

8. SUMMARY OF EVIDENCE

IN THE MATTER OF DISCIPLINARY PROCEEDING AGAINST

Officer Robert Rosen #315114

MEMBER OF THE AURORA CIVIL SERVICE, AURORA POLICE DEPARTMENT

The evidence in support of the investigation is that on August 10, 2020 while assigned to District Three Patrol, Officer Robert Rosen responded to assist another officer who had called for assistance while dealing with a male who was trespassing. When Officer Rosen arrived, the other officer and the suspect were on the ground and the suspect was passively resisting by laying on his stomach and keeping his arms underneath him. The officer asked Officer Rosen to try and get the subject's arm out from underneath him. Officer Rosen briefly tried to get the subject's arm out without giving any verbal commands. He then proceeded to strike the male four times in the side with a closed fist, which was not effective. He then drive stunned the suspect five times for a total of 27 seconds. No lesser means of force were attempted by Officer Rosen. Officer Rosen failed to justify each use of force in his report. He had not turned on his camera at the beginning of shift and he did not activate it until after he was already in contact with the suspect, therefore, missing the buffer period and his initial contact with the suspect.

Based on a review of this investigation the Chief's Review Board has recommended to the Chief of Police that Officer Robert Rosen be **SUSTAINED** for violating Aurora Police Department Directive(s)

- 5.3 Use of Physical Force
- 14.2.15 Unsatisfactory Performance
- 16.4.3 Body-worn Camera Operation
- 5.8.10 Taser

NOT SUSTAINED

- 14.2.2 Making a False or Untruthful Declaration
- 14.1.1 Lawful Orders

YOU HAVE THREE (3) DAYS FROM THE DATE OF THE PRE-DISCIPLINARY HEARING TO REQUEST AN IRB.