dismissal of all charges or upon a sentence for a conviction.	The procedures do not address the process for opening the entire investigation file upon dismissal or conviction.
<i>Section 4f</i>	Any person denied access to information in a completed internal affairs file may file in court to show cause why the withheld or redacted information should not be made available.	Directive 10.4.2
<i>Section 4g</i>	If prohibited by Colorado Supreme Court or court order, the custodian may deny inspection of the file.	The procedures do not address the process for denying access to the internal



		investigation file if prohibited by Colorado Supreme Court or court order.
<i>Section 4h</i>	This section of the statute is only applicable to internal investigations initiated after April 12, 2019.	Policies and procedures do not address this distinction.
<b>24-72-304 Inspection of criminal justice records</b>		
<i>Section 1</i>	Custodian may make rules and regulations for the inspection of all criminal justice records at reasonable times.	Directive 8.22
<i>Section 2</i>	Requires, if requested by the applicant, that the custodian shall notify in writing the reason for the absence of records from their custody or control, their location, and what person has custody or control of the records.	Neither procedures nor training address how to handle these requests. Current practice is to notify requestor if the records are not available.
<i>Section 3</i>	If records are in the custody and control of a central repository, the custodian shall forward the request to the central repository.	Neither procedures nor training address how to handle these requests.
<i>Section 4</i>	Details redacting information and requirements for records related to Sexual Assaults.	SOP REC 2.3b and SOP REC 2.3c
<b>24-72-305 Allowance or denial of inspection - grounds - procedure – appeal</b>		
<i>Sections a and b</i>	Denial of records allowed when inspection is contrary to state statute or prohibited by supreme court rules or court order.	SOP REC 2.07 and SOP REC 1.1.15
<i>Section 1.5</i>	Denial of access to chemical biological substance testing records allowed when inspection is contrary to public interest.	Directive 8.22
<i>Section 5</i>	Denial of access to investigation, intelligence, or security records when inspection is contrary to public interest.	SOP REC 2.07 and SOP REC 1.1.15
<i>Section 6</i>	If the custodian denies access to any criminal justice record, applicant may require a written statement of the grounds of the	Directive 8.22

	denial which shall be provided within 72 hours.	
<i>Section 8</i>	Allowance or denial of the right to inspect criminal justice records that contain specialized details of security arrangements or investigations shall be governed by section 24-72-204.	Policies do not address denials relating to security arrangements or investigations.
<b>24-72-305.5 Access to records - denial by custodian - use of records to obtain information for solicitation - definitions</b>		
<i>Section 1</i>	Records of official action or criminal justice records and information within shall not be used by any person for soliciting business for pecuniary gain.	SOP REC 2.7.3

<b>24-72-306 Copies, printouts, or photographs of criminal justice records - fees authorized</b>		
<i>Section 1</i>	Agencies may assess reasonable fees, not to exceed actual costs, including but not limited to personnel and equipment for the search, retrieval, and redaction of criminal justice records.	REC SOP 1.1.15 and SOP REC 1.2.12
<i>Section 3</i>	Provisions of this section do not apply to discovery materials an agency is required to provide in a criminal case.	Directive 3.5.3

<b>24-72-307 Challenge to accuracy and completeness - appeals</b>		
<i>Section 1</i>	Any person in interest who is provided access to any criminal justice records pursuant to this part 3 shall have the right to challenge the accuracy and completeness of records to which he has been given access, insofar as they pertain to him, and to request that said records be corrected.	Procedures lack a process to handle challenges to the accuracy and completeness of records.
<i>Section 2</i>	If the custodian refuses to make the requested correction, the person in interest may request a written statement of the grounds for the refusal, which statement shall be furnished forthwith.	When the Department denies a correction, the procedures lack a process to provide a written statement.
<i>Section 3</i>	In the event that the custodian requires additional time to evaluate the merit of the request for correction, he shall so notify the applicant in writing forthwith. The custodian shall then have thirty days from the date of	The procedures lack a process for complying within the time frame and communicating with the requestor.

	his receipt of the request for correction to evaluate the request and to make a determination of whether to grant or refuse the request, in whole or in part, which determination shall be forthwith communicated to the applicant in writing.	
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**Additional areas**

Leading practices included addressing redaction, communicating with the requestor, fee structure, handling requests, and requests outside normal channels. SOP REC 2.07 addresses redaction and SOP 1.1.15 addresses fees. We did not find anything in the procedures or training related to managing communication with the requestor, handling requests, or requests outside normal channels.

Written policies and procedures that conform with statutory requirements and leading practices ensure that they meet or exceed minimum standards. They provide a basis for smooth transitions and consistent application when personnel changes occur, allowing new personnel to be aware of current requirements.

**SOPs need updating**

- SOP REC 2.1 on training was last updated in 2002.
- SOP REC 1.5 on handling funds refers to the Section Lieutenant; that position has not existed in several years.
- SOP REC 1.2.10, last updated in 2014, references a Records Release Manual that is no longer in use.
- SOP REC 1.1.15 references a release tracking tool but does not specify it is for Reports only.

**Recommendation**

We recommend updating policies and procedures to align existing processes with the relevant sections of the statute and leading practices. SOPs should also address communicating with the requestor and handling requests outside normal channels.

**Management Response**

Executive Officer Response: There are currently no SOP’s in place for the Public Records Detail (Open Records Coordinator). APD will create SOP’s for that detail and position.

*Business Services Manager Response:* Records Manager and team to assess updates to Directives and SOPs in accomplishing compliance necessary. Additional system support will be required to manage response tracking and monitoring with information tracking to accomplish these recommendations/requirements.

*Estimated Implementation Date:* February 28, 2022  
*Issue Owner:* Manager of Records and Executive Officer  
*Issue Final Approver:* Deputy Chief of Police

## ISS.5 - CCJRA requests

There are no established criteria on what information someone must provide to submit a records request. Directive 8.22.6 states, "All public requests for criminal justice information require enough information to properly research the request and a signed pecuniary gain statement."

Both unit processes include reviewing *all necessary information* before starting a request. Still, policy and training do not specify what constitutes *necessary or enough information*. Without clear and documented requirements, individuals requesting records may not provide all necessary information, resulting in extended times to process and fulfill requests.

### Recommendation

Establish the minimum required information for requests in Policy and ensure that information is easily accessible by requestors.

### Management Response

APD will work with the APD Legal Advisor to develop operational forms, webpage content and SOPs language to fulfill this recommendation for requests.

*Estimated Implementation Date:* December 31, 2021  
*Issue Owner:* Manager of Records and Executive Officer  
*Issue Final Approver:* Deputy Chief of Police

## ISS.6 - Training

The Police department lacks a formal training program for all employees who handle various aspects of records requests. There is no formal training for individuals outside of Records who may be involved in reviewing requests before release. A standardized training program ensures that all individuals handling records requests have the appropriate training.

### Recommendation

Develop a formal training program for reviewers, including their roles and responsibilities for CCJRA requests.

### Management Response

*Executive Officer Response:* The Executive Officer will create a formal training program for the Open Records Coordinator.

*Business Services Manager Response:* Agree with standardized training program for outside members fulfilling requests within CCJRA guidelines.

*Estimated Implementation Date:* April 30, 2022  
*Issue Owner:* Manager of Records and Executive Officer  
*Issue Final Approver:* Deputy Chief of Police

## ISS.7 - Quality Assurance

The Records Unit does not conduct any quality assurance reviews before releasing documents.

The Open Records Coordinator identifies types of requests, including documentation that requires a higher level of review. For these requests, the unit Lieutenant, Public Information Officers, or the Deputy Chief of Police review requests before release. The Records Unit has no similar processes.

Periodic reviews focused on higher-risk areas ensure that the department complies with laws and policies. In addition, periodic spot checks ensure that staff fully understand and properly apply the CCJRA rules to requests.

## Recommendation

The Records Unit develops procedures to periodically spot check records requests for compliance with laws and policies.

## Management Response

Employees that perform this function will complete a training review for CCJRA information release every 2 years. In addition, random sample review of report releases will be conducted by supervisor(s) annually for review of conformance to rules.

*Estimated Implementation Date:* April 30, 2022  
*Issue Owner:* Manager of Records  
*Issue Final Approver:* Business Services Manager

## ISS.8 - Performance Measures

The Police Department lacks performance measures for processing record requests. The Records Unit lacks internal goals and performance measures for processing records requests. On the APD website the Records Unit posts the approximate turnaround time for requests.

In 2021, the Open Records Coordinator unit established an internal goal of a 45-day turnaround for requests. While each request may be unique, we believe that goals and measures serve as standards against which to measure productivity and assist in decision-making. Performance measures can help when establishing standards; they can be useful in identifying strengths and weaknesses in processes as well as highlighting when and where processes may be breaking down or being overwhelmed.

## Recommendation

We recommend the APD establish the average turnaround time for requests for the department and the two units handling requests. The units should report this information quarterly to the Chief's office.

## Management Response

*Executive Officer Response:* The Public Records Detail currently has the 45-day turnaround goal in place. The Executive Officer will begin reporting this information to the Deputy Chief of Police quarterly.

*Business Services Manager Response:* Agree with developing performance measures and setting goals based on implementing an information system to track and report. Performance turnaround timing for requests should be considered for prioritization where applicable.

*Estimated Implementation Date:* February 28, 2022

*Issue Owner:* Manager of Records and Executive Officer

*Issue Final Approver:* Deputy Chief of Police



Milestone 4 Report  
Colorado Criminal Justice Records Act

December 13, 2021

**Risk**

In Milestone 4, we assess the impact of identified risks on the engagement objectives, scope, and planned test work procedures. We accomplish this by discussing risk in critical areas with the client and comparing it to leading practices.

<b><i>PROCEDURES</i></b>	<b><i>CONCLUSIONS</i></b>
<ul style="list-style-type: none"><li>Assess IT Risk</li></ul>	Our review of IT risks identified a need for monitoring physical access; see the recommendation below. APD lacks a system for tracking record requests. IT risk is low as there is no record requests system currently in place.
<ul style="list-style-type: none"><li>Assess Fraud Risk</li></ul>	We did not identify any additional fraud risks or other general risks that would impact the planned audit objectives or test work procedures.

## Issue Details

Issues 1-8 were included in the Milestone 2 and 3 combined report.

### ISS.9 - Monitoring badge access

The Records unit needs to develop a process to review badge access periodically. The Records Unit is in police headquarters in an area with restricted access. Our review of badge access identified 40 employees outside of APD with access and ten users we could not identify.

The City Facilities division within Public Works grants and removes access to all city badge readers. Access is based on roles or granted individually, depending on the situation and request. The Records unit handles sensitive information, including criminal justice records; access should be restricted to authorized people with appropriate credentials. The risk of unauthorized access increases when management does not periodically review access permissions to make sure they are current and accurate.

### Recommendation

We recommend that the Records unit request and review access reader reports for appropriate access to the Records area at least annually.

### Management Response

*Records and Support Services Manager response:* Access reader update has been requested and the need for annual review will be added to policy.

*Estimated Implementation Date:* January 31, 2022

*Issue Owner:* Records Manager

*Issue Final Approver:* Business Services Manager





Fieldwork Report  
Colorado Criminal Justice Records Act

December 13, 2021

**Fieldwork**

In Fieldwork, we seek to obtain sufficient competent evidential matter to afford a reasonable basis for conclusions on the engagement objectives. We accomplish this by performing tests, data analysis, and any other means necessary.

<b>OBJECTIVES</b>	<b>CONCLUSIONS</b>
Determine the degree to which the process is accessible and transparent.	The current process can be improved to increase accessibility and transparency. See recommendations below.
Determine the extent to which APD tracks records requests and fulfillments and complies with state and local laws.	As noted in the preceding Milestone reports, APD lacks a system to track requests. Our review identified some areas of non-compliance with state laws. See recommendations below.

## Issue Details

Issues 1-10 were included in Milestones 2 through 4.

The Aurora Police Department (APD) receives records requests in person, via email, or by mail. Some requests are physical forms, and others are electronic. As noted in ISS. 1, APD does not use a system to track requests. Due to the current APD processes, we could not ensure a complete and accurate population of all requests from which to select a test sample. As a result, we chose to perform a limited scope review. We cannot statistically extrapolate the review results to the entire population; however, we saw enough issues within the sample items reviewed combined with our other findings to believe that these issues need management's immediate attention. In addition, the Department did not retain copies of all request forms, which further limited our review. Our limited scope review looked at compliance with rules and regulations and internal processes.

### ISS.11 - Non-compliance with rules and regulations

APD did not retain all CCJRA request forms and as a result, cannot demonstrate compliance with CRS 24-72-305.5.

The Colorado Revised Statutes includes a requirement, detailed below, that before releasing records of official action, a person must sign a statement affirming they will not use the record to directly solicit business for pecuniary gain.

24-72-305.5. Access to records - denial by custodian - use of records to obtain information for solicitation - definitions.

(1) Records of official actions and criminal justice records and the names, addresses, telephone numbers, and other information in such records shall not be used by any person for the purpose of soliciting business for pecuniary gain. The official custodian shall deny any person access to records of official actions and criminal justice records unless such person signs a statement which affirms that such records shall not be used for the direct solicitation of business for pecuniary gain.

Aurora Police documents their compliance with this section of the statute by requiring a signature and date on the request form with the following: *Your signature affirms that the requested information will not be used for solicitation of business for monetary or pecuniary gain and acknowledges such a violation is a misdemeanor and is punishable by a fine and/or imprisonment per **C.R.S. 24-72-305.5 & 24-72-309***. However, APD does not retain all of the forms. Without the request forms that include the signed statement related to pecuniary gain, the Department cannot demonstrate it has complied with the statute in all cases.

## Recommendation

APD should retain all request forms to comply with statutes; until a system is in place, these forms can be stored in physical file folders or digitally.

## Management Response

*Executive Officer response:* The Public Records Detail will establish SOP's regarding the retention of CCJRA request forms. Until the department acquires automated software, request forms will continue to be saved electronically.

*Records and Support Services Manager Response:* This was a preaudit finding in Records prompting the creation of the Records Management Unit. Agree with determination and resolution into the issue has been initiated by the Records Management Unit Supervisor.

*Estimated Implementation Date:* December 31, 2022

*Issue Owner:* Records Manager

*Issue Final Approver:* Business Services Manager

## ISS.12 – Redactions need improvement

The Police Department needs to standardize practices related to redaction. Unredacted social security numbers (SSN) were released, reasons for redactions were not always documented, and the method for documenting the redaction reason varied amongst employees.

Two reports released by the Records unit included unredacted social security numbers. In addition, one of the reports did not have the redacted copy in the Versadex system. The Records unit places a copy of redacted reports into their system so they can be used for future requests; failing to replace the unredacted copy could have resulted in the release of unredacted information.

According to Records staff, all reports released with redactions (other than redacted ORI<sup>3</sup>) should include the statute or regulation on the report copy. Most reports reviewed did not include this information. While some request forms did include reasons for redactions, these are not provided back to the requestor. As a result, it is unclear if Records staff is consistently providing requestors the reason for redactions. Additionally, Records staff was not consistent in documenting a reason for redacting the ORI. The Police department needs to develop guidelines for staff to ensure consistent handling of redactions.

## Recommendation

We recommend that APD complies with all rules and regulations to redact restricted information and develops guidelines to standardize the redaction process including reasons and how the ORI is handled.

## Management Response

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<sup>3</sup> Originating Agency Identifier, this is used to identify the organization (APD) during NCIC/CCIC searches.

*Executive Officer Response:* The Public Records Detail will collaborate with the Records Unit to establish guidelines to standardize the redaction process including reasons and how the ORI is handled.

*Records and Support Services Manager Response:* This was a preaudit finding in Records prompting the creation of the Records Management Unit. Agree with determination and resolution into the issue has been initiated by the Records Management Unit Supervisor. The NextRequest system has auto-redaction capabilities that will improve the ability to catch items that may have been missed.

*Estimated Implementation Date:* December 31, 2021

*Issue Owner:* Records Manager

*Issue Final Approver:* Business Services Manager

### ISS.13 - Request forms need improvement

The police record request forms need improvement.

#### Driver's license number

The police department uses two forms for CCJRA requests, one for the Records Unit and another for the public records detail (open records coordinator.) The Records Unit form includes a line asking for a driver's license number. During our limited scope review of requests, we saw three instances where a request form from one request was attached to a report that was then provided to someone else, resulting in a requestor receiving another requestor's name and driver's license number. A driver's license number is personally identifiable information and, if improperly released, could result in liability for the City.

Additionally, some individuals may not have access to a driver's license or government-issued ID. Our understanding from staff is that they included the driver's license line to validate the requestor's identity to ensure they are releasing a report in accordance with statute. The statute requires redactions or not releasing certain reports depending on who is requesting it, such as a victim, juvenile's parent, etc. However, employees do not verify that the DL number provided on the form is valid. While we understand the concerns of the staff, collecting personally identifiable information that is not legally required increases the city's liability when that information is not properly handled.

Our review of other Denver metro agency forms showed that while some requested a driver's license number, others included a check box for staff that they verified an ID, and others did not have any ID requirements. Potential alternatives to asking for a DL number include using a check box that staff verified identification, (including internal procedures for verifying that identification) or adding legal language someone must sign affirming their identification and requiring a legible name. The determination of the best method for validating someone's identity should be made by APD while working closely with the City Attorney's Office.

### Multiple forms

A requestor must navigate the APD webpage to self-select which form fits their request. (See ISS.15 regarding webpage.) Using one form would simplify the process for a requestor. As noted in ISS 1, APD has not defined what information is necessary or required for a CCJRA request. Once this information is determined, APD can use that information to collaborate and develop one form that fits the needs of both units.

### Recommendation

We recommend that the Records Unit and the Open Records Coordinator collaborate with the City Attorney to develop one form that does not include collecting a driver's license number. This collaboration should include determining an effective alternative for validating the identity of requestors.

### Management Response

*Executive Officer Response:* The Public Records Detail will collaborate with the Records Unit and City Attorney's Office on the creation of a single records request form that does not require the requestor's driver's license number.

*Records and Support Services Manager Response:* Agree with this determination. We will work with the City Attorney's office to develop a single form. Identification verification will be based on statutory requirements for release and could involve varying levels.

*Estimated Implementation Date:* December 31, 2021

*Issue Owner:* Records Manager

*Issue Final Approver:* Business Services Manager

### ISS.14 - Review fees

Fees charged for reports may not be covering actual labor costs to process requests. Additionally, the fee schedule on the APD website isn't complete and does not easily reference fees to the types of requests on the request form.

Colorado Revised Statute 24-72-306 states:

(1) Criminal justice agencies **may assess reasonable fees, not to exceed actual costs**, including but not limited to personnel and equipment, for the search, retrieval, and redaction of criminal justice records requested pursuant to this part 3 and may waive fees at their discretion. In addition, criminal justice agencies may charge a fee not to exceed twenty-five cents per providing a copy, printout, or photograph of a criminal justice record in a format other than a standard page. Where fees for certified copies or other copies, printouts, or photographs of criminal justice records are specifically prescribed by law, such specific fees shall apply. Where the criminal justice agency is an agency or department of any county or **municipality, the amount of such fees shall be established by the governing body of the county or municipality in accordance with this subsection (1).**

## **(Emphasis added.)**

### Fee structure

The Records unit charges fees for reports and redaction based on the number of pages of the report, not the actual time spent reviewing or redacting the information. Other law enforcement agencies in the state charge an hourly rate for requests, and some agencies waive the first 15 minutes or hour. The use of an hourly fee may better capture the actual costs incurred by the Department. By better capturing costs, the increased revenues could contribute to the cost of increased staffing needed to process requests on time.

### Fee schedule online

APD has information on their "Get a Police Record" webpage for Record request fees. The page states: "**NOTICE:** Report Fees for 2021 can be found [here](#)."

The fee schedule does not include the hourly fees charged by the Public Records Detail. This fee information is available on the city-wide fee schedule, which is not listed or linked to on the APD website. Additionally, the records request form includes options for person contact history and CAD/dispatch notes. However, the posted fee schedule does not clearly outline these fees. Per Records, these requests are charged the same price as police offense report fees. The fee schedule posted and referenced online should include all fees and be easily understood by a customer.

### Waiving fees

The department is not consistent when fees are waived. The department waives some fees for certain victims or as a matter of customer service. The reasons for waiving fees are not documented, and it is unclear if staff waive fees consistently.

## Recommendation

We recommend that APD works with the city Service Fee Group to evaluate whether the current fee structure for Records reports covers the costs of the service provided or if an hourly fee would better cover those costs. Additionally, we recommend that APD update its online fee schedule to include all related fees including any that cover multiple areas. APD should also develop guidance for staff regarding when and how reasons fees are waived and documented.

## Management Response

*Executive Officer Response:* The Public Records Detail will collaborate with the Business Services Manager and Records Unit Manager to evaluate the current fee structure.

*Records and Support Services Manager Response:* Agree that fees and information should be easily available, understandable and a process time addition would be beneficial. The Records Management Unit will work with the City Service Fee Group on the recommendation and establish guidance on waiving fees for addition to policy.

*Estimated Implementation Date:* February 28, 2022  
*Issue Owner:* Business Services Manager  
*Issue Final Approver:* Deputy Chief of Police

## ISS.15 - Improve webpage

Aurora Police could better organize their current webpage for report requests to improve ease of use.

On the City website, the steps to navigate requesting a police record are straightforward. However, once you select "Get a Police Record," a customer must navigate through paragraphs of text. The text includes information that is unnecessary, such as a paragraph on reasons for increased turnaround times. Information should be clear and concise.

The web page includes two different sections detailing how to request records, with two separate forms. (See ISS.13 forms.) The first section references "a button below." However, the button is at the bottom of the page. Navigation buttons should be noticeable. APD could improve the website's layout by moving the buttons to the top and only including information necessary for customers to complete their requests.

The City of Denver's police records request page is easy to navigate and could be an example for APD to follow. Leading practices include designing a site for usability, including ease of use and user experience. Seeking input from community groups and frequent requestors would ensure that the updated site meets customer needs.

## Recommendation

We recommend that APD improves the layout and information on the records request page to enhance its accessibility and usefulness. In addition, the Department should consider using a survey or reaching out to community groups to identify suggested updates or changes.

## Management Response

*Executive Officer Response:* The Media Relations Detail (police webpage administrators), with collaboration from the Records Unit and Public Records Detail will review and make necessary changes to the "Get a Police Report" webpage to improve ease of use and user experience. They will seek recommendations and feedback from the department's Community Policing Advisory Team (advisory team of community members to the Chief of Police) regarding updates and changes.

*Records and Support Services Manager Response:* Agree that we want our website to be as user friendly as possible for community members to navigate.

*Estimated Implementation Date:* April 29, 2022

*Issue Owner:* Executive Officer  
*Issue Final Approver:* Deputy Chief of Police

## ISS.16 – Completion of requests

Requests for multiple records may not have been fulfilled or transferred for completion.

Our review saw several requests for multiple records. The department lacks documentation to ascertain whether a record was not available or was just not provided to a requestor. In addition, one request included items that should have been transferred from the Records Unit to the Public Records Detail. We saw no documentation that the request was forwarded.

Without documentation explaining why a record was not provided or documenting if a request was forwarded to another unit, the department may not be providing all requested materials or information. A lack of explanation may create the appearance that the department is not being transparent.

## Recommendation

We recommend APD clearly documents why a requested record is not provided and develops tracking procedures to ensure requests are forwarded to the appropriate unit when necessary.

## Management Response

*Executive Officer Response:* The Public Records Detail will establish procedures for the tracking of requests sent to other internal units for processing and production of records. The detail will also establish procedures to document the final disposition of all records requests.

*Records and Support Services Manager Response:* The Records Management Unit will add a 'transferred to' field to its intake tracking form. Clear consistent documentation was a preaudit finding in Records prompting the creation of the Records Management Unit. Agree with determination and resolution into the issue has been initiated by the Records Management Unit Supervisor.

*Estimated Implementation Date:* March 31, 2022

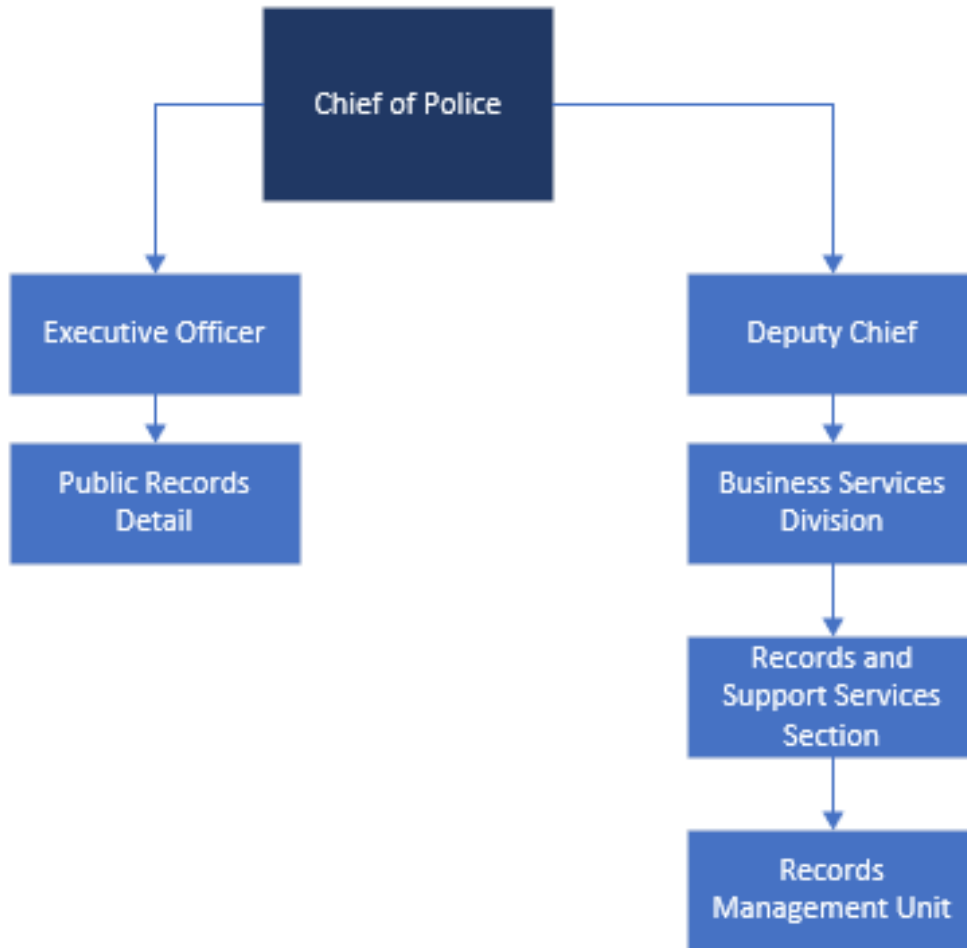
*Issue Owner:* Records Manager

*Issue Final Approver:* Business Services Manager



## Appendix

Organization chart for the Public Records Detail (Open Records Coordinator) and the Records Section.





# CITY OF AURORA

## Council Agenda Commentary

**Item Title:** Municipal Court Transcript Fees Enter item short title **NOT TO EXCEED 248 CHARACTERS**, including spaces. For character counter, highlight short title and click on word counter located at bottom-left of screen.

**Item Initiator:** Shawn Day, Presiding Judge, Aurora Municipal Court

**Staff Source/Legal Source:** Laura Hales, Executive Specialist / Angela Garcia, Senior Assistant City Attorney

**Outside Speaker:** N/A

**Council Goal:** 2012: 1.5--Maintain an unbiased, independent municipal court

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

Municipal Court Transcript Fees

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
Reason for waiver is described in the Item Details field.

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

### Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached
- Minutes Attached
- Minutes Not Available

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**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

N/A

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**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

Municipal Court Transcript Fees – Information only

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**QUESTIONS FOR COUNCIL**

N/A

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**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary.  
The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Garcia)

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**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

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**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A

MEMORANDUM

Aurora Municipal Court  
Office of the Presiding Judge



14999 E. Alameda Parkway  
Aurora, CO 80012

Phone 303-  
FAX 303-739-6532

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To: PSCCS Chairman Dustin Zvonek; PSCCS Vice Chair Danielle Jurinsky; Council Member Steve Sundberg  
From: Shawn Day, Presiding Judge  
Date: February 28, 2022  
Subject: Court Reporter Transcript Fess  
CC: Laura Hales

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Greetings PSCCS Chairman Zvonek, Madam Vice Chair Jurinsky and Council Member Sundberg,

As you may know, our Municipal Court utilizes court reporters to transcribe, prepare and maintain our Court's record. Our Court is a Constitutional Court of Record which requires all matters to be accurately recorded. With the number of serious cases our Court handles, the accuracy of the Court's record is very important. Each year, our five Court Reporters accurately transcribe over 5200 pages of testimony and other court records.


Attached please find Colorado Supreme Court Chief Justice Boatright's directive 05-03 which was dated June 9, 2021. The Chief Justice Directive sets forth the requirements of the payment of transcript fees for the State of Colorado. Specifically, Appendix A requires all State agencies, including District Attorneys and Public Defenders, to pay \$3.00 per page.

I bring this to your attention as our Court has not in the past required our City Attorneys Office nor our Public Defenders Office to pay for transcripts. I believe we need to follow the Chief Justice's directive and intend to adopt the directive by way of Judicial Order after the March 10, 2022 PSCCS meeting.

This will impact both the City Attorney Office and Public Defender Office budgets. It is projected that both offices will be required to pay approximately 2400 pages of transcripts per year. That equates to \$7200 for each office. Both the Budget Office and Human Resources Department are aware of the need for me to adopt the Chief Justice directive. By following the directive, our Court will treat the preparation and cost of transcription in a consistent manner as required by all State Courts.

I hope my intention to adopt the Chief Justice directive makes sense. I look forward to answering any questions or concerns the Committee may have at the March 10, 2022 PSCCS committee meeting.

Respectfully,

  
Shawn Day  
Presiding Judge

Attachment



**SUPREME COURT OF COLORADO  
OFFICE OF THE CHIEF JUSTICE**

**Management Plan for Court Reporting and Recording Services**

**Background**

An accurate record of all court proceedings is an essential requirement of due process of law and is required by Article VI and Article II, Section 25 of the Colorado Constitution.

This Chief Justice Directive (CJD) is adopted to promote the effective use of court reporters in the Colorado Judicial Department (Judicial Department) and is applicable to all court reporters employed by the Judicial Department (official court reporters), Judicial Department personnel, and contract court reporters or transcribers employed by the Judicial Department or under employment contract with the Judicial Department. This CJD does not apply to court reporters hired by a litigant to provide services as an independent contractor in a civil case unless explicitly stated.

The preferred method of making an accurate record of court proceedings is with the assistance of a realtime certified court reporter; therefore, all proceedings conducted before a district court judge may be reported by a court reporter in person or remotely using a stenotype machine on a “realtime” basis. In the absence of a court reporter, digital electronic sound recording equipment can record proceedings.

Pursuant to this CJD, the chief judge of each judicial district shall determine which methods of preserving court proceedings are to be used based upon current economic issues, availability of reporters, and other relevant factors.

**I. RESPONSIBILITIES OF CHIEF JUDGE**

**A. Prioritization of Reported Cases**

To the extent judicial district resources permit, cases shall be reported by official court reporters.

**B. Prioritization of Felony Cases**

When a judicial district assigns a court reporter to report a proceeding that requires the taking of testimony in a class one or two felony case, the court reporter shall be at a minimum a Registered Professional Reporter (RPR) if an RPR certified reporter is available. Judicial districts without an RPR court reporter shall contact the State Court Administrator’s Office (SCAO) for assistance.

**C. Prioritization of Death Penalty Cases**

In a death penalty case, a realtime certified reporter shall be used and the reporter shall be, at minimum, RPR certified. If reasonable attempts to locate or appoint an RPR and realtime certified reporter have been made without success, judicial districts shall contact SCAO for assistance. Should realtime equipment failures or personnel emergencies occur, other court reporting methods may be used in extreme circumstances for the shortest amount of time possible.

**D. Supervision of Court Reporters**

The chief judge is ultimately responsible for the administration of any court reporting services in her or his judicial district as well as the timeliness of the production of transcripts whether on appeal or for other purposes. This responsibility may be delegated at the discretion of the chief judge.

1. All official court reporters shall be under the direction and management of the chief judge of the judicial district. Some of the functions assigned to the chief judge may be delegated, but the chief judge has the ultimate authority and responsibility for the supervision of official court reporters and the implementation and enforcement of this CJD.
2. The chief judge shall ensure that all judges provide court reporters regularly scheduled breaks during the workday.
3. The chief judge shall have the sole authority to assign or reassign official court reporters to courtrooms as necessary and appropriate in his or her discretion. The chief judge has the discretion to delegate this responsibility to a manager, managing court reporter, court executive or scheduling clerk.
4. The chief judge shall have the authority to hire and designate court reporters (including contract staff). The chief judge shall have the sole authority to reassign, correct, discipline or terminate official court reporters.
5. The chief judge shall be the ultimate supervisor of the judicial district's managing court reporter, if appointed. The duty to supervise the judicial district's managing court reporter may be delegated, in part, by the chief judge. The person supervising the managing court reporter shall have the following duties and may delegate these duties to the managing court reporter including but not limited to the following:
  - a. Investigating complaints of improper state-paid transcript billings. All court reporters/transcribers must take necessary measures to ensure that authorized transcript rates are charged. (See Appendix A for rates and Appendix C for information required to be included on all billings.)
  - b. Monitoring the timeliness of the transcription of the record, or such parts thereof as a judge, party or attorney may request. This applies to the transcript being prepared by a court reporter, transcriber, or outside firm preparing transcripts on behalf of the court.
  - c. Monitoring transcripts produced by transcription services to ensure compliance with the transcript format and fee requirements of this CJD or applicable contract.
  - d. Preserving the audio records (tape, digital or other electronic), court reporter transcripts and court reporter notes according to the current Judicial Department Retention and Disposition Schedules.

**E. Managing Court Reporter**

1. Each judicial district with two or more official court reporters may have a managing court reporter selected in a manner designated by the chief judge.

2. The managing court reporter, or other individual(s) designated by the chief judge if the judicial district does not have a managing court reporter, shall have the following duties in addition to any duties delegated in I.D.5:
  - a. Assigning and reassigning official court reporters within the judicial district for the purpose of distributing fairly and equitably the workload and transcript preparation of all court reporting services and transcribers, with goals of minimizing travel, ensuring timely transcript preparation and ensuring the lowest overall cost to the Judicial Department and State of Colorado.
  - b. Developing a form to monitor and keep a record of transcript orders and requests and, if necessary, tape and/or digital recording orders and requests made in district court. In larger judicial districts this portion of the workload may be distributed among the managing court reporter and other administrative staff.
  - c. Coordinating any transcript requests involving court reporters who no longer work for the Judicial Department or work in another judicial district.
  - d. Maintaining certification records for all official court reporters within a judicial district.
  - e. Coordinating contract court reporters. (Note: Official court reporters may not hire substitute reporters at their own expense. The court executive or designee must hire all contract court reporters that are at the state's expense.)
  - f. Monitoring all transcript requests, including appellate, and providing a status report to the chief judge or designee as requested.

**F. Grand Jury**

The costs associated with providing a court reporter for grand jury proceedings including transcript fees shall be the responsibility of the judicial district and shall be billed to the applicable Judicial Department accounting codes for grand jury expenses.

**II. OFFICIAL COURT REPORTER RESPONSIBILITIES**

**A. RPR Certification**

1. All official court reporters hired shall be RPR certified unless the judicial district is unable to hire an acceptable certified reporter within three months of posting the position. If the judicial district hires a non-certified reporter, that reporter must become RPR certified within two years of hire. Non-certified reporters may be used on a case-by-case basis if certified reporters are not available.
2. Official court reporters, including Colorado Certified Shorthand Reporters (CSRs), who do not have RPR certification as described in II.A.1. of this CJD must apply for waiver to certification once per year with the SCAO. For waivers to be approved, the court reporter must demonstrate at least two testing attempts per year to maintain employment.
3. Official court reporters who are uncertified will be placed on a performance plan to assist the reporter in obtaining certification and must take the RPR certification exam



- at least twice per year until certification is obtained.
4. Failure to obtain or maintain RPR certification may be grounds for corrective or disciplinary action in accordance with the Colorado Judicial System Personnel Rules.
  5. Contract court reporters are not required to submit a waiver of RPR Certification.

**B. Realtime Certification**

1. All official court reporters must attain official status as a Colorado Certified Realtime Reporter by meeting one of the following requirements by passing the:
  - a. NCRA Certified Realtime Reporter (CRR) test with 96 percent accuracy; or
  - b. NCRA CRR test with 94 percent accuracy (the Colorado standard); or
  - c. NCRA Certified Realtime Captioner (CRC) skills test with 96 percent accuracy; or
  - d. NCRA CRC skills test with 94 percent accuracy (the Colorado standard); or
  - e. Federal Certified Realtime Reporter (FCRR) test with 96 percent accuracy
  - f. FCRR test with 94 percent accuracy (the Colorado standard); or
  - g. Colorado Realtime Certified Reporter (CRCR) test with 96 percent accuracy; or
  - h. CRCR test with 94 percent accuracy (the Colorado standard).
2. Current official court reporters who do not have realtime certification as described in II.B.1. of this CJD must apply for waiver to certification once per year with the SCAO. In order for waivers to be approved, the court reporter must demonstrate at least two testing attempts per year to maintain employment.
3. Failure to obtain or maintain Colorado Certified Realtime Reporter certification may be grounds for corrective or disciplinary action in accordance with the Colorado Judicial System Personnel Rules.
4. Contract court reporters are not required to submit a waiver if they do not have Realtime Certification.

**C. Continuing Education**

All official court reporters must complete thirty hours of continuing education units (CEUs) every three years.

**D. Conduct of Court Reporter**

1. The court reporter shall present himself or herself to the assigned judge in accordance with the assignment made by the chief judge or designee.
2. The reporter shall observe, comply with, and be bound by all of the assigned judge's instructions in matters affecting the composition of the record, the marking of exhibits and maintenance of the evidence, the public or private nature of the proceeding, the adjournment of the proceeding to other times or places, and other like matters. The reporter shall maintain an appropriate demeanor.

3. The court reporter shall report by appropriate equipment all of the proceedings that (s)he attends.
4. The court reporter shall take all the testimony, rulings, exceptions, oral instructions, and other proceedings during any case, as the assigned judge may designate.
5. The court reporter is not required to report or transcribe WAV files or other audio or video recordings submitted or presented as part of the record.

**E. Records to be Maintained by Official Court Reporters**

1. In order to permit the routine audit and inspection of records, official court reporters shall maintain accurate, legible, and up-to-date records of their transcript requests, payment information including invoices, and affidavits for extension of time on any transcript.

**III. STAFF OPERATING FTR RESPONSIBILITIES**

**A. Conduct of FTR Operator**

1. Staff shall present himself or herself to the assigned judge in accordance with the assignment made by the chief judge or designee.
2. Staff shall observe, comply with, and be bound by all of the assigned judge's instructions in matters affecting the composition of the record, the marking of exhibits and maintenance of the evidence, the public or private nature of the proceeding, the adjournment of the proceeding to other times or places, and other like matters. The staff person shall maintain an appropriate demeanor.
3. Staff shall record, with appropriate equipment, all of the proceedings that (s)he attends.
4. Staff shall record all the testimony, rulings, exceptions, oral instructions, and other proceedings during any case, as the assigned judge may designate.

**B. Records to be Maintained by Judicial Districts**

1. In order to permit the routine audit and inspection of records, judicial districts shall maintain accurate, legible, and up-to-date records of their transcript orders, invoices, transcript payments, expenses and attendance in court.

**IV. COURT REPORTERS HIRED BY LITIGANTS IN CIVIL CASES**

**A. Scope**

Court reporters hired by a party in a civil case are not Judicial Department employees. Such individuals may provide services through a company or individually to party(ies) in a civil case.

**B. Hiring and Per Page Rates**

The party(ies) are responsible for the court reporter's page rate and for paying any associated fees based on the negotiated page rate. The court will not set the court reporter's page rate for parties in

civil cases.

**C. Official File**

The court may, but is not required to, order the privately hired court reporter's notes and subsequent transcript to serve as the official record of the court in place of an electronic record in which event the court reporter's notes and dictionary will become the property of the Judicial Department.

**D. Objections to Creation of the Official Record**

If a party objects to the creation of the official record or per page rate negotiated, the court reporter's notes shall not serve as the official record. The objecting party shall make such objections at least seven working days prior to the commencement of the proceeding, at which time the court shall determine the method for preserving the official record.

**E. Rates for the Court**

Transcripts ordered by the court from a privately retained court reporter will be paid for by the Judicial Department and are subject to Appendix A regardless of rates negotiated between the parties.

**V. TRANSCRIPTS**

**A. Persons Authorized to Prepare Transcripts from Electronic Recordings**

1. Official court reporters and contract transcript service companies may prepare transcripts, as determined by each judicial district policy.
2. If a judicial district enters into an agreement with a transcript service company, such contract must be in the format prescribed by the SCAO.
3. Non-court reporter Judicial Department employees shall not be allowed to transcribe court transcripts outside working hours unless the employee is a member of an independent contracting company that has been selected by the judicial district to prepare transcripts. This is in compliance with the requirements of the Fair Labor Standards Act, PERA rules, and IRS regulations regarding the issuance of a 1099 and W-2 to the same employee.
4. If non-court reporter Judicial Department employees prepare transcripts from electronic recordings during established working hours, this task shall be included in the individual's normal work assignment and compensation and such individual shall not be paid the per page rate C.R.S. §13-5-128.

**B. Hourly or Daily Transcripts**

If any person desires hourly or daily transcripts, (s)he must seek a court order requiring preparation of such transcripts.

**C. Unedited Transcripts**

The use of an unedited transcript as a working document shall be permitted if allowed and

approved by the trial judge and the court reporter. Such transcript shall not be the official record of the court unless so certified by the court reporter. The rate for the unedited transcript shall be according to Appendix A. Unedited transcripts shall include the Uncertified Transcript Disclaimer in Appendix G.

**D. Ordering of Transcripts and Copies of Electronic Recordings**

Each judicial district shall determine and post on the Judicial Department website a policy that outlines the procedures for that judicial district for ordering of transcripts or copies of electronic recordings of proceedings (if available).

1. Transcripts may be ordered from the court following this procedure:
  - a. The requesting party shall use the request forms for transcript of a hearing or trial approved by the SCAO. Blank forms can be procured from the clerk of the court or court executive as set forth by each judicial district or from the court's website. The completed form shall be sent to the address listed on the form for the appropriate judicial district.
  - b. Upon receipt of the request, the official court reporter or transcriber shall contact the requestor. Transcripts will not be started, and the time limits stated for delivery of transcripts will not commence, until satisfactory arrangements are made for payment of required costs. If the transcripts are to be paid at state expense, the authority for this payment shall be set forth by written order of court or as set forth in this Chief Justice Directive. The requestor also must obtain, and the reporter or transcriber must produce, a dated receipt for the payment.
2. Judicial districts may sell a whole or partial electronic copy of the proceeding if available to the public at the prevailing rate prescribed by this CJD. The rate shall be that rate in effect at the time of ordering.
  - a. Orders for copies shall be submitted to the court on the request forms for copies of electronic recordings approved by the SCAO. Blank forms can be obtained from the clerk of the court or court executive as set forth by each judicial district or from the court's website. The completed form shall be sent to the address that is listed on the form for the appropriate judicial district.
  - b. Copies of electronic recordings of proceedings shall not be used as the official record for purposes of appeal, motions or other court proceedings. Only certified transcripts by reporters or authorized transcribers pursuant to this CJD shall be used as the official records of court proceedings.
  - c. In those judicial districts that do not provide this service, parties shall request a transcript using the procedure outlined in V.D.1. above.
3. Judicial districts shall not accommodate requests to listen to recorded proceedings.

**E. Standards for the Production of Transcripts**

The following standards apply to the production of all transcripts for Colorado state courts:

1. All transcripts shall be produced in the format required by Appendix B.
2. Each invoice must include a certification that it is in compliance with the requirements of Appendix C.
3. When an audio or video file was played as part of the record in proceedings with a court reporter or an electronic recording, the played portion of the proceeding is not required to be transcribed.

**F. Time Limits for Delivery of Transcripts**

1. Original transcripts ordered by judicial officers shall be provided to the judicial officer within the time prescribed by the order unless an extension is sought and approved by the requesting judicial officer.
2. All transcripts of official proceedings prepared for the purpose of appeal shall be delivered to the ordering party, if a copy is requested, and the original filed with the clerk of court within the prescribed time limits of the Colorado Rules of Appellate Procedure.
3. Extension of time for appellate transcripts must be sought from the appellate court pursuant to the applicable rule.
4. The chief judge or designee shall be advised in writing by the official court reporter or transcriber at any time the official court reporter or transcriber requests an extension of time on any transcript.

**G. Distribution of Transcripts**

1. The official court reporter or transcriber shall provide the transcript in PDF or other word-searchable read-only format to the party requesting the transcript. Replacement copies shall be made available in accordance with the fee structure below for both state-paid and private-paid requests. The intent of this provision is for only one state agency listed in VI.C.1 to pay for the transcript. If the state agency requests the first copy, copy costs for private parties shall be in accordance with Appendix A.
2. Any requests for transcripts from persons or entities who are not parties to the case must be forwarded to the court executive or chief judge prior to the court reporter agreeing to furnish a copy.
3. An electronic PDF or other word-searchable read-only format version of any final transcripts prepared in all cases by any court reporter or transcriber shall be submitted to the court upon completion following the judicial district policy.
4. Appellate Transcripts:
  - a. All transcripts in appellate cases shall be prepared as read-only PDF documents for submission to the court hearing the appeal.
  - b. All appellate transcripts shall be delivered to the trial court appeal clerk at least one business day prior to the date the record is due in the appellate court.

**VI. COMPENSATION**

**A. Total Compensation**

1. The total compensation package offered to court reporters shall be established in accordance with the Colorado Judicial System Personnel Rules and Annual Compensation Plan.
2. Time off for the completion of continuing education requirements shall be at the administrative authority's discretion.
3. When determining the total compensation package of court reporters, consideration shall also be made for expenditures incurred by court reporters on equipment, software, and employment of scopists and proofreaders used during the course of business conducted for the state.
4. Official court reporters may be eligible for promotional increases for obtaining certification under the following conditions:
  - a. In instances where the difference in compensation midpoint between the official court reporter's current job class and the job class the official court reporter will promote to is more than 5%, the official court reporter may receive a promotional increase for attaining the certification in accordance with the Colorado Judicial System Personnel Rules.
  - b. In instances where the difference in the compensation midpoint between the official court reporter's current job class and the job class the official court reporter will promote to is less than 5%, a 4% pay increase may be given for attaining certification.

**B. Transcripts requested by Judicial Department Officers**

1. Official court reporters and other Judicial Department employees who prepare transcripts as part of their regular duties shall provide transcripts at no cost if requested by and used only by judicial officers.
2. Court reporters and transcribers who are not Judicial Department employees shall be compensated at the state-paid transcript rate to prepare a transcript requested by and used only by the judge or magistrate who presided over the matter or the chief judge. The judicial district shall be responsible for payment for the transcript if not paid by the parties in a civil case as described in Section IV above.

**C. State-Paid Transcripts**

1. State-paid transcripts are all transcripts requested by judicial officers, the district attorney, public defender, the Office of the Child's Representative and its contract attorneys, pro se indigent criminal defendants or advisory counsel representing an indigent criminal defendant, the Attorney General's Office, the Office of the Alternate Defense Counsel and its contract attorneys, and the Office of Respondent Parents' Counsel and its contract attorneys.
2. Official court reporters and other Judicial Department employees who prepare transcripts as part of their regular duties shall be allowed to prepare state-paid

transcripts during work hours.

3. Copy costs for state-paid transcripts are eliminated and the original per page cost applies in accordance with Appendix A of this CJD. The court reporter shall provide a state-purchased disk or may email a PDF or other word-searchable read-only version of the transcript to an attorney or party requesting a copy of a transcript.

**D. Private-Paid Transcripts**

1. Private-paid transcripts are transcripts requested by all parties, attorneys, media and entities, including the public, not listed in VI.C.1. above.
2. Official court reporters and other Judicial Department employees who prepare transcripts shall not use state time, equipment, supplies or copiers to prepare private-paid transcripts; except that an official court reporter may prepare private-paid transcripts during regular working hours in the following circumstances:
  - a. Criminal transcripts requested by non-state paid attorneys
  - b. Juvenile court transcripts requested by non-state paid attorneys
  - c. Transcripts prepared for cases on appeal
  - d. Transcripts of an oral ruling of a trial court, ordered by a party for the preparation of the written order at the direction of the judicial officer.
3. The original per page rate and copy rates are applied as defined in Appendix A.
4. Official court reporters shall delineate the fees for originals and copies separately in all transcript invoices.

**E. Non-Appellate Transcripts**

The full price may be charged only if the court reporter or transcriber delivers the transcript within the time frame agreed upon, including any extensions that have been authorized by the chief judge or designee.

**F. Appellate Transcripts**

1. In accordance with C.R.S. §13-5-128, the official court reporter shall be compensated for transcription of their stenographic notes, providing the original and copies of the same pursuant to the guidelines and rates delineated in this directive.
2. The full price may be charged only if the transcript is delivered within the time frame as set forth in Appendix A or within the time allowed by a timely extension granted for good cause pursuant to Colorado Rules of Appellate Procedure (C.A.R.) 10(c)(2).
  - a. The appellate court may extend the due date for a transcript and order the reduced rate if the “good cause” requirement is not met. (See Appendix A for computation of transcript delivery dates and reductions in per page rates for late transcripts.)
3. If designated, transcripts of sealed proceedings can be prepared for cases on appeal and provided to court staff, at either the trial court or appellate court, without a court order.

Transcripts of sealed proceedings shall not be provided to parties without a court order.

## **VII. OWNERSHIP, CUSTODY, USE, RETENTION AND FILING OF THE NOTES AND ELECTRONIC RECORDINGS**

### **A. Official Court Reporter Notes**

1. The notes of all official court reporters who report Judicial Department proceedings:
  - a. Shall remain property of the Judicial Department controlled by the chief judge or designee to ensure transcripts may be prepared by another transcriber, if and when necessary;
  - b. Shall be retained by the appropriate court for a period prescribed by the Judicial Department Retention and Disposition Schedules and stored in accordance with the judicial district's local policy; and
  - c. Are not court records that are subject to disclosure pursuant to CJD 05-01.
2. The work of all court reporters shall be readable, in a state that can be transcribed.
3. Each official court reporter employed by the Judicial Department shall be required to sign Appendix E.
4. During the period of retention, paper or electronic notes shall be made available to the reporter of record, or to any other reporter or person the chief judge may designate.

### **B. Former Official Court Reporters**

1. An official court reporter leaving Judicial Department employment in good standing shall be given a right of first refusal regarding preparation of any outstanding transcripts on the reporter's previous cases so long as:
  - a. The court reporter provides the judicial district with the reporter's address, phone number and other contact information and keeps that information current with the court executive, managing court reporter (if available) and chief judge, and
  - b. The court reporter does not have any outstanding appeal transcripts beyond the 126 days allotted time frame.
2. The court reporter has 14 days to respond to the request agreeing to prepare the transcript. The managing court reporter may allow for more time at their discretion.
3. If a court reporter is no longer a full-time, part-time or contract employee of the Judicial Department, or has not provided Judicial Department with current contact information, individuals may obtain copies of previously prepared transcripts in the Judicial Department's possession at the rate set forth in the Judicial Department Fiscal Rules by contacting the judicial district's court executive or designee.

## **VIII. TRANSCRIPT BACKLOGS**

The chief judge or designee is authorized to take necessary steps to reduce backlog. Such steps may include, but are not necessarily limited to, the following:

- A. Adjusting the workload of the court reporter or transcriber to reduce backlogs.
- B. If permissible under the terms of the contract, terminating a contract with an outside vendor of



Chief Justice Directive 05-03  
Amended July 2015  
Amended March 2017  
Amended November 2017  
Amended January 2018  
Amended June 2021

transcription services and/or adding contract vendors of transcription services.

CJD 05-03 is amended and adopted effective June 9, 2021.

/s/  
Brian D. Boatright, Chief Justice

**APPENDIX A**

Below are transcript fee rates for the preparation and transcription of court proceedings. Additionally, in accordance with VI.F of this CJD, and pursuant to C.R.S. §13-5-128, the court reporter of a court of record shall be compensated for preparation of the original and copies of the transcript of notes at such rates described in this policy.

	Original Per Page	Copy to State Agency per Page**	Copy to Non-State Agency Party per Page	Each Add'l Copy to Non-State Agency Party or Non-Party Per Page
<b>State-paid Ordinary Transcript</b>	\$3.00	\$0.00	\$0.75	\$0.75
<b>Private-paid Ordinary Transcript (Private paid original) (within 30 days calendar days, or as agreed upon by the requesting party and transcriber)</b>	\$3.00	\$0.75	\$0.75	
<b>Expedited Transcript (under 14 within 10 calendar days)</b>	\$3.75	\$0.00	\$0.75	\$0.75
<b>Daily Transcript (Prior to normal opening of court the following day)</b>	\$5.25	\$0.00	\$1.00	\$1.00
<b>Unedited Transcript (Rough draft, unedited, non-certified)</b>	\$0.75 per page per agency. If ordered by two agencies, limit \$1.25 per page by charging second agency \$0.50	\$0.00	\$1.25	\$1.25
<b>Hourly</b>	\$6.25	\$1.25	\$1.25	\$1.25

\*\*State agency as defined in VI.C.1. (excluding judicial officers).

**REPLACEMENT OR ADDITIONAL CD'S OF TRANSCRIPTS (Applies to transcripts prepared by a court reporter where the per page costs have already been paid in accordance with the fee structure above.) \$35**

**REDUCED RATES**

Reduced rates for late delivery to the appellate court may apply. If submitted on time or within two approved extensions, the transcript shall be billed at the ordinary rate. If a third extension is

requested by the court reporter, the transcript is to be billed at 90% of the ordinary rate; if a fourth extension is requested, the transcript is to be billed at 75% of the ordinary rate; if a fifth extension is requested, the transcript is to be billed at 50% of the ordinary rate.

A transcript ordered on an “expedited” basis shall be billed at the “ordinary” rate if not delivered within 10 days.

The above rates are applicable to each page of transcript, excluding the certification page, which must be at the end of each volume of transcript.

### **DEFINITIONS OF METHOD OF TRANSCRIPTION**

**ORDINARY:** Appellate transcripts shall be delivered within time prescribed by C.A.R. 10(c)(2). Any other transcripts shall be prepared within 30 days from the date when the requesting party and the reporter agree on arrangements for the transcript or a mutually agreed upon time frame outside the 30 days that is reasonable and meets the needs of the requesting party.

**EXPEDITED:** Transcript to be delivered within 10 days from the date when the requesting party and the reporter agree on arrangements for the transcript. When transcripts are delivered on or after the 11th day after the arrangements for the transcript, the ordinary transcript rates shall apply.

**DAILY:** Transcript to be delivered following adjournment and prior to normal opening hour of court on following morning whether or not it is a court workday.

**HOURLY:** Transcript, ordered under unusual circumstances, to be delivered within 2 hours of adjournment.

**UNEDITED:** Daily rough draft, unedited, non-certified transcript, which is not an official transcript.

**PARTIAL:** If the appellate court has previously received a partial transcript and the entire transcript is later ordered the reporter must put the entire transcript in sequential order in one document before it is sent to the appellate court.

## Appendix B

### STANDARDS FOR TRANSCRIPT PREPARATION

The standards for transcript preparation by all court reporters and transcriptionists, including court reporters hired by litigants in civil cases, are:

**Paper:**

**Size-**Standard letter size, 8 ½ x 11

**Weight-** Not less than 13#

Paper shall be line numbered, 1 to 25, with no fewer than 25 typed lines

**Type size-** No fewer than nine or ten characters to the typed inch

**Ink color-** black

**Margins:**

- a) Typed margins shall start one inch from the top and no more than one and three-quarters inches from the left of the page. A justified left margin is used throughout.
- b) The right margin shall be no more than three-eighths inch.
- c) The lower margin will be set by line 25.

**Binding:** Transcripts shall be bound at the left. Binding shall be in daily volumes, approximately one inch thick.

**Title pages:** Prepare in accordance with attached sample, using plain language.

**Page numbering:** Official page numbering for transcripts shall be at the upper right, above line 1. Reporters shall ensure that page numbering is consecutive within each volume. If more than one volume is required, the reporter may number all volumes under a consecutive number sequence, or may begin each volume with page 1. Since citations will be by volume, page number, and line number, the beginning number for each volume is no longer critical.

**Parenthetical and exhibit markings:** Begin no more than 15 spaces from the left-hand margin, with carry-over line to begin not more than 15 spaces from the left-hand margin.

**Quoted material:** Begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 10 spaces from the left-hand margin.

**Colloquy material:** Begin no more than fifteen spaces from the left-hand margin, with carry-over colloquy to the left-hand margin.

**Question and Answer:** Each question and answer to begin on a separate line. Each question and answer to begin no more than five spaces from the left-hand margin with no more than five spaces from the Q and A to the text. Carry-over Q and A lines to begin at the left-hand margin.

**Electronic:** Electronic transcripts standards adopted by the appellate courts pursuant to C.A.R. 10 apply.

All appellate transcripts shall be delivered to the trial court appeal clerk at least one business day prior to the date the record is due in the appellate court.

**Certification:** The transcriber designated to transcribe the proceedings recorded by electronic sound recording shall the following certification in the transcript:

"I (we) certify that the foregoing transcript from the electronic sound recording from the proceedings is in compliance with Chief Justice Directive 05-03." [Signature of transcriber and date].

**SAMPLE**

1  
2 DISTRICT COURT  
3 BOULDER COUNTY  
4 COLORADO  
5 1777-6th Street  
6 Boulder, CO 80306  
7  
8 Petitioner,  
9 and  
10 Respondent,  
11  
12 \*FOR COURT USE ONLY\*  
13 Case No. \_\_\_\_\_  
14 Division 2  
15  
16 For Petitioner:  
17  
18 For Respondent:  
19  
20  
21  
22  
23  
24  
25

16 The matter came on for hearing on \_\_\_\_\_, before the HONORABLE Judge's  
17 Full Name, Judge of the District Court, and the following proceedings were had.

18 \_\_\_\_\_  
19 (Recorded and Transcribed)

## **APPENDIX C**

### **INFORMATION REQUIRED TO BE INCLUDED ON ALL INVOICES**

- 1. Name of Client (Actual person ordering and paying for transcript)**
- 2. Date Ordered**
- 3. Date Delivered**
- 4. Case Name and Number**
- 5. Number of Pages**
- 6. Number of Copies**
- 7. Type of Delivery Schedule**
- 8. Discount**
- 9. Refunds**
- 10. Total Due**
- 11. Certification of Reporter or Transcription Firm of Compliance with Fee and Transcript Format Prescribed by CJD**

## APPENDIX D

### COMPUTATION OF TRANSCRIPT DELIVERY DATES

Transcripts delivery dates are computed from:

- a. The date on which satisfactory financial arrangements for payment are made, except for transcripts to be paid for by the State of Colorado or free copies ordered by a judicial officer;
- b. The date on which the appropriate Transcript Order is received by the reporter/transcriber when the transcript is to be paid for by the State of Colorado;
- c. The date on which the court order is provided to the reporter/transcriber when a judicial officer has ordered a transcript.



**APPENDIX E**  
**COURT REPORTER ACKNOWLEDGMENT**  
**(Concerning Stenographic and Electronic Notes)**

\_\_\_\_\_ Judicial District

I acknowledge that all stenographic and electronic notes produced by me during the time I am employed by the Colorado Judicial Department are the property of the Colorado Judicial Department.

I will regularly back up all electronic notes. If I produce paper notes, I will maintain them in a secure location and in an organized fashion according to local policy.

Should I leave the employment of the Colorado Judicial Department, I will ensure that all the electronic notes for the cases I have reported while a state employee are properly lodged on the server or that I have provided a backup copy on CD. I also will ensure that a current copy of my dictionary is on the server, with a backup copy on CD, and that all docket sheets are current as required by local policy. I will provide verification of same to the chief judge, court executive and managing court reporter.

I understand that I will be given first right of refusal regarding preparation of any transcripts on those cases I have reported so long as I provide the judicial district with my address, phone number and other contact information and keep that information current with the court executive, managing court reporter (if available) and chief judge, and provided I do not have any outstanding appeal transcripts beyond the 126 days allotted timeframe. If no longer employed by the Colorado Judicial Department, I understand I will be given first right of refusal if I left my employment in good standing.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Official Court Reporter

## **APPENDIX F**

### **OFFICIAL COURT REPORTER TOTAL COMPENSATION**

The compensation package for official court reporters in the Judicial Department is based upon two components: salary paid by the Judicial Department and income generated from the production of transcripts. Transcription preparation is part of the official court reporters' essential functions upon which they are annually evaluated. This method of payment adequately compensates official court reporters for their status as professionals and also takes into consideration the costs borne by official court reporters. Official court reporters provide their own computerized equipment and Realtime software to produce the record owned by the Judicial Department and simultaneously provide the instantaneous (Realtime) feed for the immediate use and benefit of court and counsel. Upon request, official court reporters are then responsible for transcribing their stenographic and electronic notes on their own equipment to produce the final transcript, which is provided to the court at no cost. Official court reporters, as a result, incur additional costs in order to ensure accurate and timely transcripts by employing support staff (i.e. scopists and proofreaders).

As professionals, the official court reporters are also required at their own expense to obtain and maintain Judicial Department mandated certifications, which require membership in professional organizations and yearly continuing education credits. By providing this compensation package, the Judicial Department reaps the benefit of state-of-the art advances in computer technology, but limits the burden on the state budget, relying instead on the per page rate (see Appendix A) paid in part by private parties.

Requiring reduced fees for non-Judicial Department state agencies (reduced by the elimination of the cost of copies for certain state agencies) serves to control and limit the transcript requests for nonessential proceedings. This method of payment also creates a built-in incentive for the timely preparation of transcripts and prevents unnecessary backlogs in our appellate courts while at the same time attracts and maintains qualified employees within our state. Realtime court reporting also complies with ADA requirements, when requested.

Court reporters must own and maintain their court reporting equipment, including hardware and software.

## APPENDIX G

1                   UNCERTIFIED TRANSCRIPT DISCLAIMER

2           The following transcript(s) of proceedings, or any  
3 portion thereof, is being delivered *UNEDITED AND*  
4 *UNCERTIFIED* by the official court reporter at the request  
5 of the ordering party.

6           The purchaser agrees not to distribute this  
7 uncertified and unedited transcript in any form (written or  
8 electronic). This is an unofficial transcript, which  
9 shall NOT be relied upon for purposes of verbatim citation  
10 of proceedings and shall not be filed as an attachment to  
11 any court pleadings. The judge in this case will be  
12 provided a copy of an uncertified and unedited transcript.

13          This transcript has not been checked, proofread, or  
14 corrected. It is a draft transcript, NOT a certified  
15 transcript. As such, it may contain computer-generated  
16 mistranslations of stenotype code or electronic.  
17 transmission errors, resulting in inaccurate or nonsensical  
18 word combinations, or untranslated stenotype symbols which  
19 cannot be deciphered by non-stenotypists. Corrections will  
20 be made in the preparation of the certified transcript  
21 resulting in differences in content, page and line numbers,  
22 punctuation, and formatting.

23          This realtime uncertified and unedited transcript

24 contains no appearance page, certificate page, index, or  
25 certification.





# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Consent Decree Monitor Intrduction and Overview
<b>Item Initiator:</b> Jason Batchelor, Deputy City Manager
<b>Staff Source/Legal Source:</b> Jason Batchelor, Deputy City Manager / Peter Schulte, Manager of Client Svcs City Attorney
<b>Outside Speaker:</b> Jeff Schlanger, Lead Monitor / Erin Plinyak, Deputy Monitor
<b>Council Goal:</b> 2012: 1.0--Assure a safe community for people

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Staff Source/Legal Source: Jason Batchelor, Deputy City Manager / Peter Schulte, Manager of Client Svcs City Attorney

Outside Speaker: Jeff Schlanger, Lead Monitor-IntegrAssure / Erin Plinyak, Deputy Monitor-IntefrAssure 5/15 mins.

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### PREVIOUS ACTIONS OR REVIEWS:

---

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

---

**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

Consent Decree Monitor Introduction and Brief Overview

---

**QUESTIONS FOR COUNCIL**

N/A

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**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary. The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Schulte)

---

**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Aurora Fire and Aurora Police Joint Training
<b>Item Initiator:</b> Mark Hays, Commander
<b>Staff Source/Legal Source:</b> Mark Hays, Commander/ Angela Garcia, Senior Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Mark Hay, Commander/ Angela Garcia, Serior Assistant City Attorney  
Estimated time: 15 minutes

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A



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**Policy Committee Date:** N/A

**Action Taken/Follow-up: (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)**

N/A

---

**ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)**

This is a brief overview of AFR/APD joint training.

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**QUESTIONS FOR COUNCIL**

Information Only

---

**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary.

The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Garcia)

---

**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



# AURORA FIRE & AURORA POLICE JOINT TRAINING

Presented by  
Commander Mark W. Hays



# Background/History

- Separate training facilities existed for AFR and APD historically
- Identified a need to better integrate our departments within the City
- Built CAPSTC – City of Aurora Public Safety Training Center
- 23 Acres
- 43,366 sq. ft. facility
- Opened in 2016



# Background



CAPSTC Facility – 25950 E. Quincy Ave.



# Background

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Interior Hall



Drill Ground and Training Props

# Background



Six Large Classroom Spaces



# Background

- Joint Command Staff Meeting
  - Former Police Chief Nick Metz and Fire Chief Fernando Gray established a quarterly meeting in 2018
    - Purpose was to establish and identify opportunities for shared resources and training needs
  
- CAPSTC Leadership
  - Aurora Fire Rescue – Commander Mark W. Hays
  - Aurora Police – Lieutenant Justin Shipley



# Challenges

- Integrating joint training into a very limited availability AFR Training Calendar
- Limited training space at CAPSTC
- Build a Plan
  - What is needed?
  - What is possible?
- How to develop and schedule two (2) large-scale training scenarios annually





# Goals

- Develop two (2) large-scale training scenarios annually

Training scenarios that include:

- As close to 100% of AFR members as possible
- As close to 100% of APD members as possible
- As close to 100% of SWAT members as possible
- Include Aurora 911 (Dispatch center and dispatchers)
- Include Falck Ambulance as much as they are able
- Community volunteers (victims)



# Example-Proof of Concept

- 2021
  - CAPSTC training staff conducted and completed a comprehensive Active Shooter Hostile Event Response (ASHER) Training





# 2021 Active Shooter Hostile Event Response (ASHER) Training





# 2021 Active Shooter Hostile Event Response (ASHER) Training



# Next Steps: Action Items

- Using last year's ASHER training as a template, develop two trainings per year
- Get trainings scheduled on the calendar for both organizations



# Questions



Thank you