



## Public Safety, Courts and Civil Service Committee

February 9, 2023

### Members Present

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

### Others Present

J. Batchelor, P. Schulte, A. Botham, Y. Emeson, M. Bryant, M. Brown, T. Graham, M. Hanifin, A. Robnett, M. Wasserburger, E. Wittman, M. Hildebrand, M. Crawford, J. Lanigan, C. Atkinson, J. Heckman, M. Mocerri, J. Schneebeck, M. Nelson, K. Stafford, R. Pena, C. Bennett, M. Platt, A. Garcia, B. Joyce, T. Buneta, C. Delena, S. Newman, E. Rehwalt, C. Tassin, M. Sears, C. Juul, J. DeHerrera, E. Knight, D. Shawn, J. Schlanger, E. Pilnyak, A. Dickens, J. Lutkin, D. Pendleton

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### 1. Call to Order

Meeting called to order at 9:00 a.m.

CM Jurinsky: All right, good morning everyone. It is 9 a.m. So I'm going to call this meeting to order, thank you all for being here this morning in person.

### 2. Approval of Minutes

January 12, 2023 Minutes

CM Jurinsky: Item number 2, Approval of the Minutes from January 12th. Do my colleagues have any changes or do they wish to approve the minutes? Will approve the minutes. Item 3 for Consent.

### 3. Consent Items

CM Jurinsky: I would like to pull item 3.a and Council Member Zvonek would like to call item 3.a, So, I would like -- I'm sorry, 3.e, so we can go ahead and approve b, c, and d forward.

#### 3.a Police Attrition Update (February)

Summary:

J. Batchelor: So, for 3.a, John, we have --?

J. Schneebeck: Yes, sir?

J. Batchelor: All right. You want a presentation, or you want to ask a question?

CM Jurinsky: I would just like to see where we're at, what our upcoming numbers are for the academies, what are we looking at as far as laterals, how many applications are we getting in, what is the interest on this women's academy. And I would like an update on that. I personally signed up to do this women's academy myself. So, I would like an update on all of that.

J. Schneebeck: Okay. Actually, I think the details of those particular questions are coming from Chief Juul and Reagan Pena.

C. Juul: So, I can speak to the academy. So we just started seven laterals last week. So, that's great news. A few more than what has historically been getting. The next Lateral Academy starts on May 8. It looks like those numbers are higher than we expected as far as the number of applicants for processing about 18 to 19 right now. We certainly won't get all of those, but the process is also still open. So hopefully we'll have some more trickle in as well. But right now, I would estimate eight to ten, usually about 50% attrition from based on the applications. We're starting to travel on to backgrounds right now. That's where we are in the process. And then with regard to basic applicants, Matt, you might have a better that's more current information than I do.

Police Staff: Last I knew we were at 17 for the February 27th Academy. That number only goes down between now and February 27th. So, I would caution against Number 17 being told still. But I would say it drifts more toward 12 to 15 as we get closer to February 27. But I'll take a moment to congratulate Chris and the recruiting team on keeping an entry level recruit who was debating an offer from Wheat Ridge, and Aurora was leaning Wheat Ridge, but their team convinced him.

CM Sundberg: Do you know about May based on the applications?

Police Staff: Don't have a lot of numbers for May. I know we just certified a list for May, and they're going to start into the testing process, but commission meeting Tuesday will revolve around who will do the rest of the processing for that May academy.

CM Jurinsky: And what does that looking like? I mean, speaking of that, with the Civil Service Commission, what does that looking like? Obviously, Council brought forward a resolution requesting what we would like -- how we would like to see this hiring process go. What are -- how is that working? Right.

Police Staff: Yeah, January 7th Commission meeting, most people who are in the room here were at that meeting and or at least representatives from them and tried to sort out that very question. More to come on that next Tuesday and where that goes from there.

J. Batchelor: So say the next step we've got again on Tuesday is we're having one of the -- and that general meeting we'll start the conversation. One of the first things

that really came up and that particular and they -- can we talk about the background? So that's where we're starting our efforts now is if we wanted to sort of move those backgrounds over to HR with that process over to that. So that's what we're going to come forward next week and do a presentation from HR to the Commission about this is what their process currently looks like. As we understand it, this is what it would look like if we took it to HR. Have that discussion on the background piece of it and then we'll come back to them in March with our recommendation, staffs, and the departments for what the remainder of the process would look like if from our perspective.

CM Zvonek: I know that in the resolution we passed, we asked for an update every 60 days, the Council. So, what I'm -- since we're only 90 days away from the deadline that was set by the Consent Decree to make these changes -- is our chance -- I know we don't have a Study Session till the end of the month, I believe, because of the --

J. Batchelor: Until March 6 we're planning on coming in.

CM Zvonek: Yeah. So that's kind of perfect thing.

CM Jurinsky: And then I don't know who can speak to this, but we've come out pretty boldly now with this 30 by 30 pledge to try and recruit women. Are we just saying that or what are we actively doing to look for women?

R. Pena: We are actively trying -- and all of our efforts are going to be trying to be more representative of women and casting a wide net. And that is not -- some of the pushback or feedback we've gotten that's derogatory on social is, "Are you decreasing your standards?" And that's not it. And it's not a woke mentality. As a former law enforcement officer, little girls are not typically told that they can be cops. So we just want to get that message out there. In addition, you asked about the women's academy. So, Mary Fernandez was one of our recruiters. This was sort of her idea to do. And it's just to give a snapshot of what it might be like to be a cop and make it a safe area. The last one we had didn't have a lot of participation. I don't know if you -- I'd love to talk with you on the side about if you contacted her or what that looked like. Okay. But we did a hot wash of it and just talked about we want to do this quarterly. I think we're going to make it one day versus two, because if you're someone who has a family or other obligations on the weekend, it's a lot of time to do two full days. And then what is the curriculum that would actually be the most valuable to attract interested applicants? And so, we don't have dates set up yet. We have another meeting scheduled for in two weeks with that group. And so, and we also want to have it be both female and male instructors, because we want to show that there's a lot of men that support women in law enforcement as well, obviously. So more to come. I'm happy to provide an update on that.

CM Jurinsky: Yeah, and let me know. However, I mean, I feel the same way and I don't see this as any kind of woke movement. Six of my nine years in the Air Force, I was a cop. So, I want to help any way possible to attract women. Standards weren't lowered for me, so I don't think that that's even a question I would stand up to anybody attacking the city saying that. But I would like to see some more women.

I was shocking to see how low our numbers are in Aurora compared to other departments. I take that personally. So, let me know however I can.

R. Pena: Sure. And so, just a little bit of a follow on. So, what we're going to be is very intentional about all of our imagery, making sure that we're showing better representation. We want to look at internal leadership for women. How do we do more upward mobility? So, we're going to be looking at other agencies and how they've employed it. We're at 11%. The national average is 12%. 12% is still low. So, we're open to all ideas about what would be helpful for us as any sharing of social posts that we have just to amplify our efforts. That would be great.

CM Jurinsky: And I do understand that Mary Fernandez was the only woman in recruiting and she was taken out of recruiting. Currently, have zero women in recruiting. Is that true?

R. Pena: She was not taken out. She elected to go out. But right now we do not have any full time female recruiters. We are developing auxiliary recruiters. And so, that will hopefully include, well, obviously more women, but also recruiters who speak other languages. So, we could reach out to other people in the community.

**3.b Aurora Fire Rescue Attrition Update**

**3.c Aurora911 Staffing Update for February 2023**

**3.d Special Operations Crime Suppression Update**

**3.e Motor Vehicle Theft Recovery Voucher Program Update**

Summary:

J. Batchelor: And of course, that's on 3.a. 3.e?

CM Zvonek: So, before we start, Jeff said he needed the password. Panelist Password. Whoever can give that?

J. Schlanger: I'm good. I'm on now. Thank you, Chair.

CM Zvonek: So, 3.e.

J. Batchelor: John, is it going to be you or Lieutenant? How are we going to have it?

J. Schneebeck: I'll take it.

J. Batchelor: Okay, so we'll start having presentation? Just an update?

CM Jurinsky: Just an update.

J. Schneebeck: Okay. So the 303 vehicles that were received as recovered steals in the city during the month of January, we had issued the voucher program to cover the first three days. And 44 recoveries were out for the three days. Your back up shows we issued 72,000 in vouchers.

CM Zvonek: Yeah. 72,000

J. Schneebeck: \$72,900 in total. And then 66,085 were redeemed. Victims stopped in our office, we issue a voucher, verify ownership, current insurance, we provide release form, and they go to M&M Impound Contractor to pick it up. The voucher comes back over to us.

CM Zvonek: Got it.

J. Schneebeck: So that's how that process worked. It is going really well as far as the implementation.

CM Zvonek: That's great. So I guess one of the things -- I reason why I wanted to pull it off is just from a communication standpoint, obviously, this is something that we've heard a lot about and people are frustrated is they feel like after they've had their car stolen, they're re-victimized and they have to go and pay it. And so, I think to the extent that we can do a better job of publicizing the fact -- because I looked at this and I was surprised at how well it seems to be going, and maybe it's not going as well as the numbers suggest, but it seems to me, based on what I'm reading it is and I think we should make sure that the public is aware of it. Go ahead.

J. Batchelor: I was going to ask for actual sort of -- somebody actually out after a lot from Lieutenant Delena and your staff and any on the ground feedback.

C. Delena: I did ask my staff out there how it's being perceived by the public. Most people don't realize that it's new, that they would have had to pay in 20 -- the ones that I talked to on the phone, fortunately, know that they have to pay because their car was picked up in 2022. Right now, like you said, getting that out to the public, right now, our basic big word of mouth is our officers calling the owners on the phone, and my impound technicians calling the owners on the phone, and explaining this new process and how the City Council has put this into law this year to try it out and see how it is. Everybody is very, very happy when they come in and they don't have to pay. And like John said, we've only had one owner who came past that date at this point and would have to have a few more fees. You still get those three days or five days based on when your car came and paid for, and then they only have the \$40 storage fee for those days afterwards. So it is still a much smaller amount of money that these citizens have to pay.

CM Zvonek: Thank you.

J. Batchelor: We'll keep you all updated us as we go. And again, the overall intent was to take that million and try and make it last for a full year. So obviously, if we see a spike in spending rate, we'll let you know. But our goal was to sort of make sure that we can take that benefit out of the year. I think we're on track for that. The numbers are looking good right now.

#### **4. General Business**

##### **4.a Targeted Violence Prevention Program**

CM Jurinsky: Right. On to item 4.a Targeted Violence Prevention Program.

C. Tassin: Good morning, Council. I'm Courtney Tassin. I oversee our crisis programs, which is our co-responder teams and our alternative response program. We also, within those programs, have a Targeted Violence Prevention Program. You may have been somewhat familiar with and I know we had an incident last year where we kind of got involved. So, I would just like to tell you what we do and how we can be of assistance to not only you all, but the community as a whole. And at the end of this, I will have an example of success that this team has had. So, our program is Targeted Violence Prevention Program. We call it TVP. And what that is, it's a sub-unit within our Crisis Response Team. So, it's pairing a clinician, an officer, and a case manager. So, a case coordinator, navigator, to all work to prevent acts of mass violence. So, you turn on the news in the last year or so or the last three years, you'll see that this is plaguing our nation as a whole. So, we in Aurora and Colorado as a whole, have had many instances of mass violence. This program is exactly what we utilize to prevent these attacks and also provide support when they do happen. So this is just a very collaborative effort, not only within the city of Aurora, but all of our local and national partners, and that includes the federal government. So FBI, Secret Service, and Department of Homeland. Just some history. I won't go into all of this, but the main highlights are that this program began in 2020 from a grant. We have continued to apply for grants [Audio gap 0:16:26 – 0:16:31] Crisis Response Teams. We are nationally and internationally recognized as the model for this kind of work. We presented in Helsinki, Finland, we presented with the Strong Cities Network, and I travel nationally to teach people how to make programs like this. We use a public health approach. So, we're a pre-criminal intervention program. That's not to say that we don't sometimes have cases that turn into criminal action. When that happens, we look at how we use that criminal action as a therapeutic approach to a kind of a better sense of a word. So we're looking at how can we Mandate treatment, how can we Mandate any kind of medications, how can we Mandate community service, empathy building, all of the things that go into preventing acts of mass violence. We operate on three lines of effort, community outreach, education, and direct intervention. I'll go into these a little bit more, but we can't function without all of this. So it's a three-pronged approach. It's not one way or the highway. So when I talk about those three lines of effort, this is what I mean. Our community outreach is reaching out to those at risk groups, faith-based communities, LGBTQ+, racial and cultural groups, you name it. And we're also working with local practitioners who are also working in this prevention space. You might not know, but there's about 90 to 100 different people who are also doing similar work to what we're doing, but we're the only one that's a law enforcement, pre-criminal based intervention. For our education, we're bringing relevant trainings on how to recognize warning signs indicators that maybe your loved one is moving down that pathway to intended violence. We're also teaching our schools and faith-based communities on how to do threat assessment, when to refer, and what options and resources are available to them. We're training the police departments not only in Aurora, but across the state and across the nation on how to recognize these things and how to respond to them appropriately. And then also just the general population and our TVP practitioners. Our direct intervention is probably the core of our entire approach. We're doing direct threat

assessments with individuals identified to be making plans of mass violence. We're also building threat management plans and things like that with individuals, and we're providing a lot of consultation. When I say we're building a threat management plan, sometimes when we're working with someone, they're involved in five or six different systems. Maybe that's Child Protective Services, maybe that's Department of Human Services, the school system, maybe they have a basketball coach. We're going to bring a representative from each one of those groups to the table and identify what are you seeing, how can we help and assist, and what do we need to put in place so that they're safe in your environment. And when we do that, we're creating this consistent management plan. And if you have children, you know, if you try to enforce one rule in your partner doesn't, it's not very effective, right? So that's the approach we take here. This is just a slide to kind of show some of the partnerships we have that we work with every single day. These are a bunch of resource groups, local agencies here in the area that provide services as well as federal government. This is not even a touch on all the people that we work with. But just to kind of give you a small overview. And then some of the successes. So, in 2021 alone, we had 74 referrals. I just received the updated number from 2022 and we had 92 referrals. So this goes up. We are very busy. We had that come from 30 different sources in 2021, came from mostly schools and other jurisdictions or the primary groups. A lot of cultural groups too. We provided 22 different trainings just in that one year to over 750 people, and we fostered and maintained 32 standing partnerships, and we actually just formalized five more in the last two weeks. And we've assisted over 18 different agencies. That includes federal and law enforcement. That means jurisdictional there. Those 2022 reports are being formulated right now and finalized, and when that is complete, we can certainly share that. Next, I would like to just go into a successful averted attack that we had. This will be de-identified, as far as providing more information on demographics, I won't be able to do that because it is an open case, but I'm happy to provide any more information after the presentation about our approach, if that's helpful. So in summer of 2021, we were made aware of an individual who was identified to be at risk. He had told a peer that he was planning to shoot the church down the road from his grandfather's house. Whenever we receive this information, we were able to start immediately gathering all the rest of information we needed. We looked at mental health records, PD records, anything and everything that would help us establish a baseline, as well as talking with the schools, family, friends, you name it. And with that, it helps us kind of understand really the totality of the situation we had. He had drawn up a map of the church with exit points where he planned to block off exits. He had ammunition stocked. He had a list of supplies that he was needing for the attack and kind of a grocery list. He made a list of last wishes and he also had access to firearms. He was just waiting on the GoPro mount to come in. He was going to attack that weekend. So, whenever we interview this individual, they were very upfront, forthcoming. "Yep, that's what I want to do. That's my plan. And here's all the things that I've done to prepare for it, and here's what I'm going to do." We were able to take this person in into protective custody or in one hold, mental health hold. Some people might notice like 51, 50, 72-hour hold. We're able to do that. And when that happened, we created a delay which led us immediately

kind of jump into our intervention side of the house. We were able to work with our criminal side of the house, our police officers, our DAs, and we were able to actually get charges on this individual. Because of how far along he was in this planning process, this was very much appropriate. But, again, I'll leave this for you on the backup. I really won't belabor it because my time is shorter, but we were able to identify resources for the mother because there are specific resources in the community that work to support family members whose children are doing this or, you know, just family members with them. We were able to work with the DAs to kind of create a plan. Yeah, we're going to arrest him and we're going to put him in custody. But custody is just a delay. It's not going to fix our problem. So, with that, we were able to set up different supportive things while he was in custody, a de-radicalization course. We were able to get them involved in ongoing treatment, medication, things like that. And all of this led to a successful reintegration back in the community. So, he is actually on a three-year parole. And with that, we are very involved with that reintegration team. So, we work regularly with schools, with his DA, his parole, his family, all of this. And now this is a very new thing for him. So, he was in a halfway house. He was in custody for quite some time, then moved to a halfway house and is now reintegrating back to living with his mother and going back to school. But with very strict parameters. And we provide a lot of consultation to all of those different groups. We do regular check-ins with the family. I think the main part that I want you all to take away from this is it's not just us doing the work. It's not just the schools. It's very much bringing together all of those silos. We hear there's danger in silos. We bring together all of those groups and make sure everyone's on the same page and holding up their end of the deal. So, we're not letting the school's kind of miss their opportunity. We're not letting the family fall to the wayside. We're making sure everyone is being held accountable for what their role is in the management of this person. I will tell you, this person is doing very well. They should be actually coming back home in the next few weeks. Lots of safety planning, lots of meetings with that individual have taken place, and so far so good. So we continue to be an active part of this person's management plan and what they will be doing in the community. And we plan to do regular check-ins. But this is just one of our cases that we've had. Again, this is in your back up. I'm happy to answer more questions that are specific to our intervention side of the House due to time, but we'll leave it that. Questions? Sorry, I know the case part was a little more rushed.

CM Jurinsky: So, he hadn't committed the crime, but he made that threat. Is that basically what the charges were with, like, intent or more --?

C. Tassin: So with the level of planning that he had done, it was shown intent. I can't really speak to the criminal side. So, Lieutenant Pendleton, if you'd like to add.

D. Pendleton: Based upon these circumstances and all the substantial steps that he had taken, [inaudible 0:24:49] specifically charge him with attempted first-degree murder with extreme indifference, so very serious charge.



C. Tassin: And ended up with a three-year parole rather than DOC time. He did spend time in custody, but we were able to approach it from more of a supportive and actual rehabilitative approach that was much more effective than just time in custody.

CM Sundberg: [Inaudible 0:25:12 – 0:25:17]

C. Tassin: I will let Lieutenant tell that.

D. Pendleton: A red flag wouldn't law -- wouldn't be applicable here because he would have a mandatory protection order that prohibits him from having weapons in the first place. So that was part of his agreement [inaudible 0:25:31]

CM Sundberg: Excuse me

D. Pendleton: He's flagged from purchasing.

CM Zvonek: Yes -

CM Jurinsky: Can you explain to -- so, he's going to live back with his mother. And I don't obviously know this family, but -- so, would that mean that the mother isn't allowed to have guns in the home?

C. Tassin: That's a great question. Sorry, Lieutenant.

D. Pendleton: If he's in the home or going back to the home, she cannot have weapons in there. She would also -- she'd be violating the order as well.

CM Jurinsky: And she understands this

C. Tassin: Yes. She does so in the legal sense --

D. Pendleton: Very Cooperative throughout the entire process. And it's kind of a bad situation. She's doing everything she can

C. Tassin: And on the legal side, that's certainly. And then we also have some more counter measures, as we call them, for mom. And mom has been very helpful as well. Most of the firearms that were accessible to him were in the grandfather's home. And so, the grandfather also employed some additional safety measures. They hid all of the safes, things like that, gun locks, additional pieces there. It's not allowed on the Internet by himself. He's got a proctor. Mom actually has an app that checks who's texting him when he's getting text, what that content is. So lots of monitoring. It's not something we take lightly for sure. Just because it seems like a success now, does it mean that things can't change that are very helpful for this individual. This is probably the best example of success in this field as a whole. It's really hard to prove when you prevent something, as you know, with youth violence prevention as well. So, we're actually being recognized nationally for this case right now, kind of more on the de-identified level and more within the prevention practitioner space. We did actually just apply to present at the Association of Threat Assessment Professionals with this exact case study.

CM Zvonek: You know, last week or last month, we talked about Focused Deterrence and potentially bringing that program here. And I know it's more geared towards youth violence. How -- if we brought that program here, would there be integration between targeted for this program and the Focused Deterrence Program

C. Tassin: Absolutely. So we already kind of use the Focused Deterrence model within this program. So whenever someone comes on to our radar, we immediately kind of do the background, what's the baseline, what do we have first off. And then, once we have that, we meet with the individual and we give them what's called the Rules of Engagement. We give them a formal document that says, here's the line for criminal charges, here's where you're at. If you don't do X, Y, Z, and engage in these different resources and kind of move off that pathway, you will be charged. So, we give them that, they sign it, and then we will also do kind of direct interviews and intervention to try and determine what resources are missing, what's lacking. So, the way that I see it, working with youth violence prevention is since ours is not really focused on gang group violence, we certainly encounter a lot of youth, but it's very different kind of mentality. I work very closely with Joseph already and we've already kind of discussed maybe what that kind of continuum might look like. And sometimes we'll get referrals that are much more appropriate for youth violence prevention and vice versa.

CM Zvonek: Last question, have you had an opportunity or have you been asked to present to the public or in any sort of community events on this year?

C. Tassin: Yes, actually, yesterday AKCRT. I was asked by CTS Group to present very briefly. I did not include the case study just because it is a little more sensitive. And I think this group would maybe take a little more away from it. But absolutely.

CM Zvonek: I think that would be a beneficial and I'll encourage my colleagues when they do town halls. I mean, we hear a lot from our residents in being asking us, "What are we doing? What are we doing?" And the truth is there are a lot of things that are going on and it's very difficult challenge to address when you're talking about public safety. But we are -- we have programs that are showing some success, and I think more community hears about it the better.

C. Tassin: Absolutely. Thank you, Council Member, for that support.

CM Jurinsky: My last thing. Have you still been steady with hiring?

C. Tassin: We have actually, yep. So we only have one more position to hire, which is our mobile response team clinician. But we have six clinicians, two case managers hired. Actually four of them have already been on boarded. We have two more starting next week. So we already have people out and on the road.

CM Jurinsky: Thank you so much.

C. Tassin: Yes, absolutely. Thank you, Council.

CM Sundberg: Just one quick question.

C. Tassin: Yes, sorry.

CM Sundberg: Do you have type of proactive participation with social media companies, with law enforcement, such as Snapchat, where they can flag certain types of discourse about a mass shooting or threat?

C. Tassin: Sure. So with Snapchat, it's a little more difficult. But as far as Facebook, more of the ones that don't necessarily disappear right after. Discord is a very big one. We often get safe to tell, I'm imagining you're familiar with. Safe to tell. If not, it's an anonymous reporting to see something, say something kind of campaign. It's not necessarily the app itself or the website or organization itself saying, hey, this is something we're scared of. But oftentimes people in the community will provide report on that. Now, the school systems, all of them, if they're -- the students using a school laptop, if any of you have children, you know, gaggle or the different things that will flag words, that will pop up. So this student types in gun, even if it's for a report, it will flag in their system. So oftentimes, we'll get notified that way by the schools. Most agencies now like TikTok, Instagram, all of the big social media sites have their own threat assessment and management teams, and we actually do a lot of consulting with them. We assisted very smaller social media kind of start-up very initially in the beginning with setting up their threat management and assessment program. Absolutely.

CM Jurinsky: Thank you so much.

C. Tassin: Thank you. Thank you for giving me the time today.

Outcome:

Information Only.

Follow-up Action:

None.

#### **4.b Consent Decree Monitor 3<sup>rd</sup> Report Update**

Summary:

CM Jurinsky: Right. Item 4.b Consent Decree Monitor 3rd Report Update.

J. Schlanger: Good morning, all. Thank you for having me. Having a little technical difficulty in terms of the presentation. And I wonder if you may be able to put that up on the screen for me to run through. And I'm going to going to run through it quickly because I do want to leave as much time as possible for questions and answers.

J. Batchelor: We are working feverishly to sort of get it pulled up. Give us just a second, Jeff.

J. Schlanger: Okay, Thanks. There we go. Perfect. Next slide, please. So just a brief overview for those who may be listening via Aurora TV or otherwise. The Consent Decree grows out of the Attorney General investigation and ultimately out of negotiations between the city and the Attorney General, which resulted in the actual document called the Consent Decree on November 16, 2021. Next slide, please.

The Consent Decree called for the position of an independent monitor. IntegrAssure and myself were chosen for that position, and we have a number of different roles. The oversight of the Mandates in the decree itself, providing technical assistance, engagement with the community, and reporting to the parties, court, and public. And it is -- that last one that we are here to review. It is our third reporting period report. That reporting period ended on November 15th, and our report was issued on January 15th. Next slide, please. Again, what we have done with respect to the Consent Decree is disaggregated. And what does that mean? It means that we took each of the Mandates of the Consent Decree. We worked with the city and other stakeholders in developing a protocol for our assessment of those Mandates. We agreed on that protocol. And that assessment protocol is called the Methodologies to Aid in the Determination of Compliance. And for each report we do that for not necessarily all of the Mandates, but the Mandates that we are going to be looking at that period. In this period, we reviewed 58 of the 72 Mandates. Next slide, please. These are the areas of the Consent Decree. Again, both oversight and technical assistance and policies and training, bias policing, use of force stops and investigative encounters, use of chemical sedatives, recruitment, hiring, promotion, and accountability and transparency. Next slide, please. I've talked about the methodologies to aid in determination of compliance. So we'll go on to the next slide, please. This is how we go about graphically representing our assessment in each of these reporting periods. And by the way, for the first year, there are four reporting periods that is quarterly. After that, there are only two reporting periods a year, that will be every six months thereafter. And we judge things by whether or not they are on the right track, a cautionary track, or the wrong track, and also by the level of completion toward substantial compliance that we estimate that particular Mandate is at. Next slide, please. This is the overview, and I don't expect anybody to really get much out of it during this presentation. But you can go back to it and look. The good news is we have nothing on the red side, on the wrong track. We do have a number of items on the cautionary track. We do have a number of items which are in substantial compliance. That full green Harvey Ball and then another number of items which are in various stages relative to the right track. Next slide, please. We also, in each of our reports, write about certain issues, focus issues, we call them. We wrote in our last report about the new interim chief and our hope that the progress that had been made continued. And Chief Acevedo is really digging into the Consent Decree and helping in every way possible. So I couldn't be happier about his involvement and his efforts. We talked about improving police community relations and what the department was doing. We talked about the Body-Worn Camera audit by the police auditor. We talked about the design of civilian oversight infrastructure that needs to be in place at the time that we leave. We talked about the gun violence reduction grant. We, of course, issued our hiring report, which this Committee is well aware of. And lastly, we talked about internal investigations and the disciplinary system. Next slide, please. We found 11 Mandates to be in substantial compliance to regarding how AFR develops and updates policy. Nine centered on an AFR's discontinuation of the use of ketamine. And just so that everyone knows, we review every administration of chemical sedative both on the reports and Body-Worn Camera video when that is

available as well. And we do that for each reporting period. There are three Mandates that were in substantial compliance from a prior period that included the contacts policy form, which we'll talk a little bit more about. The joint APD/AFR Policy on cooperation, and the hiring of the expert for recruitment, hiring, and promotion. Next slide, please. This reporting period was different than last reporting periods and that it contained significantly more items on the cautionary track. This was due mainly to missed deadlines, which were provided in the Consent Decree. I think that those deadlines were perhaps overly aggressive. The department has been hard at work and we have been working with them relative to developing those policies. Nonetheless, they were contained in the in the Consent Decree itself. So we put these on a cautionary track. So, that was 29 relative to missed deadlines, 10 in the Contacts Policy, 19 in Use of Force policies. And then there were nine that were due to uncertainty of ability to meet the expectations. That included the analyzing and transmitting of contact data to the state, and a continued concern relative to FRB needing to be more focused and more critical of events that they were reviewing. And I have to say that that has improved significantly since November 15th. We attend each of Force Review Board and the progress has been significant and noteworthy. And then the last one was the uncertainty, again, which this Committee is familiar with, with the Civil Service Commission rewriting the rules on hiring. Next slide, please. So, substantial compliance when all of those Harvey balls are green, that will equal success. I've done this for a long time. I've seen what success looks like and what it can bring to a community. I have every reason to believe that we are on that path. It is a marathon. It doesn't happen overnight. In Los Angeles, in fact, it took nine years for it to happen. I am confident we will be able to do it here with the continued cooperation that we have received within the five-year period. With that, I'm happy to take any questions that you all may have.

CM Zvonek: Jeff, I have a couple of questions for you.

J. Schlanger: Sure.

CM Zvonek: So first, I'm happy to hear the comment that you made about the improvements on the Force Review Board and the more focus on continuous improvement. Can you elaborate on that a little bit? I mean, what is it that you've seen since November that gives you a little bit more hope that we're making progress?

J. Schlanger: Yeah. So again, we review -- we attend every Force Review Board. And the comments which have been made previously and the concern that I had specifically was a lack of critical review. And what do I mean by that? What could have been done to have achieved a better outcome? Now, some people may call that Monday Morning Quarterback. I don't believe that is the right way to look at this. I think if we look at the airline industry, if we look at the medical profession after action reviews and determinations as to how a better outcome could be achieved is all important. We were particularly concerned with that in the realm and you heard just in the prior presentation about mental health concerns,

particularly in that area. We were concerned about it and that specifically in the last few Force Review Boards has gotten significantly better.

CM Zvonek: So to be clear on that, Jeff, your concern leading into this report wasn't that they weren't being critical of whether or not somebody was following the law or policy, was just -- are we taking a more even step further and asking ourselves, was there an even better way? And maybe the answer is no, but asking those questions and you're saying that's improved?

J. Schlanger: That's exactly right, Chair.

CM Zvonek: Okay. The second question I had was on civil service hiring, with that deadline, what is the -- I know that we've blown through some deadlines, which is why we had a bunch of yellow this past report. If we missed that deadline, is there a possibility that a district court compels a process on us and what -- or how would that look?

J. Schlanger: Well, for our evaluation, it would look as a red. Right? Wrong track. And our reports do go to the court. That would, of course, be a last resort. But that is contemplated in the decree itself as a potential avenue of remediation.

CM Zvonek: And as, Jeff, is that the typical process, one of the concerns that has been raised, I'm sure, not just myself, but other members of Council, is when you talk about you all are our independent monitor. And there was discussion about the fact that we had created an office of an independent monitor, never was actually staffed prior to the Consent Decree. You all came on and we eliminated those roles. The concern was that you all didn't have the ability to ensure that these Mandates and the changes that you're recommending or that are being recommended actually get done. And I just want to be sure that to the -- I want to ensure to the public that that, in fact, is not the case, that you all could, through these reports, make sure that the Mandates are met. Is that right?

J. Schlanger: Correct. Yes. There is ultimately the potential to resort to court action. But really, the more immediate hammer, if you will, is that we're not going away until this is -- I'm sorry I lost you there. Are you there still?

CM Zvonek: I can hear you.

J. Schlanger: Yeah. This is not -- we are not going away until, in fact, there is substantial compliance. And this would not be substantial compliance. It would be a red mark on the report card. It would be a wrong track. And hopefully the city as a whole would look at this and say, okay, how do we fix this? And it would be up to the city to come up with the way to fix it. And there are, as you well know, Chair, different avenues of approach to deal with the Civil Service Commission. All that being said, I have every reason to believe that they will, in fact, revise the rules so as to provide not necessarily in complete accord with what we have recommended, because those were recommendations in our technical assistance role, but will comply with the Mandates of the Consent Decree, which in these terms calls for a much more active role and for the final say relative to who is chosen to enter the academy.

CM Zvonek: So for that one last question. One of the three areas you talked about was the data requirements, and that was on a cautionary track right now. So two parts to this question, and this might be for you and city staff, one similar to Force Review Board. Had you seen any type of improvement since November knowing that this report was being put together in November? So that's a question one, if not, this, I guess, goes to city staff. What are we doing to ensure that we move ourselves out of yellow and towards a green circle?

J. Schlanger: So, I can start. There were really two aspects of that particular Mandate. One was that neither APD, the city nor the monitor was able to look at the contact data which was being collected in an aggregate way to make judgments about, first, whether or not there was compliance with the Mandate to fill out the forms, but also to make certain conclusions or observations relative to what was going on, relative to stops and contacts. So, neither us as the monitor nor the city was able to do that. And then the second aspect was the transmission of the data to the state, which didn't appear to be at least provided for -- through the programming. And I know that there have been talks between the city and the state, and we are hopeful that before the end of this reporting period, which will be February 15th, that that data that is for last year, 2022, will be transmitted to the state and perhaps Jason or Pete have more of an update on that.

P. Schulte: Sure. Yeah. So we did check. Megan, the legal advisor, applied to check with the technology side of the PD. They are working with Benchmark. The JSON file is what the state is requesting to get the data submitted to them. And because of the Consent Decree and because of what we're doing here, we are actually collecting more data than is required under state law. And so, what became the issue was that we had put all of our data that we're collecting into that JSON file, submitted it to the state, would have been rejected because they just have to submit what the state requests. So that's what they're working on. The timing that I've told right now is by the end of February, Benchmark has confirmed that they will have it submitted to the state by the end of February. I am on a Committee with the Department of the Division of Criminal Justice statewide. We got an email yesterday that they were going to have a meeting next Thursday. I have -- the impression that I got is there's still some kinks to work out even statewide. So hopefully next meeting, I can have more of an update here that I think A, we'll have the data submitted, and B, we have kind of an idea what's going on statewide.

J. Schlanger: And Chair, just one last thing to add. The Benchmark did work with us and provided us with a file that we are able to make certain -- manipulate and determine the things that I mentioned before. And we are looking at that first in terms of compliance. And we will be reporting on that and working with the city to ensure that there is compliance with the Mandate to fill out the form when there is a contact. But also, with respect to the analysis of the data as well, to see whether or not there is anything noteworthy in that analysis that might be useful going forward.

Outcome:

Information only.

Follow-up Action:

None.

**4.c Aurora Municipal Court Workload Study Proposal**

Summary:

CM Jurinsky: Great job. Thank you. Thank you so much for the presentation. We will move on to item 4.c Aurora Municipal Court Workload Study Proposal.

C. Atkinson: Hi, I'm Candace Atkinson and I'm the court administrator and the detention director. During the 2023 budget retreat, I think \$150,000 was put aside for a workload study for the courts. I reached out to the National Center, which I understand is the same organization that we reach out to prior when the funds were withdrawn for this study. And I have worked with the National Center when I worked in Phoenix. We work with them to set up national standards for jury and jury management. So, I felt very comfortable working with them and reaching out to them. So, in the packet is the proposal that they have. This -- the National Center, I think most of us that work in the judicial side have and are aware of the National Center, but they are a nonprofit. They've been around since 1971. They actually have offices here in Denver, but they not only have on staff, they work out in higher consultants that are specialized in the areas that they're working in, and they actually have worked globally with courts across the world. And so, they're very highly regarded and have a lot of experience. With this study that they proposed, they won't just work with just the judges or just the attorneys. They work with all staff. And it's a 12-week study where they work with the staff. They not only like look at the time, but they look at is staff happy? Are they stressed? Is the workload correct? Are the policies and procedures in place or policies and procedures that need updated and also duplicate work or efficiencies that can happen? So, their study, if we go forward and hopefully, we can begin in March and a final report would not be available until April of 2024. And the cost is a little bit higher than anticipated. It's \$210,519 if we include the public defender's office, an additional \$35,000. But that's pretty much all that I have. And most of the information is in the packet, along with the bios from the consultants that they're showing -- will work with us.

CM Jurinsky: I have one question for you that just arose yesterday, and I don't actually know if this is even direct for you, but it's about jury selection. I received a call yesterday from a woman, and I know at least one other member of Council did as well. This woman was very, very upset about the jury selection process in Aurora. And she said that she believes that it used to be age 75 and up was not called for jury duty. Her husband received notification. He was told to come in for jury duty. And apparently her husband's 88 years old, can't hear and can't walk, is almost completely immobile. She tried to call in on his behalf to the city to say, "Look, my husband can't even hear, he can't walk." And the city said, essentially,



“Well, you'll have to provide a doctor's note or something.” This used to be a rule that 75 and up was not called for jury duty?

C. Atkinson: Well, they can be summoned because it's up to them. We can't exclude them because of their age, because that would be discrimination. But if they call in and ask to be excused, they should not be required to provide doctor's notes. So I'd have to find specifically, sometimes they get us mixed up with the state courts too, but I'd have to -- maybe if you give me a little more information. But I know when I was in --

CM Jurinsky: Very upset.

C. Atkinson: Oh, I'm sorry. But we'll look into it. But we can't just not send them a summons. But they should be automatically allowed to be excused if they choose to.

CM Jurinsky: Yeah. Can I get with you and give you this woman's phone number for you to --

C. Atkinson: Of course.

CM Jurinsky: -- follow back up there. That would be wonderful. That was pretty much all I had for you too.

CM Zvonek: My question is, I can't tell, but I think Judge Day is right there. So I just wanted an update on the domestic violence legislation, because I would assume that if that went forward, municipal courts were no longer allowed to do domestic violence, that would significantly impact I think Doug mentioned it was a huge percentage of the cases in his office. I'm sure it's something in your docket. Yeah. So that would impact -- but just what? I don't know.

S. Day: Thank you for the question. As it stands as of this morning, that bill has not been introduced. There's still a lot of meetings taking place regarding proposed modifications or amendments to the original draft of the bill. We have not been part of those discussions, with those meetings. We're trying to keep our ear to the wall as to what's taking place in those subsequent meetings. As you know, we did meet with bill sponsor of the draft at the Capitol, had a meeting and had a very good discussion. But as it stands right now, it has not been introduced. I haven't heard if it is going to be introduced in the original draft form or if there are considerations for some amendments that have been proposed. And one of the amendments -- well, actually it was a three-part proposal to be the draft bill, and that was to have the Victims' Rights Amendment applied to municipal courts or any comparable municipal court charge. Those courts would need to comply with the VRA. It would also need to comply and be in conformity with the state sentencing requirements for domestic violence charges. That would also be part of the proposed amendment. And the third, sharing of data within domestic violence. We already report all of our domestic violence cases to the state through CBI to get them on to the CSIS, NCIC. Most of what is being proposed in the way of amendment. We already do, though it would be put into law statutorily that the VRA required immunized. So

again, as of this morning, it hasn't been introduced. I'm hopeful that those amendments are being considered. That's the best update that I can give.

CM Zvonek: Has there been any input from the DAs? And I know that this impacts only three of the DA's offices, right? The first 17 and 18, I believe it's -

S. Day: Primarily, yeah

CM Zvonek: Yeah, it was Denver, Lakewood, and us

S. Day: Second, which is Denver, the first and 17th and 18th primarily. We've reached out to all four of those JDs, those judicial districts. They all, when I say they, state judicial standpoint, the impact from within the courtroom, within the judges, whether or not they have capacity to accept all of the municipal DB cases, is of great concern to all four judicial districts. Three of the four, I believe, district attorney's offices have great concern about absorbing those cases in county court or if they're felony levels of serious bodily injury in district court. The 18th within John Kellner's office. I think that they're still looking at the issue of what impact it would have, I would suspect, speak for them, that they would have the same concern as the 17th, first and second. Would have tremendous impact, not only within the prosecutor's office, the public defender's office, the public defender, the courts. Everybody would have -- it would have great impact on all of us.

CM Zvonek: That's all the questions I have.

S. Day: Sure.

Outcome:

Information Only.

Follow-up Action:

None.

#### **4.d Public Safety Action Plan Update**

Summary:

CM Jurinsky: Thank you, guys. So the last item under general business. It's the Public Safety Action Plan update.

J. Batchelor: Okay, So we'll go through this. We've got other folks in the room. So first item up is the crime reduction plan. You see the numbers in front of you in terms of the different metrics, in terms of our staffing, and the vacancies in the different units. We also see some of the same numbers that Division Chief Juul addressed in terms of the Academy, I think the numbers he probably gave today are actually a little even more updated. So we've got better numbers given verbally. And then, the other thing we'll highlight real quick in terms of the training we did do our in-service topics, this quarter are going to be ICAP Firearms Arrest Controls and the transition to Taser Seven. So I think it's a good update for you all. So any questions on that first item?

CM Zvonek: One question on motor vehicle theft. They've been obviously watching that with particular interest. And it seems like each month we've had these updates, it's been red. Obviously, there's way too many cars still being stolen in Aurora. So I'm not trying to suggest that we don't have a big problem. But one of the questions -- I have two questions, and I don't know if we have this data available, but if we could get, it would be helpful. Is this something that we're seeing everywhere else, a decrease in motor vehicle theft? And two, how does ours compare relative to others?

J. Batchelor: I don't know on the comparisons to the other agencies, we can look at that, gentleman, provided and we'll get it to you all. A really good look that actually looked at it by quarter going back the last three years. And I think that's a very telling chart that John and his team put together. The good news is a little bit of silver lining to obviously, as you've noted, the numbers are still way too high. But for the entire year, 2023, we saw it spike in the first quarter and then consistently come down to where our fourth quarter numbers are at the ballpark, of where we were the two prior years. So I think our challenge was to make sure that we continue that trend. And so we'll get you all that data and then perhaps look at -- see what we're seeing around that area, obviously. CMATT does a very good job looking at some of my folks across the way. I don't know how timely CMATT data is, but we'll get the data from CMATT for the regional stuff. CMATT is the Colorado Metropolitan Area or Auto Theft Task Force, did I have that acronym, right?

J. Lanigan: I'll add some of that CMATT data to next month's stats if that's okay, Council Member? They send that out, I think, quarterly or I'll find some for you.

J. Batchelor: And then we'll get you all that and we'll actually follow up for this and show you that chart that John and his team put together. That kind of shows you that trend. Our challenge now is to continue. So that's the first item. And then going back to the next item, the next item is Section Two, is our data collection. You can see the metrics there. The piece I will add to that is that as Jeff spoke about earlier, one of the items kind of underpinning the entire Consent Decree is data and transparency. So we've had some good discussions over the last several weeks around. One of the requirements coming up here in the next couple of weeks is to have a plan on data transparency. I think the 18th DA has a very good data transparency dashboard out there. We're looking at that. We've looked at a number of other agencies and so we're going to be putting a plan in place to share a lot of the data that we're collecting already, as you heard on contacts, on some of this other stuff. So that's not something that's going to be in the immediate often here. But over the rest of this year, we're hoping to kind of stand that up and start rolling out some data transparency in terms of a lot of this data. So we'll have more for you all here in the coming months. Megan, do you have anything to add on that?

M. Platt: No.

J. Batchelor: Section Three is our youth violence. So we've got some numbers in there. And then I'll turn it over to Joe.

J. DeHerrera: Really, the biggest update I just wanted to share with you all is that grants are set to go live March 6th. Just early on getting that out to the community now where it goes live. And I'll be doing two to three info sessions with the grantees, I'll be one of. So those people in line March 6th, they'll be live for four straight weeks with March 31st as the deadline for those applications.

CM Zvonek: One question. So, on last month, when we had the presentation on Focused Deterrence, is there any chance that you do that at a Study Session, condensed version of --? And what would be the timeline for that action?

C. Tassin: [Inaudible 1:04:08]

CM Zvonek: Perfect. Yeah.

C. Tassin: That's for when we meet on Monday.

J. Batchelor: And we know that you all had some follow up after that meeting. And we're going to again on that condensed version. But then also make sure we're into your question before I go into that.

CM Zvonek: Okay, great.

J. Batchelor: Item -- Section Four of the -- this is our overall Crisis Response Team. You got a quick update there, I think off -- out of sequence.

C. Tassin: But we are doing interviews for our data analysts today. We have three really great candidates. So, next few weeks that they'll be on board it. And what that will do is will help satisfy one of the recommendations from Michelle Crawford's audit of identify -- having a better way of identifying the mental health calls that are coming to the city. That person will also be looking at fires, data, code, enforcement, things like that, to just look at the overall mental health need that we're seeing.

CM Zvonek: I have one question. I had a call with counterpart in Denver recently. Is there any way -- because they have a Crisis Response Team, right?

C. Tassin: Correct.

CM Zvonek: Do we do any sort of collaboration with their clinicians? And is there a way to set up some sort of an IGA where we -- because a lot of the areas that I would assume we have -- as our hotspots would be theirs as well. And so, I just wondered if that had been considered or type of that work already.

C. Tassin: Great question. Council Member. Yes, we do a lot of collaborative work. As you know, Aurora is right on the border of Denver, Yosemite area. We have a lot of people who will start up in our area cross over into Denver. So, we communicate with Denver's team very, very often. We'll often send referrals over to them; they'll send referrals over to us. We'll have kind of a case, staffing, meeting, things like that. And we do that with other jurisdictions as well that have Crisis Response Teams. So, Littleton, Englewood, we very much try and keep the lines of communication open and compliance with HIPAA and information sharing guidelines, but we do try and assist wherever we can.

J. Batchelor: Final item is then our encampments and cleanups. You see the numbers there.

E. Knight: The only thing I have is we're currently hiring for an additional staff member to help with the abatement so that they can go a little bit smoother. It's a lot of work for one person. So that position is currently open. If you know anyone, you'd like to pass that along to, please do so. We have a couple. We've only gotten like three applicants so far. Trying to get it posted in more places, but yeah, spread the word, share.

CM Jurinsky: Are Council Members allowed to volunteer for that position? I might know one that would volunteer.

CM Zvonek: We run into any issues where we haven't had beds available and we have to do an encampment and abatement.

E. Knight: No, not yet. We generally -- we always have beds available with the palettes in them, and we always have some space as part of the agreement.

Outcome:

Information Only.

Follow-up Action:

None.

### **Miscellaneous Matters for Consideration**

CM Jurinsky: Well, thank you. So then, we will go into miscellaneous matters. And I think you have something you want to ask.

CM Sundberg: Yeah, this might be for Jason. Any progress on the feasibility of incorporating e-discovery for the court system to sync up with police records? I know that was discussed several months ago.

J. Batchelor: Turn that over to Julie so frequently. Okay.

J. Heckman: We are working. Our office has been working with court I.T. as well as city I.T., working to get together all the documentation that will be needed for the RFP. Which includes security issues, a lot of things. from Scott's folks, security issues, and then all of the integration which really is core to I.T. All the things that we currently have that would need to be integrated by the vendor. So trying to get that contract ready that will bring forward to council. So, hopefully we will be able to have a schedule that we could update next month on what that schedule looks like, and the vendor at the same time, my understanding is the vendors are working. Already starting to put together something similar or how they would put together something similar to what the CDAC system, which is what you heard a lot about at the budget workshop.

CM Sundberg: So the I.T. component of that remain within the court system or go to general I.T.?

J. Heckman: I would let the I.T. folks in the room speak to that.

C. Atkinson: Well, the hope is with the vendor that it will take I.T. eventually out of that process will always be there for support because we are kind of in the middle of it and in some aspects. But the hope is, is that it will relieve some of the pressure off of our I.T.

CM Sundberg: Thank you.

**6. Confirm Next Meeting**

CM Jurinsky: All right. And then to confirm the next meeting, I think we're looking at March 9th.

J. Batchelor: Yes, ma'am.

CM Jurinsky: Is that it?

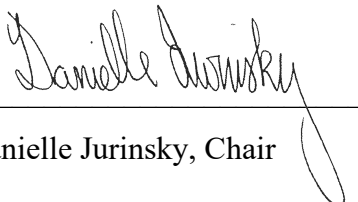
J. Batchelor: Yelena was able to get this for the entire year. So we'll be here for your direction in person. So we've got this room booked. So she only had to twist a few arms, kick a few kneecaps. So good job on that. So we're not moving around.

CM Jurinsky: I mean, I'm sure the room was so booked and the first one that we had to go right there, so. Okay, perfect. So March 9th at 9 a.m. here in person.

**7. Adjournment**

Meeting adjourned at 10:00 a.m.

CM Jurinsky: Meeting is adjourned.

APPROVED:   
Danielle Jurinsky, Chair