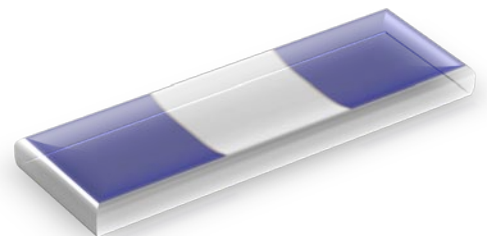


2011 Awards, Commendations, Complaints and Discipline Report



Chief of Police Daniel J. Oates
Aurora Police Department
15001 East Alameda Parkway
Aurora, Colorado 80012



Aurora Police Department

2011 Annual Awards, Commendations, Complaints and Discipline Report

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Introduction

In conjunction with our core values of integrity, honor and duty, the Aurora Police Department strives for professionalism in the performance of our duties. We encourage positive behavior in our employees by use of awards and commendations. We also encourage our employees and citizens to report any perceived misconduct by our officers. We investigate every complaint and concern reported to the Department and take appropriate action, protecting the rights of the citizen and the Department member. This report reflects our commitment to openness and transparency to the people we serve.

The Department has two systems to award outstanding performance and three systems to manage complaints and discipline. The two award systems are Formal Department Awards and Informal Commanders Commendations. The three systems used to manage complaints and disciplines are: the Automated Complaint and Commendation System; District / Bureau Discipline; and Formal Internal Investigations and Discipline.

Formal Department Awards

All employees of the Department who become aware of outstanding performance are encouraged to nominate employees and citizens for recognition through the Formal Department Awards program. Department Directive 10.7 describes the guidelines for these awards. See Directive at the end of this report under the “Department Directives Cited in this Report” section. The Awards Board reviews and investigates all nominations for formal awards and then makes a recommendation to the Chief of Police. The Chief of Police makes the final decision on the appropriateness of each award. Awards available under the Formal Department Awards program are: Medal of Honor; Distinguished Service Cross; Purple Heart; Life Saving Award; Meritorious Service Ribbon; Chief’s Commendation Certificate; Chief’s Unit Citation; Community Commitment Certificate; and the Certificate of Appreciation – Citizen’s Award. These awards are described in the Formal Department Awards section of this report.

Informal Commander’s Commendations

Any Command Level Officer may, without a nomination to the Awards Board, award a Commander’s Commendation Certificate. The Informal Commander’s Commendations section of this report describes the certificate.

Automated Complaint and Commendation System

The Aurora Police Department created the Automated Complaint and Commendation System in 2006 to manage the investigations of and record all complaints and commendations received on sworn officers of the Department. Regardless of how received, all complaints and commendations are entered into the automated system.

Citizens can enter their complaint or commendation directly online through the city’s web site. If the Department receives a complaint or commendation in person, on the telephone or in writing, receiving

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employee enters the information into the system. Once entered in the automated system, the complaint or commendation remains open until closed by the officer's Division Chief.

The system directs the complaint or commendation to the officer's immediate supervisor for an investigation. The supervisor reports his/her finding to his/her supervisor, who approves or disapproves the investigation. That process continues until the officer's Division Chief ultimately reviews all decisions in the chain of command and approves the investigation and resulting actions.

Safeguards built into the system include the following: no one can delete the complaint or commendation. Only one supervisor can work on the complaint at a time (following the chain of command). Supervisors can add information but cannot remove it. All information inserted into the system is saved, documenting the date and time submitted and by whom. Supervisors can search the system to determine if the officer has like complaints and or commendations.

The system records all of the information and produces statistical information. Police managers use the information to determine future training needs as well as to decide an appropriate level of discipline

District and Bureau Discipline

The most severe result of incidents reported in this section are Written Reprimands, which are the lowest level of formal discipline. The Internal Affairs Section investigates cases that may require discipline greater than a Written Reprimand. Cases that result in corrective measures (training verses discipline) are recorded in the Automated Complaint and Commendation System. A Police Department Supervisor or Manager investigates all District / Bureau Discipline cases. He/she obtains all of the necessary information and reports his/her findings to his/her supervisor. The employee's chain of command reviews the investigation. If any supervisor in the chain of command determines that the employee violated a Department Directive(s) and decides the appropriate level of discipline is a Written Reprimand, he/she makes that recommendation to the Chief of Police. If the Chief concurs with the findings, the employee's command level officer issues the employee a Written Reprimand. The Written Reprimand is part of the employee's permanent discipline file.

Formal Internal Investigations and Discipline

The Chief of Police orders all formal internal investigations. As a general rule, the Chief orders formal investigations on allegations that could potentially result in discipline that is greater than a written reprimand. Additionally, critical incidents (i.e. police shootings, use of force resulting in serious injuries or death, serious traffic accidents involving officers, etc.) result in the Chief ordering a formal investigation regardless of whether there is any evidence or accusation of misconduct. The Chief's order will allege a violation(s) of Department Directive(s). The Internal Affairs Section completes the investigation and reports its findings to the accused officer's Division Chief. The officer's Division Chief decides whether the evidence proves the alleged violation(s). If so, the Division Chief will sustain the allegation(s). When the Division Chief sustains an allegation, the Chief of Police orders discipline in accordance with the City's and Department's policies.

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Perspective Statistics

The Department provides the following statistical information for the purpose of perspective. The Department currently employs 632 sworn officers, 137 civilian employees (total 769). During 2011, the Department handled 401,913 calls for service from the public, arrested 10,890 suspects, issued 10,317 criminal summonses (non-custodial arrests) and issued 55,139 traffic citations.

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Formal Department Awards

During 2011, the Aurora Police Department presented 45 awards through the formal program. The Department presented no **Medal of Honor** awards. The Department honored sixteen (16) officers with the **Distinguished Service Cross**. The Department presented no **Purple Heart Awards**. The Department presented thirteen (13) officers with the **Life Saving Award**. The Department recognized twenty-one (21) officers with the **Meritorious Service Ribbon**. The Chief commended fourteen (14) officers and one (1) Dispatch supervisor, (1) FBI Agent, (2) Denver Police personnel and (2) Sheriffs Deputies with **Chief's Commendation Certificates**. The Chief presented five (5) **Chief's Unit Citations**. The Department presented twelve (12) citizens with the **Certificate of Appreciation - Citizens Award**.

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Medal of Honor



The Medal of Honor may be awarded by the Chief of Police to members who distinguish themselves by intentionally and knowingly placing themselves in a situation that involves an actual and imminent danger of death and whose actions demonstrate conspicuous bravery or heroism significantly above and beyond the call of duty. The member must perform an act so outstanding that it clearly demonstrates extraordinary courage beyond the requirements of the Distinguished Service Cross. The member must have been aware of the great personal danger to himself/herself prior to the performance of the act and the act must have involved an imminent, actual and substantial threat to the member's life. This award will be a medal, pin and a certificate presented by the Chief of Police.

The department presented no **Medal of Honor** awards in 2011

Distinguished Service Cross



The Distinguished Service Cross may be awarded by the Chief of Police to members who distinguish themselves by demonstrating exceptional bravery despite an imminent risk of serious bodily injury or death. A member may be aware or unaware of great personal peril to himself/herself prior to the performance of the act. This award will be a medal, pin and a certificate presented by the Chief of Police.

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Officer Christopher Cruser, Officer Dave Musgrave, Officer Dominic Marziano, and Officer Luke Mossburgh

On February 24, 2009, two plain clothes Pattern Crimes Unit officers were fired upon by the driver of a passing SUV. After the officers got out of the line of fire they aired what occurred and a description of the vehicle. Officers Cruser and Musgrave located the suspect vehicle and a pursuit ensued. Joined by Officers Marziano and Mossburgh, the pursuit reached speeds of 90 miles an hour. After the suspect collided with a privacy fence, he reversed and continued to elude pursuing officers. Concerned that the suspect would drive the wrong way on Mississippi Ave, putting oncoming motorists at risk of serious injury or death, Officers Cruser and Musgrave rammed the suspect vehicle. The suspect continued driving, even after Officers Marziano and Mossburgh completed a PIT maneuver. The suspect's vehicle was rammed again, bringing the pursuit to an end after both vehicles crashed through a second privacy fence. Parts of the fence became lethal projectiles, piercing the windshield of the officer's vehicle and nearly impaling Officer Mossburgh. The suspect, in an apparent attempt to escape, attempted to drive off. Officer Marziano rammed the suspect vehicle again, and the suspect was taken into custody.

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Sergeant Jad Lanigan, Sergeant Stephen Redfearn, Sergeant Michael Yorchak, Officer Christopher Gonzales, Officer Steven Nelson, Officer Erick Ortiz, and Officer Erik Vancleave

On June 25, 2010, dozens of officers responded to an apartment complex involving an aggravated assault with a gun in which residents of the apartment complex had become involved in a violent dispute in which shots were fired. Upon arrival, Sergeant Yorchak and Sergeant Lanigan could hear screaming coming from the apartment of the gunshot victim and located evidence of the shooting in the courtyard, including shell casings and magazines. Sergeant Lanigan, Officer Ortiz, Officer Vancleave and Officer Gonzales developed a plan to secure the suspects apartment to allow the evacuation of the victim. Sergeants Yorchak and Redfearn and Officer Nelson devised a rescue plan to remove the victim. Once evacuated, the victim was placed in the back seat of a waiting patrol car and Sergeant Redfearn and Officer Nelson climbed in the back seat next to the victim in order to keep pressure on the wounds preventing further blood loss. The actions of the Sergeants and Officers helped save the victim's life.

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Sergeant Gerald Jonsgaard, Officer Kenneth Braunlich, Officer Toney Hannon, Officer Jeffrey Jacobs, and Officer Sean Mitchell

On September 11, 2010, shortly before 2 a.m., officers were dispatched to a report of an armed party. Contact was made with an armed party who was sitting in the front yard of the house. A perimeter was set in place to contain the man who was both suicidal and homicidal. After over an hour of discussions with the Hostage Negotiation Team, the suspect remained defiant and unwilling to relinquish the gun he was holding. Officers then learned of two gunshot victims in the basement of a home where the suspect was sitting. Sergeant Gerald Jonsgaard took charge of this phase of the call by developing a rescue plan, which included organizing a rescue team. The rescue team included Officers Toney Hannon, Sean Mitchell, Jeffrey Jacobs, and Kenneth Braunlich. As negotiations continued outside, Sergeant Jonsgaard led the rescue team inside the house where officers found both gunshot victims. One victim was alive when located and quickly evacuated. The other victim did not survive. An hour and a half after the call began; the suspect surrendered and was taken into custody.

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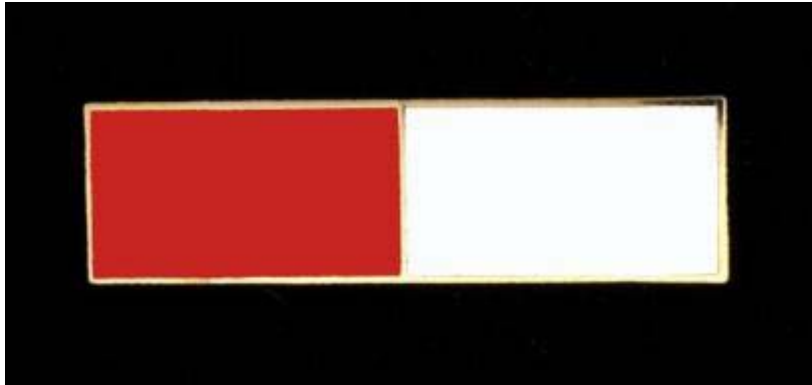
Purple Heart



The Purple Heart may be awarded by the Chief of Police to any member who sustains a gunshot wound, stab wound, or serious injury, under aggravated and hostile circumstances, which could have resulted in death or could potentially result in a permanent disability, which may force the member to retire. This award will be a medal, pin, and a certificate presented by the Chief of Police.

The department presented no **Purple Heart** awards in 2011.

Life Saving Award



The Life Saving Award may be awarded by the Chief of Police to members who personally save a life. The life saving effort will normally involve one of the learned life supporting processes: mouth-to-mouth resuscitation, cardio-pulmonary resuscitation, the Heimlich maneuver for choking victims, or the control of

severe bleeding. Actions meriting this award will be significant actions by the member. The award will only be bestowed if the victim survives the incident. The request for a life saving award will be accompanied by a document from witnesses or an attending physician stating the methods applied contributed significantly to the victim's survival. This award will only apply when victims are at imminent risk of death. This will normally not include deliberate actions taken by the victims, unless the victims have inflicted injury upon themselves which is actually life threatening. This award will be a pin and certificate presented by the Chief of Police.



Sergeant Christopher Juul

On March 14, 2011, shortly before 4 a.m., officers responded to Denny's restaurant on a report that a customer had collapsed and was not breathing as a result of food that had lodged in his airway. Lyn LaChapelle, an off-duty nurse eating in the restaurant began CPR on the man. Sergeant Juul was the first on scene and deployed the Automatic Electronic Defibrillator. Both LaChapelle and Sergeant Juul attempted the Heimlich maneuver, but were unsuccessful in clearing the man's airway; however, their efforts reestablished a faint pulse. Responding firefighters used special equipment to clear the man's airway and transported him to the hospital allowing him to survive his near-death experience.

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Sergeant Michael Yorchak, Sergeant Stephen Redfearn, and Officer Steven Nelson

On June 25, 2010, dozens of officers responded to an apartment complex involving an aggravated assault with a gun. Residents of the apartment complex had become involved in a violent dispute in which shots had been fired. Upon arrival, Sergeant Yorchak and Sergeant Lanigan heard screaming coming from the apartment of the gunshot victim, along with evidence of the shooting in the courtyard, including shell casing and magazines. Sergeant Lanigan, Officer Ortiz, Officer Vancleave and Officer Gonzales developed a plan to secure the suspects nearby apartment allowing the evacuation the victim. Sergeants Yorchak and Redfearn and Officer Nelson devised a rescue plan to evacuate the victim. Once evacuated, the victim was placed in the back seat of a waiting patrol car and Sergeant Redfearn and Officer Nelson climbed in the back seat next to the victim in order to keep pressure on the wounds preventing further blood loss. The actions of the Sergeants and Officers helped save the victim's life.



Officer Lisa Calcamuggio

On June 27, 2010, officers responded to a report of an aggravated assault involving a knife. Officer Calcamuggio noticed a trail of blood leading from the residence out the back door. Following the trail, Officer Calcamuggio located the 47-year-old male victim with multiple stab wounds in the chest and arm, lying on the ground. Using her past medical experience, Officer Calcamuggio rendered life-saving first aid, applying pressure to the wounds and elevating the arm to reduce the amount of blood loss. The victim's wounds caused a collapsed lung and would require surgery to repair. Officer Calcamuggio's actions saved the life of the victim.

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Sergeant Gerald Jonsgaard, Officer Kenneth Braunlich, Officer Toney Hannon, Officer Jeffrey Jacobs and Officer Sean Mitchell

On September 11, 2010, shortly before 2 a.m., officers were dispatched to a report of an armed party. Contact was made with an armed party who was sitting in the front yard of the house. A perimeter was set in place to contain the man who was both suicidal and homicidal. After over an hour of discussions with the Hostage Negotiation Team, the suspect remained defiant and unwilling to relinquish the gun he was holding. Officers then learned of two gunshot victims in the basement of a home where the suspect was sitting. Sergeant Gerald Jonsgaard took charge of this phase of the call by developing a rescue plan, which included organizing a rescue team. The rescue team included Officers Toney Hannon, Sean Mitchell, Jeffrey Jacobs, and Kenneth Braunlich. As negotiations continued outside, Sergeant Jonsgaard led the rescue team inside the house where Officers found both gunshot victims. One victim was alive when located and quickly evacuated. The other victim did not survive. An hour and a half after the call began; the suspect surrendered and was taken into custody.



Officer Paul Davis

On October 3, 2010, Officer Davis was on patrol in the area of E. Colfax Avenue and Peoria Street and witnessed a violent two-car traffic accident, which caused one of the vehicles to roll before coming to a rest. After reporting the accident to dispatch, Officer Davis went to the vehicle that had rolled and found 24-year-old Nicholas Duval bleeding from his nose, ears and mouth. Although Nicholas was unresponsive, he was breathing and had a pulse. Officer Davis elected not to move Nicholas to prevent further injury. A short time later, Officer Davis realized that Nicholas was no longer breathing nor had a pulse. He entered the heavily damaged vehicle and carefully moved Nicholas. By moving him to a prone position, Nicholas began to breathe again. Fire/Rescue personnel arrived and transported Nicholas to the hospital where he survived his injuries.

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Officer Jason Chilson

On Saturday October 16, 2010, Officer Chilson responded to an apartment on the report of a 43 year old male who was found by his roommate not breathing, unresponsive and cold to the touch. Officer Chilson immediately began CPR on the male, who was revived and began breathing and responding to questions several minute later. The male was transported to the hospital and released a few days later.



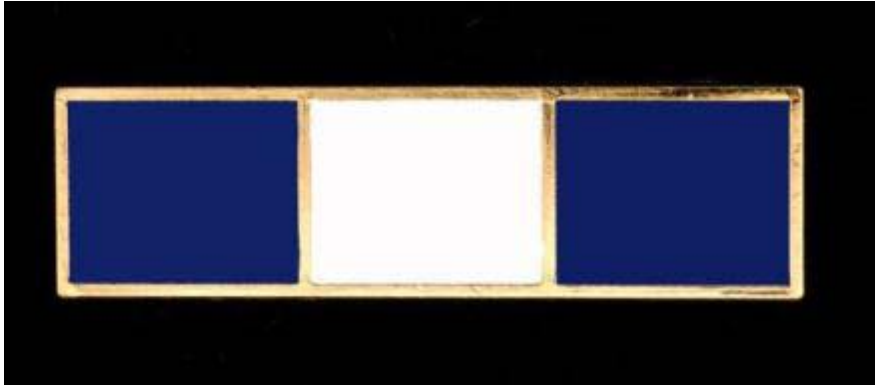
Officer Darren Lantz

On November 6, 2010, off-duty Officer Lantz was at the Castle Rock Recreation Center with his children in the pool area. He noticed a small child submerged under 5 feet of water and did not appear to be moving. Officer Lantz pulled the 7 year old boy from the water and began the CPR on the unresponsive child, who was not breathing. Soon the child regained consciousness, coughed water from his lungs and began breathing on his own. Castle Rock Police and fire rescue personnel arrived and transported the child to the hospital for further medical treatment.

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Meritorious Service Ribbon



The Meritorious Service Ribbon may be awarded by the Chief of Police for service rendered in the line of duty when a member, because of diligence and perseverance, performs difficult tasks under unusual circumstances and goes far beyond that which is normally expected

of members. This award will be a pin and certificate presented by the Chief of Police.

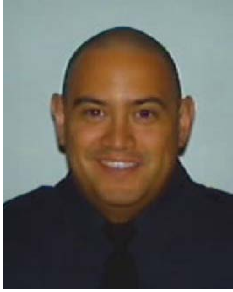


Officer Timothy Jeffrey

On June 10, 2010, officers were dispatched to a report of a suicidal man who ingested a potentially deadly cocktail containing potassium cyanide, a chemical commonly used to kill rodents. Knowing the name but not the location of the 40-year-old male, officers fanned out over the city checking addresses associated with the man. Officer Jeffrey, being familiar with the male, checked a trailer park and located the man's vehicle parked outside one of the trailers. He heard the man talking on the phone and requested additional officers; however, during the wait, Officer Jeffrey believed the man had lost consciousness and so he entered the trailer. Although Officer Jeffrey attempted to negotiate with the man, he remained defiant and began drinking a second cup of this deadly cocktail. Officer Jeffrey knocked the cups out of the man's hands, removed him from the trailer and was joined by other officers who assisted in taking the male into custody. He was transported to the hospital and treated for depression. Officer Jeffrey, the suicidal male and all officers coming into contact with the cyanide substance were decontaminated.

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Officer William Stricklin

On September 8, 2010, shortly after 3 a.m., Officer Stricklin observed a suspicious vehicle matching the description of one associated with several vehicle larcenies earlier that evening. He stopped the suspicious vehicle; however, when he approached the car it sped away. Officer Stricklin pursued the vehicle, occupied by 3 parties, which lost control and crashed into a tree and two parked vehicles. Officer Stricklin pursued two of the suspects, who ran into a back yard. Upon entering the back yard, Officer Stricklin was punched in the face, grabbed by the suspect and a fight ensued. The suspect freed himself and attempted to climb a privacy fence to escape. Officer Stricklin pulled him down and a second fight ensued. The male suspect charged at Officer Stricklin, who used his baton to strike the suspect in the legs and order him to stop resisting even though the suspect showed no signs of wanting to surrender. After an exhausting fight, Officer Stricklin took the 20-year-old male into custody. Officer Stricklin sustained injuries, including bruising, headaches and soreness to his neck, face and shoulder.



Sergeant Michael Gaskill and Officer John Wilton

On September 11, 2010, shortly before 2 a.m., officers were dispatched to a report of an armed party. Sergeant Gaskill was one of the first officers to contact the armed party, who was sitting in the front yard of the house, and took charge of the scene. A perimeter was set in place to contain the man who was both suicidal and homicidal. After over an hour of discussions with Hostage Negotiation Team Officer John Wilton, the suspect remained defiant and unwilling to relinquish the gun he was holding. Officers then learned of two gunshot victims in the basement of a home where the suspect was sitting. A rescue plan was developed and entry was made into the rear of the home to locate both gunshot victims. One victim was alive when located and quickly evacuated; sadly the other victim did not survive. An hour and a half after the call began; the suspect surrendered and was taken into custody.

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Officer Joseph Cornell, Officer Jason McDonald, and Officer Jeremy McElroy

On November 12, 2010, Officers Cornell, McDonald and McElroy responded to a report of a suicidal man with a knife. As they approached the apartment, they could hear a hysterical and distraught female screaming for help. Aware of the imminent danger the man posed to himself and others, they drew their guns and entered the apartment. Upon entering, Officers saw the deranged man holding the knife to the woman's throat. Officer McElroy deployed his taser, which incapacitated the man and caused him to drop the knife. These officers worked as a team to quickly secure the man and rescue the woman from the potentially life-threatening situation.

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Sergeant Scott Pendleton, Sergeant David Sandoval, Agent Steven Conner, Agent David Dyroff, Agent Shannon Youngquist-Lucy, Agent Charles Mehl, Agent Alan Shank, Agent Hershel Stowell, Officer John Campbell, Officer Frank Fania, and Officer Michael Thrapp

On November 20, 2010, APD began an investigation into a high profile kidnapping case in which the kidnappers demanded \$50,000 in cash and the titles to the family's vehicles. Kidnappers told the families if they failed to meet their demands the hostages would be killed. APD Sergeants, Agents and Officers worked tirelessly and non-stop for nearly 24 hours. Working with other agencies, the victims were located and rescued from a home in Thornton. The kidnappers were identified, located and arrested.

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Officer Justin Grizzle, Officer Chad Roberts and Officer Gene Salberg

On December 1, 2010, Officers Grizzle, Salberg and Roberts were dispatched to a structure fire, an apartment building. Officers worked quickly to alert residents and families of the danger and assisted them in moving to safety through the heavy smoke.

Chief's Commendation Certificate

The Chief's Commendation Certificate may be awarded by the Chief of Police to a member for exceptional contribution to the progress of the Department, or to individuals who perform their duties in an unusually effective manner. The contribution must be adopted by the Department and increase the administrative or operational efficiency of the Department. The Chief of Police may recognize individual members of other law enforcement organizations, or multi-jurisdictional task forces, for this award.

Aurora Dispatch Supervisor Marena Lertch

On January 21, 2008 at approximately 2:00 p.m., Dispatcher Marena Lertch received a 911 call from a man stating that he had stabbed his wife ten to fifteen minutes earlier and she was deceased. The male stated that his neighbor and two children were present in the home with him and he was holding a gun to his head in the hopes that police would shoot him. Dispatcher Lertch spent several minutes calming down the deranged party and convincing him to allow his neighbors and the children to leave the residence unharmed. Eventually she was able to convince the male to exit the residence without any further harm to himself or officers outside.

Sergeant Graham Dunne

Sergeant Dunne has been a Subject Matter Expert (SME) for the Colorado Peace Officer Standards and Training (P.O.S.T.) for nearly 8 years, and has been an advocate for physical fitness and leadership training, neither of which of currently required for P.O.S.T. certification. To date, only 13 of the 26 Colorado law enforcement academies require physical training. Sergeant Dunne championed an effort to reduce hours in non-essential courses and add physical fitness and leadership into the mandatory curriculum without increasing the total number of hours to complete the P.O.S.T. training. The changes were adopted and took effect in June 2011.

Acting Sergeant Mark Elliot, Officer Dustin Clark, Officer Anthony Green, Officer Justin Grizzle, Officer Jeffrey Marsich, K-9 "Jordan", and Officer Aaron Woodbury

On April 2, 2011, Officers responded to an apartment and the caller stated that her female friend, at the apartment, has sent a text message directing her to call the police. Upon arrival, Officers could see a female, apparently in distress, and a male attempting to hide. Neither opened the door when ordered. Seeing the male enter the kitchen and aware of the possibility that he may be arming himself, officers made entry into the residence and rescued the female. The suspect refused to surrender and K-9 "Jordan" was deployed and the suspect taken into custody. The female victim stated that she had been held hostage for several days, and during the ordeal the suspect held scissors to her neck. The suspect had a violent history and an active warrant for his arrest.

Officer Sean DeBow

On April 6, 2010, Officer DeBow investigated a report of a missing truck driver. His family became concerned when he missed his scheduled arrival in Albuquerque, New Mexico two days before. After speaking with the missing man's employer, who had not been in contact with him either, Officer DeBow initiated a missing person investigation. He discovered that the Colorado Department of Transportation recorded that the missing man passed through the Monument Port but did not have record at the next

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port in Raton, NM. Tracking the missing man's cell phone for a location in a southern Colorado city, Officer Debow requested the assistance of El Paso County Sheriff Department, who located the man's vehicle parked behind a gas station. Deputies discovered the man was unconscious due to a potentially life-threatening seizure. Deputies broke the window and pulled the man from the truck. He was then transported to the hospital.

Officer Roland Albert, Officer Douglas Daufeldt, Lieutenant Harry Glidden, Officer Steven Nelson, Officer Sarah Newman, and Sergeant Redfearn

On October 15, 2010 shortly before 10 p.m., Officers were dispatched to an in-progress residential home invasion robbery. A search was initiated for two suspects seen jumping over a privacy fence. The search was unsuccessful. The perimeter was broken down and most officers went back into service to handle pending calls. Sergeant Redfearn coordinated a secondary search with Officers Newman, Albert, Daufeldt and Nelson. They contacted a male matching the description of one of the home invasion suspects who had blood on his clothing and stated he was meeting his girlfriend in the area. Officers contacted his girlfriend, who failed to corroborate his story and refused to meet with the officers to ascertain her welfare. Officers conducted a search of nearby hotels and located the girlfriend on the guest registry. No one answered the door of the room. After careful consideration of complex legal issues, the team, not including Lieutenant Glidden, entered the room and discovered a murder victim. These actions solved a homicide case and the initial burglary, which was connected.

FBI Special Agent Scott Eicher, Denver Police Department Sergeant Dino Gavito, Douglas County Deputy Michael Widmer, Denver Police Department Detective Avis Laurita, and Jefferson County Deputy Luke Ingersoll

On November 20, 2010, APD began an investigation into a high profile kidnapping case in which the kidnapers demanded \$50,000 in cash and the titles to the family's vehicles. Kidnappers told the families if they failed to meet their demands, the hostages would be killed. APD and these law enforcement officials of other agencies worked tirelessly and non-stop for nearly 24 hours to locate and rescue the victims from a home in Thornton. The kidnapers were identified, located and arrested.

Chief's Unit Citation

The Chief's Unit Citation may be awarded by the Chief of Police to an entire unit whose members perform their assigned duties in an unusually effective manner. The Chief of Police may recognize units comprised of officers from the Aurora Police Department as well as other organizations, or multi-jurisdictional task forces, for this award.

Police Academy Staff – Police Range Staff

Sergeants Eric Wittman and Jack Cooley, Officers Eric Burke, Colleen Delena, Sal Fazio, James Gleason, Heath Graw, Steve Larson, Matt Novak, Steve Ouillber, Jason Petrucelli, Eric Scherr, Brad Wanchisen, Gunsmith John Stewart and Office Manager Lynne Harrison

The Academy and Range units are a small, extremely dedicated group that is responsible for providing firearms, arrest control, self-defense, less lethal weapons, emergency vehicle operating training, and training on a myriad of topics to all 630+ members of the police department. In addition, staff members provide their expertise and training to Aurora Detention and Aurora Marshall personnel and outside law enforcements agencies (federal and local). Some members are Colorado POST subject matter experts (SME), and conduct inspections for and provide input to Colorado POST that impacts law enforcement training on the state level.

Explorer Post 2024

Aurora Police Department was one of five host sites for the annual "Shred-A-Thon" put on by sponsors in benefit Denver Metro Crime Stoppers, which is a 24-hour tip line allowing for callers to remain anonymous while providing information to solve serious unsolved area crimes. Two thirds of these crimes involve serious felony offenses including homicide, rape, robbery and burglary. On May 14, 2011, the Aurora Police Explorer Post 2024 was instrumental in the success of this year's event. Many Explorers participated in directing traffic and handling nearly 50,000 pounds of documents to be shredded. The Aurora site collected \$7,896 in donations benefiting the Denver Metro Crime Stoppers during the event.

Major Crime/Homicide Unit

A seven-day stretch in March 2011 began a challenging and extraordinary period of time in the unit's history. On Monday, March 14, 2011, uniformed patrol officers responded to an armed party holding two hostages. During the incident, the officers successfully performed a hostage rescue. During the rescue effort, an Officer was shot and returned fire. MCU Detectives worked tirelessly throughout the night in order to conduct a thorough and detailed investigation of the officer-involved shooting.

On Wednesday, March 16, 2011, MCU detectives responded to the scene of a homicide. The victim had been fatally stabbed by his roommate. MCU detectives worked throughout the night and into the next morning. Their persistence and dedication resulted in the capture and arrest of the suspect within days of the murder.

On Thursday March 17, 2011, MCU Detectives responded to an officer-involved shooting in which an officer had been injured by gun-fire. Tactical teams would locate the shooter the following morning in an apartment where hostages had been taken. During an armed escape attempt, the shooter was fatally wounded by officers.

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On Sunday, March 20, 2011, MCU Detectives responded to another officer-involved shooting, the fourth to occur in a week's time. MCU detectives were placed in charge of this investigation as well. The team worked long hours and made personal sacrifices to meet the unusual demands placed on them, and did so with the highest level of professionalism.

Community Commitment Certificate

The Community Commitment Certificate may be awarded by the Chief of Police to members who, through their own efforts, display an unusually effective manner of employing the Aurora Police Department's community commitment philosophy by providing the public police services which embody the concepts of:

- Police employee/community identification, ownership, and trust or;
- A two-way dialogue between the police organization and the community or;
- A problem-solving approach to the delivery of police services or;
- An attention to those factors that contribute to deteriorating conditions in neighborhoods and community decay or;
- An official recognition of and an action oriented approach to those issues which give rise to fear of crime in the community or of crime in the community or;
- A skilled utilization of the network of governmental and community resources through the use of specific referrals and coordination or;
- An orientation toward the facilitation of community self help through involvement, knowledge, and organization.

Certificate of Appreciation – Citizen’s Award

The Certificate of Appreciation, Citizen Award may be awarded by the Chief of Police to any citizen who renders valuable, courageous, or heroic assistance to members of the Aurora Police Department.

Rick Rodgers

Mr. Rodgers has volunteered his time and musical talent to perform at numerous events that have served to benefit the community as well as officers in need. Mr. Rodgers performed at the 1st Annual Neighborhood Watch Recognition Picnic held at the Aurora Reservoir for members of the community. He also performed at a fundraiser for Aurora Police Officer Rob Moszer, who was battling Lou Gehrig’s disease. He contributes countless hours of volunteer service.

Steven Patrick Phillips

On January 21, 2008 at approximately 2:00 p.m. Mr. Phillips received a call from his neighbor asking if he could come over right away. When Mr. Phillips arrived at his neighbor’s home, he saw his neighbor sitting on his couch smoking a cigarette and drinking a can of beer. The neighbor had his hand on a gun, located in his waistband. The neighbor told Mr. Phillips he had just killed his wife. Mr. Phillips observed the deceased woman’s body on the floor of the kitchen. During the course of the conversation, Mr. Phillips’ children entered the living room. Mr. Phillips prevented his children from seeing the horrific sight in the kitchen. The neighbor asked Mr. Phillips for advice, and Mr. Phillips repeatedly recommended that he call the police and explained that taking his own life was not the answer to the problem. Several minutes later, the suspect called police, and the situation eventually came to a close without further violence.

Naomi White, Caleb VanDorn and Carlos Zura

On February 26, 2011, Colton White was walking out of a convenience store near S. Havana Street and E. Alameda Avenue when he was approached by a male demanding spare change. When Colton explained he had no money, the suspect attacked him in an effort to rob him of his wallet. Colton’s wife, Naomi, and his son, Caleb, saw Colton in a struggle and went to his aid. At some point during the struggle, the suspect struck Naomi, leaving her bruised and injured. The first responding officer became entangled in the fight. Recognizing that the lone officer needed assistance, Naomi grabbed the officer’s radio and called for help. With the assistance of a nearby citizen, Carlos Zura, the suspect was overpowered and taken into custody. He was charged with robbery and assault.

Lyn LaChapelle

On March 14, 2011, shortly before 4 a.m., officers responded to Denny’s restaurant on a report that a customer had collapsed and was not breathing as a result of food that had lodged in his airway. Lyn LaChapelle, an off-duty nurse eating in the restaurant, began CPR on the man. Sergeant Juul was the first on scene and deployed the Automatic Electronic Defibrillator. Both LaChapelle and Sergeant Juul attempted the Heimlich Maneuver, but were unsuccessful in clearing the man’s airway. However, their efforts reestablished a faint pulse. Responding firefighters used special equipment to clear the man’s airway and transported him to the hospital, allowing him to survive his near-death experience.

Aurora Police Department

2011 Annual Awards, Commendations, Complaints and Discipline Report

Ronald Douglas and Travis Law

On June 2, 2010 Ronald Douglas and Travis Law were driving in separate vehicles when they observed a woman being violently attacked on the street by her boyfriend. Mr. Douglas and Mr. Law witnessed the 52-year-old male beating the woman with a golf club and a beer bottle. Mr. Douglas and Mr. Law ran to the woman's aid and successfully separated the two. However, the suspect hit Mr. Douglas with the same golf club. Together, Mr. Law and Mr. Douglas were too much for the suspect, who fled on foot. They stayed with the woman until officers arrived on scene and then provided information to officers that led to the suspect's capture and arrest.

Randy Buchholz and Randall Suba

On September 28, 2010, 37 year old Annett Henson dropped her husband, Randall Suba, and their two dogs near Quincy Reservoir and was attempting to park their Toyota Rav4 before joining them for a walk. Mrs. Henson lost control of her vehicle, drove through a fence and struck a concrete spillway. The force of the impact caused the vehicle to catch fire and left her incapacitated and helpless. After witnessing the accident, Mr. Suba and passerby Randy Buchholz ran to the crash site and pulled her from the wreckage, which exploded moments later. Mrs. Henson received 2nd and 3rd degree burns over 30 percent of her body and was airlifted to the emergency room. Mr. Suba also suffered 2nd and 3rd degree burns during the rescue. Investigating officers noted that the heat was so intense from the fire that both license plates had melted.

Nickol Blackson

On October 3, 2010, Nikol Blackson was stopped at a red light at E. Colfax Avenue and Peoria Street and witnessed a violent two-car traffic accident, which caused one of the vehicles to roll before coming to a rest. Also witnessing the accident was Officer Davis. Officer Davis and Ms. Blackson, a nurse with medical training, went to the vehicle that had rolled and found 24-year-old Nicholas Duval bleeding from his nose, ears and mouth. Although Nicholas was unresponsive, he was breathing and had a pulse. They elected not to move Nicholas to prevent further injury. A short time later, they realized that Nicholas had stopped breathing and no longer had a pulse. Ms. Blackson climbed into the driver's side window and through the vehicle in order to unlock the passenger door. With the passenger door open, Officer Davis was able to enter the heavily damaged vehicle and render life-saving first aid. Nicholas began to breathe again. Fire/Rescue personnel arrived and transported Nicholas to the hospital where he survived his injuries.

David Clerici

On November 17, 2010 and approximately 7:45 p.m., Mr. Clerici was a customer at a T-Mobile store. Three males entered and began cutting the security devices off of phones and a computer and attempted to leave the store with the merchandise. When a store employee attempted to stop the shoplifters, he was assaulted. Mr. Clerici followed the suspects from a distance and relayed to police precise directions for the suspect location and detailed descriptions. Two of the three suspects were apprehended by police and some of the stolen merchandise was recovered.

Informal Commander's Commendations

Commander's Commendation Certificate

The Commander's Commendation Certificate may be awarded by Section and Bureau Command Officers to those members who, through their own efforts, perform their jobs in such a manner as to reflect high quality and professionalism in performance of their duties.

Officer Daniel Adlfinger, Officer Charles Bishop, Officer Annette Brook, Officer Brungardt, Officer Mark Hartman, Officer Matthew Green, Officer Michael Hanifin, Officer Paul McClendon, Officer Craig Morgan, Officer Jay Van Kam, and Officer Jason Weber

On June 17, 2011, Officers responded to a hostage situation in which a male subject chased a male out of the home after threatening to kill him while holding a handgun. The male victim received a text message from a female in the home stating she was being held against her will in the basement of the home. Officers took tactical positions in the front and rear of the home. A short time later, the female victim escaped from the home and was taken to safety by officers. She stated that the male subject was no longer holding the gun but was physically assaulting another female in the home. The male suspect exited the home and was taken into custody. The other female was contacted in the dining area of the home. The residence had several surveillance cameras installed in the residence with a DVR in the closet. The assaults, acts of Domestic Violence and felony menacing were captured on video and placed into evidence.

Officer Daniel Clark

On January 13, 2011, officers responded to a strong armed robbery on E. Colfax Avenue in which a clerk had been assaulted and the suspect had stolen packages of meat. Officer Clark noticed a male matching the suspect's description that was placing items into a plastic bag. Officer Clark contacted this male and determined that the items in the plastic were packages of meat. The clerk was brought to the area to view the suspect and confirmed it was the person that assaulted her and had stolen from the store in the past. The suspect was jailed on robbery charges.

Officer Jason Chilson and Officer Kenneth Forrest

On January 18, 2011, Officer Forrest investigated a report of larceny and damage to a vehicle and obtained detailed suspect descriptions and quality video of the crime. Information was aired to area officers. Officer Chilson observed a vehicle matching the description provided and initiated a traffic stop. On approach to the vehicle, Officer Chilson noted that the occupants also matched the description of the suspects previously aired. The suspects were taken into custody and several stolen items and burglary tools were located. A confession was gained from one of the suspects, which led to the location of a second vehicle and the recovery of numerous stolen items from other vehicle larcenies. Four suspects were charged with numerous felonies and numerous stolen items were recovered.

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Officer Paul Cancino

On April 21 and 22, 2011, Officer Cancino assisted in the successful prosecution of a case involving assault, battery, threats and harassment by telephone and stalking and related domestic-violence charges. The victim, who is Hispanic, does not speak English, does not read or write English or Spanish, and suffers from epilepsy. Officer Cancino conducted detailed interviews and translation during the investigation. He testified twice in the 2-day jury trial, which yielded a conviction for the charges in the case.

Officer Steven Chinn

On April 23, 2011, the Family Dollar store was robbed at gun point and the clerk was shot in the leg. Store video footage provided suspect and vehicle descriptions. Officers located the vehicle several hours later and initiated a knock-and-talk. While speaking to the residents inside the apartment, officers observed clothing that resembled items worn during the robbery. Detective Chinn obtained a search warrant that led to the recovery of clothing worn by the suspects and the shell casing that had been picked up by one of the suspects after shooting the store employee. Two suspects were prosecuted and a third identified. Interviews by Detective Chinn revealed that the suspects may be responsible for as many as 20 robberies in the metro area.

Officer David Cook

On May 9, 2011, officers responded to a burglary in progress and a suspect description was provided. Officer Cook observed a male matching the description hiding behind a truck. Officer Cook contacted the party and observed he was perspiring and breathing heavy. Officer Cook questioned the suspect, who was found to have numerous electronics and jewelry items on him. Sgt. Burns contacted the victim, who was able to identify items on the suspect as those stolen from his apartment. The witness was able to show police the path taken by the suspect, and the backpack was recovered near a trash bin. It contained a stolen gun. The suspect was arrested for burglary.

Officer Lisa Calcamuggio

On June 29, 2011, Officer Calcamuggio was off duty, walking her dog in Denver, when she observed a male subject vandalizing property with spray paint. Officer Calcamuggio immediately identified herself as an off-duty police officer and ordered the subject to the ground. As the suspect began to get on the ground, he reached into a backpack. Fearing for her safety, Officer Calcamuggio, who was wearing flip-flops and was not armed at the time, nevertheless used a modest amount of physical force to immediately control the suspect and await arrival of on duty officers. Denver Police arrived on scene and arrested the subject, after he was checked by rescue personnel and cleared as having no injuries.

Officer David Cook, Officer Rhett Fox, Officer Joshua Jenson, and Officer Alfred Roberson

On November 6, 2010, officers responded to the report of a shooting from a car into an apartment building. Officer Roberson spotted the suspect vehicle in the area and followed the vehicle until cover arrived. Officer Jenson arrived, and both officers attempted to stop the vehicle, which did not yield. Officer Roberson positioned his vehicle to execute a P.I.T maneuver. Officer Fox approached the area from the opposite direction, blocking their path and ending the pursuit. The suspect vehicle stopped abruptly and both suspects fled on foot. Officer Cook searched the apartment complex and contacted the driver, taking him into custody. The gun was recovered from the roof of the college, where the suspect had thrown it.

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Officer Randy Carroll, Officer Arturo Zepeda, and Interpreter Coordinator Irma Creamer

On November 20, 2010, APD began an investigation into a high profile kidnapping case in which the kidnappers demanded \$50,000 in cash and the titles to the families' vehicles. Kidnappers told the families that if they failed to meet their demands, the hostages would be killed. APD and law enforcement officials of other agencies worked tirelessly and non-stop for nearly 24 hours to locate and rescue the victims from a home in Thornton. The kidnappers were identified, located and arrested.

Lieutenant Tim DuFour, Detective Kenneth Giger, Detective Cliff Hunter, Detective Del Matticks, Senior Crime Analyst Dawn Tollakson, Arapahoe County Medical Investigator Elizabeth Ortiz, and Deputy District Attorney Larry Bailey

On March 3, 2011, senior detectives and other partner professionals of the Aurora Police Department collaborated to present the *Agent Assessment Center Preparation Class* for officers interested in promoting to Detective. The success of the endeavor would not have been possible without the benefit of the experience of these individuals related to criminal investigations and prosecution of offenders.

Officer Brian Dingwall

On April 10, 2011, officers responded to a mentally disturbed person throwing items out of his motel window and making nonsensical statements. When officers arrived on scene, the party became agitated and continued making statements indicating that he was out of touch with reality. The party had an extensive criminal history. Officer Dingwall made contact and established a rapport with the party, eventually convincing him to come out of the hotel in a peaceful manner.

Officer Brian Dingwall

On April 23, 2011, the Family Dollar store was robbed at gun point and the clerk was shot in the leg. The store video footage provided suspect and vehicle descriptions. Officer Dingwall located the vehicle several hours later and initiated a knock-and-talk. While speaking to the residents inside the apartment, he observed clothing that resembled items worn during the robbery. A search warrant was obtained that led to the recovery of clothing worn by the suspects and the shell casing that had been picked up by one of the suspects after shooting the store employee. Two suspects were prosecuted and a third identified. Interviews revealed that the suspects may be responsible for as many as 20 robberies in the metro area.

Officer George Delena

On May 28, 2011, Officer Delena responded to a US Bank on a reported robbery. Officer Delena interviewed a bank employee who recognized the suspect as a former employee that worked at a nearby business. He obtained a photo from the surveillance video and went to the person's place of employment. The suspect was positively identified. Responding to the suspect's last known address, Officer Delena spoke to family members but did not contact the suspect. An arrest warrant for the subject was obtained.

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Sergeant Graham Dunne, Officer Dave Pearson, Officer Mark Simmerman, Officer Robin Thompson, and Officer Donald Wilcox

On June 13, 2011, officers responded to the report of a suicidal party traveling with her 3-year-old son. The subject had phoned her ex-boyfriend and threatened to cut their son's throat and then commit suicide. Under direction of officers, the ex-boyfriend was able to get the woman to agree to meet him to release their son to him. When her vehicle entered the parking lot, officers blocked the exit. The female attempted to flee with her son in the back seat. After blocking the female's vehicle, officers took her into custody and rescued the distraught son from the vehicle.

Sergeant Graham Dunne, Sergeant Brandon Samuels, Officer Paul Cancino, Officer Paul Davis, Officer Mark Simmerman, and Officer Patricio Serrant

On July 31, 2011, officers responded to a report of shots fired within a residence. A perimeter and an arrest team were established. Officers attempted to make contact via bullhorn with no response, although the male came to the window several times. A less-than-lethal round was fired by officers through the front window. The male subject exited the house and was taken into custody. The house was cleared, and officers observed several gunshot holes and recovered several guns. The male stated that his son, armed with brass knuckles, had assaulted him. Learning the location of the son, another perimeter and arrest team was established. Although initially barricaded in the home, the son eventually came out of the residence and was also taken into custody.

Acting Sergeant Mark Elliott, Officer Chris Mowry, Officer Scott Osgood, and Officer Justin Shipley

On April 29, 2011, officers responded to a welfare check on a potential suicidal party. The party told his mother he was going to hang himself. Upon officers' arrival, there was no answer at the door or on the party's cell phone. The mother reported that her son was likely in the garage, and she spoke to him 30 minutes prior. Moments later, officers heard a "thump" sound and made a forcible entry into the home. Officers found the son hanging from an electrical cord. Officers cut him down and began CPR. He was transported to the hospital.

Officer Matthew Ewert and Officer James Giordano

On September 25, 2011, Officers Ewert and Giordano were on a routine traffic stop when they were approached by a citizen reporting that two individuals were breaking into cars in a nearby neighborhood. Upon arrival to the neighborhood, Officers Ewert and Giordano located two individuals matching the description given. The individuals had several iPods, CD's, jewelry, cell phones and a large amount of loose change. During the investigation, officers were able to obtain admissions from the subject stating they had broken into at least 25 cars. Officers were able to locate 8 victims and return some of the stolen property to the rightful owners.

Dispatcher Ton Eshelman, Sergeant Jad Lanigan, Sergeant Sean Mitchell, Sergeant Matthew Brukbacher, Officer Matthew Ewert, Officer Jeremy Fink, Officer James Giordano, Dispatcher Bradley Gleason, Officer Caleb Luallin, Officer William Miller, Officer Michael Nincehelter, Officer Joseph Sullivan, Officer Jason Weber, and Officer Zane Wilbern

On October 3, 2011, off-duty Dispatcher Tom Eshelman observed a pick-up truck at approximately 0400 hours. It was loaded with kitchen appliances. He recalled several recent new construction burglaries in the area involving stolen kitchen appliances. Tom contacted on-duty dispatchers and followed the truck until officers arrived. Officers stopped the vehicle, and the resulting investigation located a home where a recent burglary had occurred and confirmed that the appliances had been taken from it.

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Sergeant Mark Elliot and Officer Douglas Wilkinson, Officer Tyler Van Eps

On November 4, 2011, Officer Wilkinson observed a vehicle driving erratically, and believing the vehicle had just struck a pedestrian in a parking lot, he attempted to stop the vehicle. The vehicle attempted to elude the officer and struck several parked cars. The driver attempted to flee on foot. Sergeant Elliot held the suspect at gunpoint until cover arrived. The intoxicated and non-compliant suspect was yelling to Sergeant Elliott, "Shoot me!" Arriving Officer Van Eps also held the suspect at gunpoint and gave orders in Spanish. Sergeant Elliot attempted to deploy the taser but was unsuccessful due to the erratic movements of the suspect. Officer Wilkinson struck the suspect twice in the lower leg with his baton, causing the suspect to fall to the ground, allowing him to be taken safely into custody.

Officer John Falco

On February 1, 2011, Officer Falco responded to a call of a robbery with a gun. After contacting the victim, Officer Falco realized that the suspects remained within the apartment complex. He arranged for a perimeter and with other officers, contacted one suspect in his parent's apartment. After receiving consent from the suspect and his parents, a field lineup was conducted, and the victim positively identified the suspect. A second suspect was walking in the area of the field lineup and was also positively identified by the victim. Both suspects were taken into custody.

Officer Faith Goodrich

On July 7, 2011, officers responded to a suicidal party call with information that the subject was in his living room, holding a loaded and cocked handgun, was extremely intoxicated and threatening to fire on officers in order to create a suicide-by-cop situation. Officer Goodrich volunteered to phone and negotiate with the subject. The subject eventually agreed to put down the weapon and exit the home without further incident.

Sergeant Michael Gaskill

On December 6, 2010, officers responded to reports of several occupants with guns inside a home and that the caller feared for the safety of her friend. As officers approached the house, several occupants ran from the home. One suspect was contacted at gunpoint and was discovered to be in possession of 9mm ammunition. Other occupants retreated into the residence and then began to run out of the rear of the home. Four suspects were later found hiding in the area. One was in possession of a 9mm handgun. Sergeant Gaskill notified the Bureau of Alcohol, Tobacco & Firearms and the Bureau of Immigration & Customs Enforcement. Both agencies pursued additional charges, and many of the suspects are believed to be part of the Sinaloa Drug Cartel.

Agent Ron Hahn

Agent Hahn investigated a report of a female who claimed she was raped by an unknown male. The rape was not reported until days later, and no physical evidence was left at the scene. The "victim" began receiving emails from *CheatingHusband.com* telling her the rape occurred because her husband was cheating on her. Flowers were sent to the other woman's husband, alerting him of the affair. Noting that things did not add up, Agent Hahn investigated further, collecting evidence and eventually determining that the emails and flower orders had come from the "victim's" IP address. The "victim" pled guilty to charges of false reporting and was ordered to pay \$2,480.15 in restitution.

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Agent Ron Hahn and Agent Mike Leiker

Agents Hahn and Leiker investigated a report by a female who located a camcorder in the ceiling of the women's restroom at her location of employment. She discovered that the camcorder was connected to her boss's computer. Agents seized the computers and recording equipment and located 69 clips of female employees and one child using the restroom. Although there was not enough evidence to charge the man with sexual exploitation of a child, he was charged with unlawful sexual contact and criminal invasion of privacy. Agent Hahn was able to obtain a warrant with a bond deviating from the typical \$750 to \$10,000.

Elbert County Deputy Frank Hurst and K-9 "Red"

On September 5, 2011, at approximately 0200 hours, Deputy Hurst and his K-9 "Red" assisted on a report of a missing 12-year-old female reported by her parent as having social issues and possible undiagnosed disabilities. Items belonging to the child were used to get the scent and a track started. The child was located hiding at a friend's house about an hour later and was unharmed.

Austin Hunt and Shane Taylor

On October 23, 2011, officers were dispatched to a report of a burglary where two juvenile males had fled on foot. Rangeview High School students Austin Hunt and Shane Taylor were in the middle of a baseball game when they observed an officer chasing the two burglary suspects. One of the suspects stopped for the officer while the other continued to flee, jumping the fence and interrupting the baseball game. Without hesitation, Austin and Shane left the game and followed the second suspect. They were able to point the suspect out to other officers, and the suspect was taken into custody.

Officer Jason Hildenbrand

On October 20, 2011, officers responded to a welfare check in which a male was in the intersection of E. Hampden Avenue and S. Telluride Street, armed with a knife and walking in traffic. The man was found to be blocking west bound traffic, holding a knife to his neck. Officer Hildenbrand arrived and deployed a less-lethal shotgun. Observing that the man still refused to talk to officers, and that he appeared to be moving his arm in a manner that appeared he was cutting his throat, Officer Hildenbrand fired several rounds from the less lethal weapon. The man dropped to the ground. Officers were able to kick the knife out of his hand, taking him safely into custody and placing him on an M-1 hold.

Officer Benjamin Holston

On December 15, 2010, Officer Holston assisted a family in dire straits during the holiday season. While on a call to the home, Officer Holston recognized that the two teenage girls were lacking in clothing and other essentials as a result of the single father being unemployed and challenged with alcoholism. The girls were regularly shunned and isolated at school due to the lack of a material sustenance. Officer Holston secured assistance from Wal-Mart, Walgreens and a metro radio station to acquire funds and specific items for the girls to improve their situation, if only for one holiday season. Even after his initial efforts, additional donations were received by the family in the weeks following his efforts.

Officer Jeremy Jenkins

Officer Jenkins joined the District 2 "Burglary Impact Group" and learned his new position quickly. Within the first week of his assignment, he began researching burglaries and contacted victims for follow up information. By the second week, he had developed a suspect. He was able to obtain a confession and identified and recovered stolen property.

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Officer Bryan Knox

On April 20, 2011, Officer Knox handled a call of a found 2-year-old girl. The child was located wet from the rain and very cold while wandering in the early morning hours. Officer Knox attempted unsuccessfully to locate a parent. He treated the hungry child to a breakfast. A short time later, dispatch received a call from the child's parent stating she was lost. Officer Knox returned the child to the parents and while at the home recognized that the family was not financially solvent. Officer Knox arranged for the family to receive an Easter meal and other charitable gifts, including Thanksgiving and Christmas meals and gifts from the Christmas Crusade for Children.

Officer Edward Lopez and Officer William Pontious

On April 22, 2011, officers responded to a bank robbery at the TCF Bank and were advised that money and a tracking device had become stationary at a specific address. A possible suspect vehicle was located in the vicinity of the tracking device at another TCF Bank. Officers responded to the second location and located the suspect vehicle and ordered the suspect out of the vehicle at gunpoint. The suspect failed to comply with orders and taunted the officers to "shoot him," stating he was going to "reach for his gun". Officers utilized hands-on techniques, and after a brief struggle and a subsequent taser deployment, the suspect was taken into custody.

Lieutenant Christian Lertch, Sergeant Mark Elliot, Officer Tony Cancino, Officer Dara Clodio, Officer Steve Elswick, Officer Steve Jokerst, and Officer Merle Moriarty

On November 14, 2011, Denver Police requested routine assistance to attempt to arrest a Domestic Violence suspect. The victim reported that the suspect assaulted her while in Denver and pushed her out of their car, leaving her without her purse or a house key. The victim reported that there were two infants and 6-year-old girl in the house with the suspect and expressed concern for their safety. Officers arrived at the suspect's home and received no response to knocks. After receiving consent to search the home and with exigent concern for the safety of the children, officers entered the home. After entry, officers located one infant sleeping in a crib. Approaching a bedroom, they located the suspect, apparently asleep with an arm draped over the other infant. Acting quickly, officers secured the infant and took the suspect into custody without incident. The 6-year-old child was found sleeping in another bedroom.

Officer Tim Merrill

On July 19, 2010, the Commerce Bank was robbed by a lone suspect who claimed to be armed. The suspect was given a hidden GPS tracking device, which was later located at Colfax and Uravan. Officer Merrill observed a suspect vehicle with three occupants. He noted that the male in the vehicle matched the suspect description but was significantly older. Officer Merrill contacted the occupants of the vehicle and was waiting for cover when Dispatch advised that the tracking device was moving approximately 300 yards from his location. He broke contact with this vehicle, noted the license plate of the vehicle, and allowed traffic to proceed. Dispatch advised a new location for the tracking device, and Officer Merrill proceeded to that area, locating the same suspect vehicle. Officer Merrill contacted the vehicle again and pulled the male passenger from the vehicle. Another officer interviewed the driver of the vehicle, who stated they did not know the male passenger and had picked him up in the area of the robbery. A search of the vehicle yielded a large amount of cash and the tracking device. The suspect gave a confession to detectives.

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Officer Paul McClendon

On September 7, 2010, Officer McClendon responded to investigate a sexual assault on a child. The victim had escaped from her apartment and told a neighbor that she had been raped by her stepfather. A description of the male and his vehicle were provided. Enroute to the call, Officer McClendon spotted the suspect vehicle, conducted a traffic stop and arrested the driver on an unrelated warrant. After interviews with the victim, the stepfather was charged with kidnapping and sexual assault on a child by one in a position of trust.

Officer William Pontious

On October 20, 2011, Officer Pontious was on routine patrol near a hotel when he observed an older male with a young female getting into the vehicle. Upon approach to the vehicle, Officer Pontious smelled burnt marijuana. A small baggie of the suspect drug was turned over by the driver. Further investigation determined that the male was 36 and the female was 15 and had been intimate earlier that day. The driver was arrested for Statutory Sexual Assault. Further investigation discovered prostitution and drug activity at the hotel.

Officer David Pearson, Officer Matthew Green, Officer Joseph Sullivan, and Officer Donald Wilcox

On November 22, 2010, Officers Wilcox, Pearson, Green and Sullivan responded to a reported kidnapping. A family member reported that the victim's boyfriend forced his way into the home and forcibly removed the victim from the residence. Officers were able to research DMV records for the suspect vehicle and responded to the address listed, then located the suspect vehicle. Officers initiated a knock-and-talk, and the victim ran from the suspect's bedroom and ran to officers. The suspect was apprehended in his bedroom.

Acting Sergeant John Tollakson, Officer Thomas Beach, and Officer Matthew Green

On October 16, 2011, dispatch aired a call of a party with a gun and provided possible suspect vehicles' descriptions. One of those vehicles was located and stopped, and a stolen gun recovered. Officers interviewed several parties and determined the suspects had committed Felony Menacing, Domestic Violence and Restraining Order Violation. Another suspect vehicle was located at a residence, the house was cleared, with the exception of the attic, and an empty gun box was located in the closet. A search for the possibly armed suspect of the attic found the suspect hiding underneath fiberglass insulation. He was apprehended without further incident.

Sergeant Pat Shaker

On February 1, 2011, officers responded to the report of a robbery with a gun. The victim was approached by two males. One asked for a cigarette, then pointed a handgun at the victim, demanding everything he had. The victim dropped his backpack and a \$5 dollar bill. The suspects took the items and then fled on foot. Approximately 30 minutes later, Sergeant Shaker observed two males matching the description. He contacted them, and after receiving conflicting information, completed a pat-down. The pat-down yielded a handgun. The victim was able to identify both suspects.

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Sergeant David Sandoval, Detective Casey Crowfoot, Detective Ron Hahn, Detective Peter Page, Detective Casey Williams, Officer Frank Fania, Officer Rich Hirtle, Officer Anthony Martinez, Officer Scott Rutter, and Senior Crime Analyst Dawn Tollakson

On March 15, 2009, a female was kidnapped and sexually assaulted. A SANE kit was collected and sent to CBI for analysis. The DNA profile collected matched that of a suspect in a 1997 sex assault in Kansas City, Mo. and a 2003 attempted sex assault in San Francisco, Ca., both unsolved cases. Extensive research identified a possible suspect who was in all three cities during the sex assaults, matched the physical description and had been contacted driving a vehicle matching the suspect vehicle. Surveillance of the suspect observed him spitting on a sidewalk. DNA was collected and submitted to CBI and provided a match to the unsolved cases. The suspect was subsequently arrested with a bond of \$500,000.

Sergeant Brian Saupe

During 2011, Sergeant Saupe responded to three suicidal party calls. The first subject was reported to be armed, suicidal and mobile. Sergeant Saupe located the vehicle and engaged the subject until the subject complied. A loaded handgun was found in the vehicle. The second incident involved a homicidal/suicidal party reported to be armed. He was located, and Sergeant Saupe coordinated a tactical response, flanking the subject with K-9, then engaging the subject in conversation until he complied with instructions. A loaded .380 caliber weapon was seized. The third incident involved a suicidal male also armed with a handgun. Sergeant Saupe engaged the subject in conversation. The subject got on his knees and eventually complied with instructions and was taken into custody. A loaded .40 caliber Glock was recovered from the subject's waistband.

Sergeant Brian Saupe, Officer Dominic Marziano, Officer Zane Wilbern, Officer Donald Minder, and Officer Darren Lantz

On September 5, 2011, at approximately 0200 hours, Deputy Hurst and his K-9 "Red" assisted on a report of a missing 12-year-old female reported by her parent as having social issues and possible undiagnosed disabilities. The child was seen running into a large field near E-470 and Arapahoe Road. This field had a large runoff pond the size of a football field and filled with tall reeds. Fearing the child may have gone into the pond; officers waded in to search for her. The child was later located hiding at a friend's house about an hour later and was unharmed.

Officer Jay Van Kam

On August 10, 2011, Officer Van Kam responded to the report of a suicide attempt. The reporting party stated that her brother was attempting to hang himself in the back yard. Upon Officer Van Kam's arrival, he observed the male standing on a ladder with a noose around his neck, which was tied to a tree. Officer Van Kam convinced the male to step off the ladder without further incident. The subject was depressed due to the death of his mother approximately 2-1/2 years before. The intoxicated subject was transported to the hospital for psychological analysis and treatment.

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2011 Annual Awards, Commendations, Complaints and Discipline Report

Agent Susan Wynn

On April 23, 2011, the Family Dollar store was robbed at gun point, and the clerk was shot in the leg. A review of the store video footage provided a suspect and vehicle description. Officers located the vehicle several hours later and initiated a knock-and-talk. While speaking to the residents inside the apartment, clothing that resembled items worn during the robbery was observed. Agent Wynn obtained a search warrant that led to the recovery of clothing worn by the suspects and the shell casing that had been picked up by one of the suspects after shooting the store employee. Interviews with the first suspect obtained a partial confession. Two suspects were prosecuted and a third identified. Interviews revealed that the suspects may be responsible for as many as 20 robberies in the metro area.

Officer David Wells, Officer Lee Speer, Officer James Salazar, Officer Darren Lantz, Officer Chad Berger, Officer Jason Moore, and Officer Edward Lopez

On September 15, 2011, Officer Wells was contacted via cell phone by the manager of an apartment complex, informing him that several juveniles were breaking into a vacant apartment. Officer Wells relayed the information to other responding officers and 7 suspects were located and arrested on the scene. All parties were charged with 1st Degree Criminal Trespass.

Officer Douglas Wilkinson

On November 10, 2011, officers responded to a robbery alarm at a 7-Eleven. The clerk told officers that he had been robbed by a black male suspect armed with a large piece of wood. Officer Wilkinson stood in the shadows of an alley where he could monitor all four directions of the intersection and observed a male matching the description entering the area on foot. Officer Wilkinson pursued the suspect on foot, ordering him to stop and identifying himself several times. The suspect ignored orders and continued to flee. He attempted to jump a fence and fell to the ground, where Officer Wilkinson held him at gunpoint until cover officers arrived. The wooden weapon and stolen cash were located in a nearby yard.

Detective Mark Yacano

Senior Deputy District Attorney, Daniel Plattner of the 18th Judicial District Attorney's Office wanted to commend Agent Yacano for an excellent job in his murder investigation and testimony in the trial of Marcel McMichael in October, 2011. The trial resulted in a guilty verdict. Mr. Plattner stated, "Mark was our last witness and able to articulately give the overview of the investigation and why certain items were tested and why some were not, as we always face the inadequacy of an investigation argument where every piece of evidence is not tested." He continued "When I have this kind of investigation, it makes our job easier."

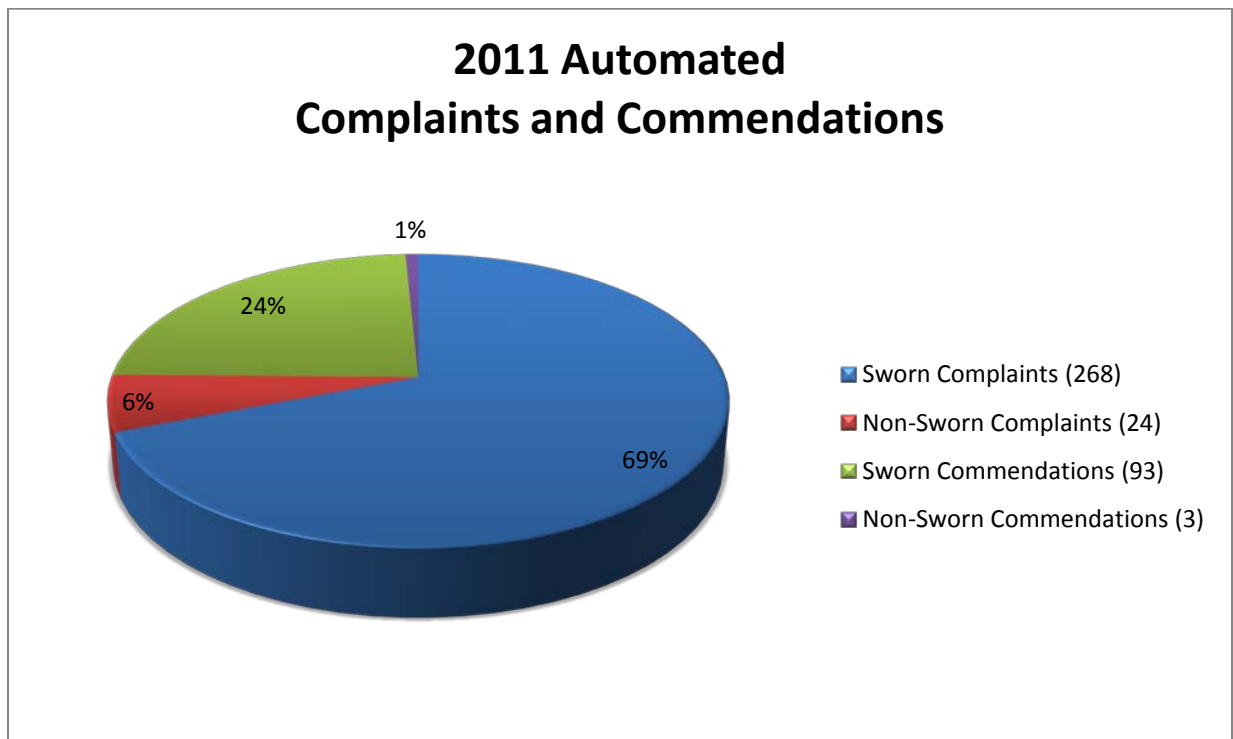
Automated Complaint and Commendation Report

The Automated Complaint and Commendation System accepts and records all submissions. The Department designed the system to manage the complaints and commendations reported on sworn personal.

During 2011, the system received 398 submissions. Of those, 268 were complaints against sworn officers of the Department.

Citizens also submitted 24 other complaints about individuals who are not sworn officers of the Department. Examples are police officers from other jurisdictions, private security personnel and non-sworn employees of our Department. The Department considers these submissions “non-officer complaints.” The Department passes the information to the appropriate jurisdiction or supervisor for them to handle outside of this system.

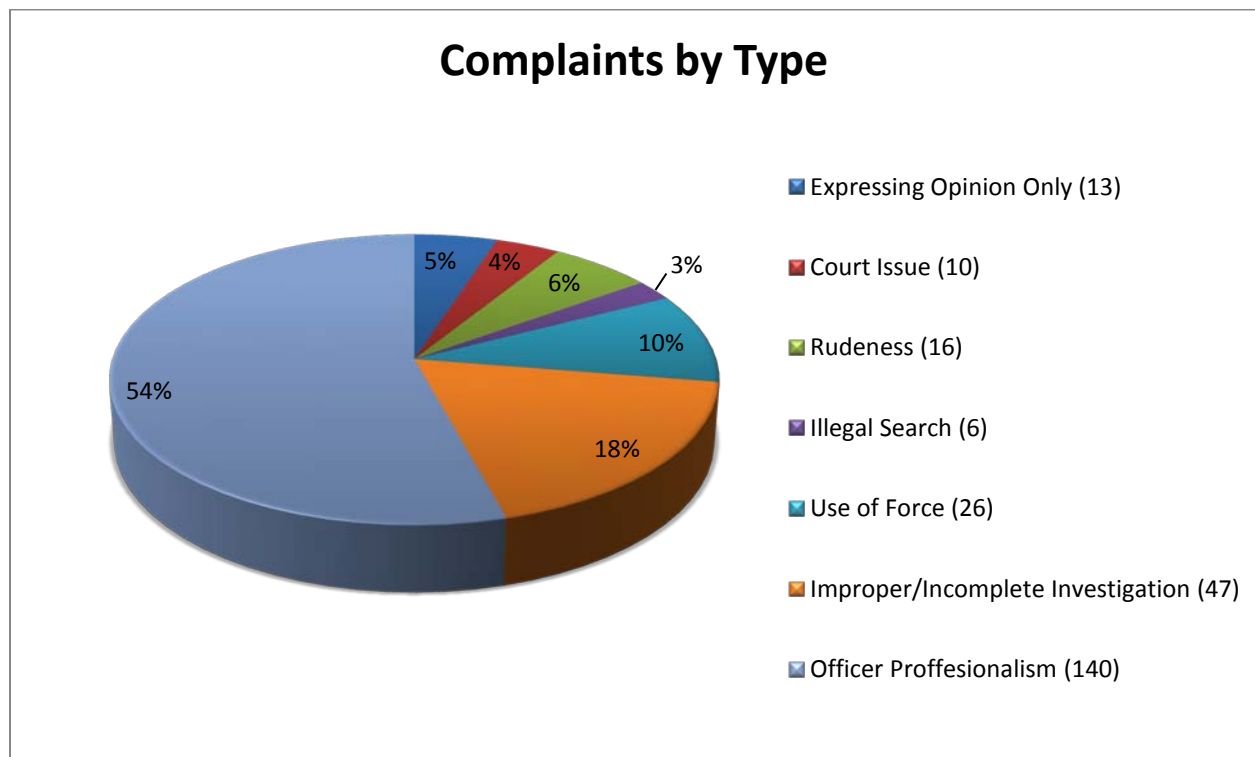
Of the 398 submissions, 93 were commendations for sworn officers and 3 were for non-sworn members of the Department.



Automated Complaints by Type

The Automated Complaint System categorizes the submissions for the Department to analyze, determine trends and provide instruction if needed.

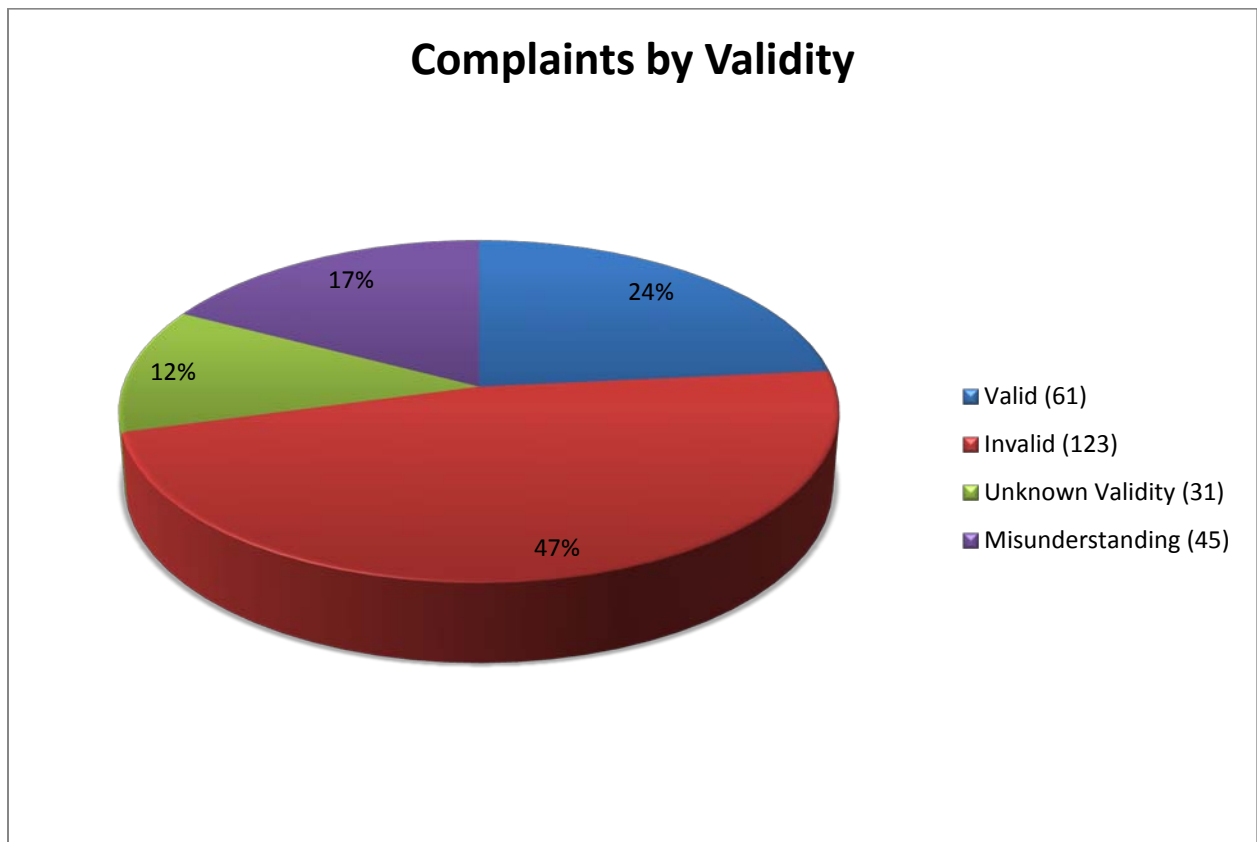
The system categorized the 268 complaints received during 2011, as follows: One hundred forty (140) reported unprofessional behavior. Forty-seven (47) submissions alleged an improper or incomplete investigation. Twenty-six (26) of the submissions reported improper use of force. Thirteen (13) were expressing opinion only. Six (6) submissions alleged unlawful or illegal search or seizure. Sixteen (16) submissions reported rudeness. Ten (10) submissions were court issues (arguing innocence of a charge filed against them).



Automated Complaints by Validity

In each of the 268 complaint submissions received, the officer’s supervisor has investigated the complaint. The officer’s chain of command has reviewed the investigations before closing them.

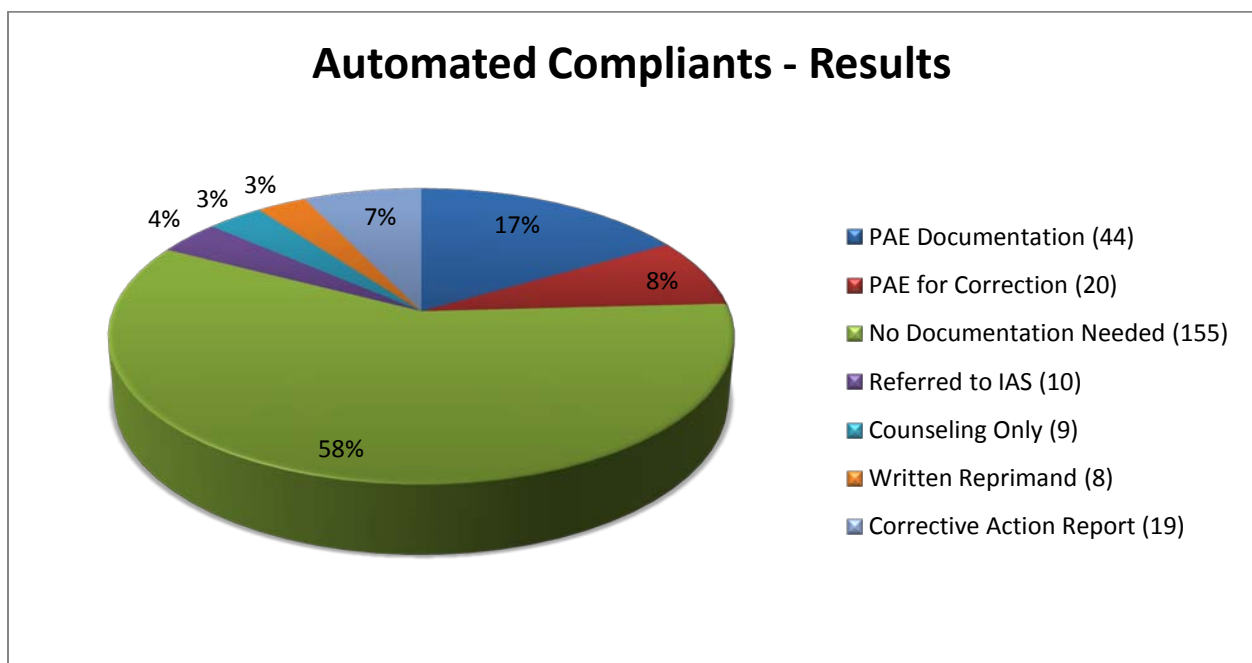
The Department has reviewed each of the 268 complaints and analyzed the validity of the complaint. Of the 268 complaints, 61 had some level of validity, meaning the investigation determined the officer violated a Department Directive. The Department determined that 123 complaints had no validity (no violation of directives). In forty-five (45) complaints, the officer’s supervisor determined there was a misunderstanding and satisfactorily explained to the complainant the purpose of the officer’s actions. In 31 cases, after the investigation, the Department was unable to determine if the complaint was valid or not.



Automated Complaints, Results

The Automated Complaint System records any corrective action taken by the Department as a result of the investigation. The results range from “none justified” to an order by the Chief to the Internal Affairs Section to formally investigate the complaint. Careful study and comparison of this information will reveal that more incidents result in some form of correction than incidents that we found to be valid. This is because the complaint may not be valid in light of the Department Directives, but the supervisor may determine the officer needs some degree of instruction to help him/her do a better job.

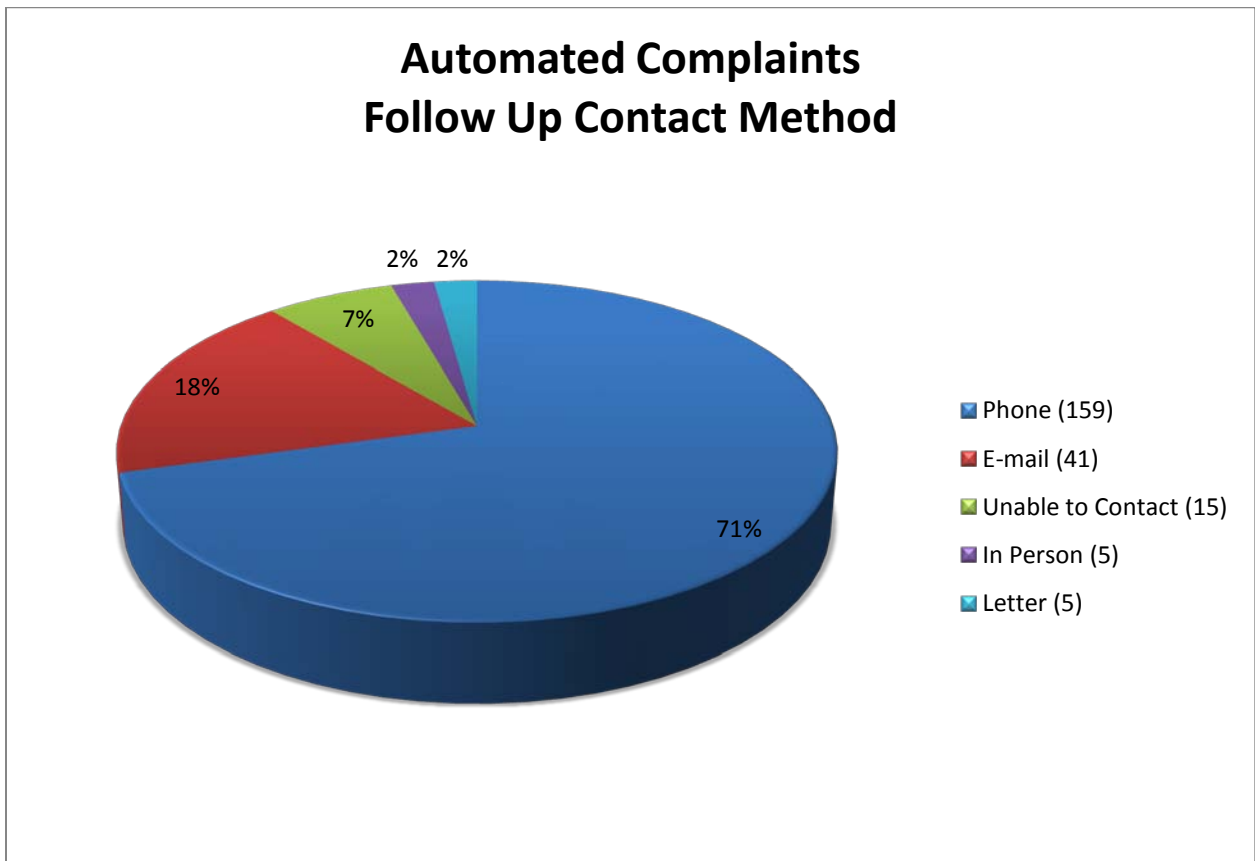
The results of the 268 complaints submitted are as follows in descending order of severity. The Chief of Police ordered the Internal Affairs Section to formally investigate ten (10) cases. The Department issued eight (8) Written Reprimands for violations of Department Directives. A Written Reprimand is permanent discipline that remains in the officer’s file for his/her entire career. The Department issued nineteen (19) Corrective Action Reports instructing the officers to change their behavior. The Corrective Action Report is not discipline but a notice or warning to modify behavior. The Corrective Action Report remains in the officer’s file for one to two years, depending on his/her evaluation date and cycle. It is documentation of past problems and corrective measures taken if the officer repeats the behavior. The officer’s supervisors issued twenty (20) Performance Appraisal Entry (PAE) reports documenting negative performance. The supervisors use the PAE reports as documentation and are included in the officers’ annual evaluations. On nine (9) occasions the supervisors verbally counseled the officers. The supervisors completed forty-four (44) Performance Appraisal Entry reports that were to document the investigation only (nothing negative toward the officer). The Department concluded in 155 of the complaints that the complaint was not valid and that no documentation was needed.



Automated Complaints, Follow Up Contact Method

At the conclusion of the investigation the supervisor, is required, if possible, to contact the complainant and explain the findings. The Automated Complaint System records show the supervisor contacted that person.

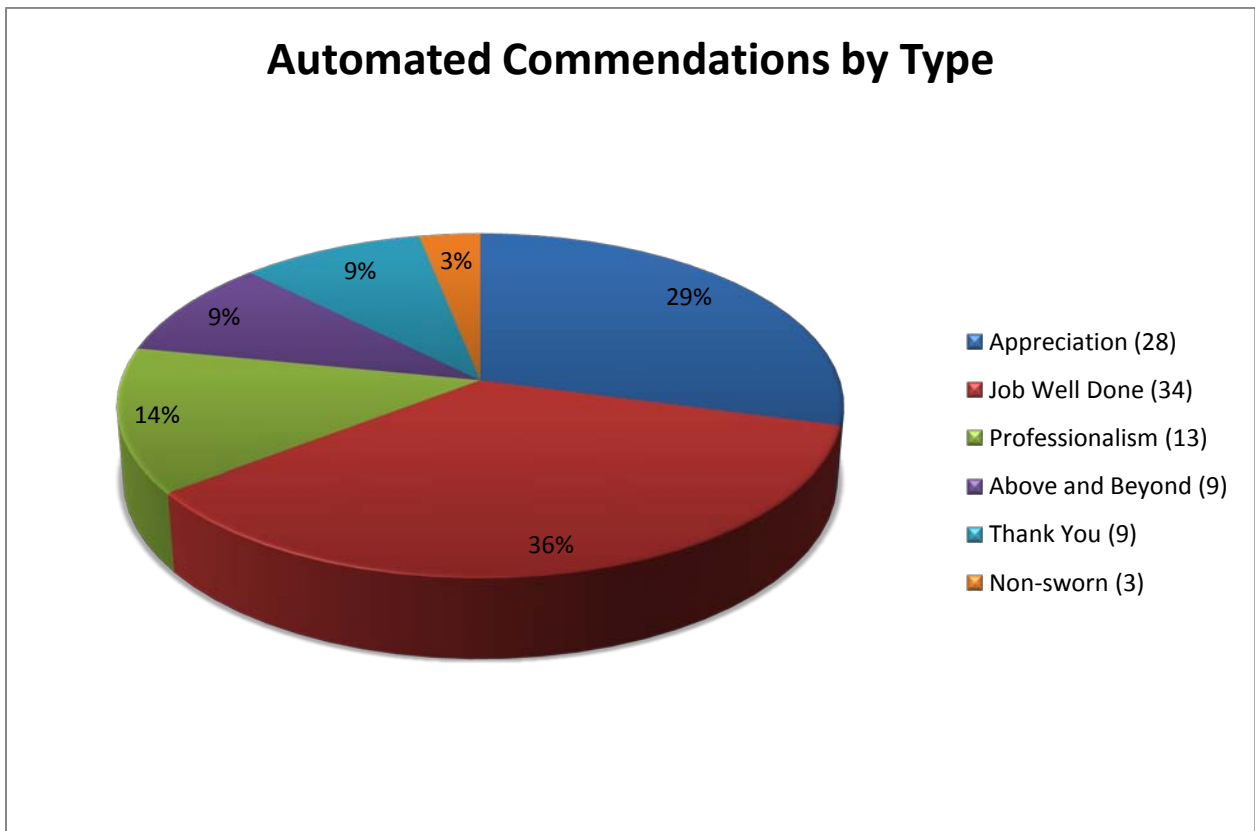
The supervisors contacted the complainant by telephone in 159 of the cases. The supervisors used e-mail forty-one (41) times. In fifteen (15) cases, the supervisor could not contact the complainant (anonymous complaint or attempted but unable to contact). The supervisor met the complainant in person five (5) times and wrote a letter five (5) times.



Automated Commendations by Type

The system categorized the 96 commendations received during 2011, as follows:

Twenty-eight (28) citizen submissions expressed appreciation for the officer. Thirty-four (34) others reported a job well done. Thirteen (13) submissions stated the officer was professional. Nine (9) reported the officer went above and beyond expectations and nine (9) expressed a thank you. Three (3) submissions were to commend members of the department who were not commissioned officers.



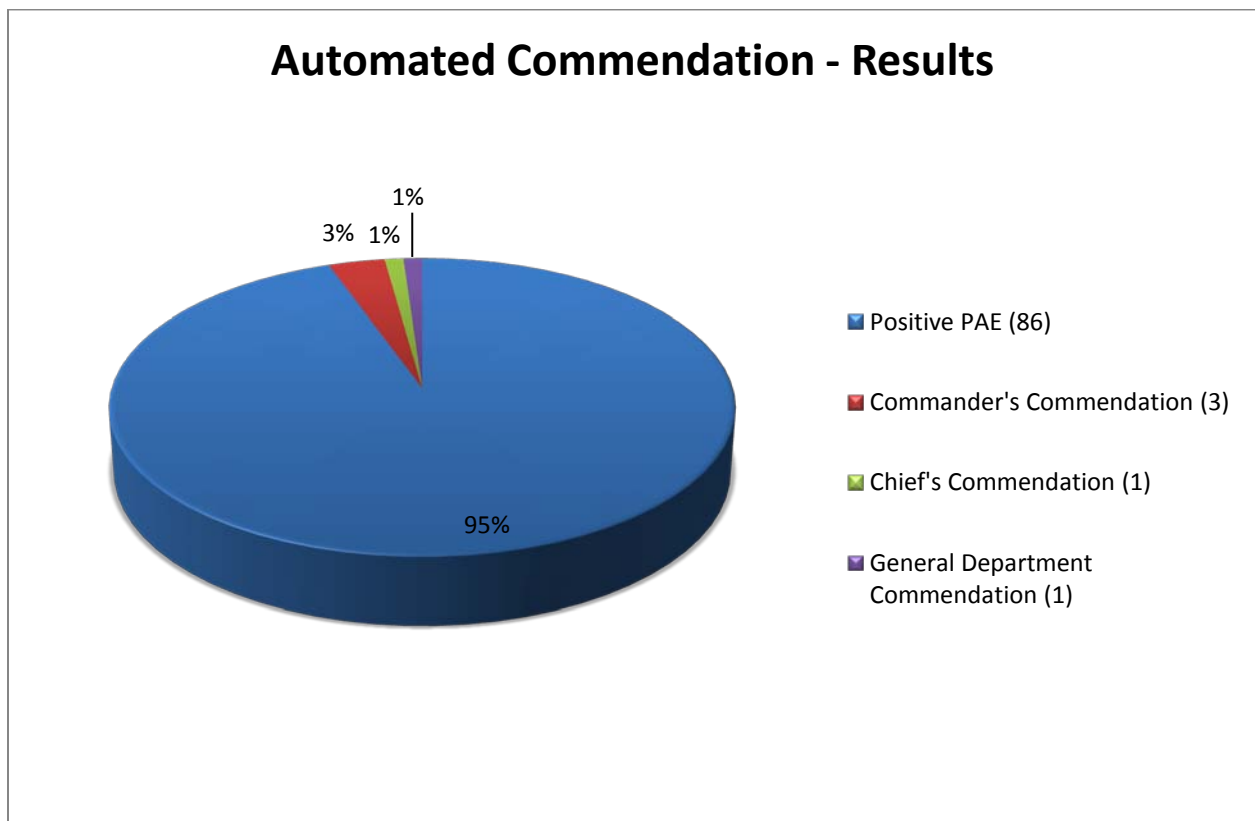
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Automated Commendations, Miscellaneous Information

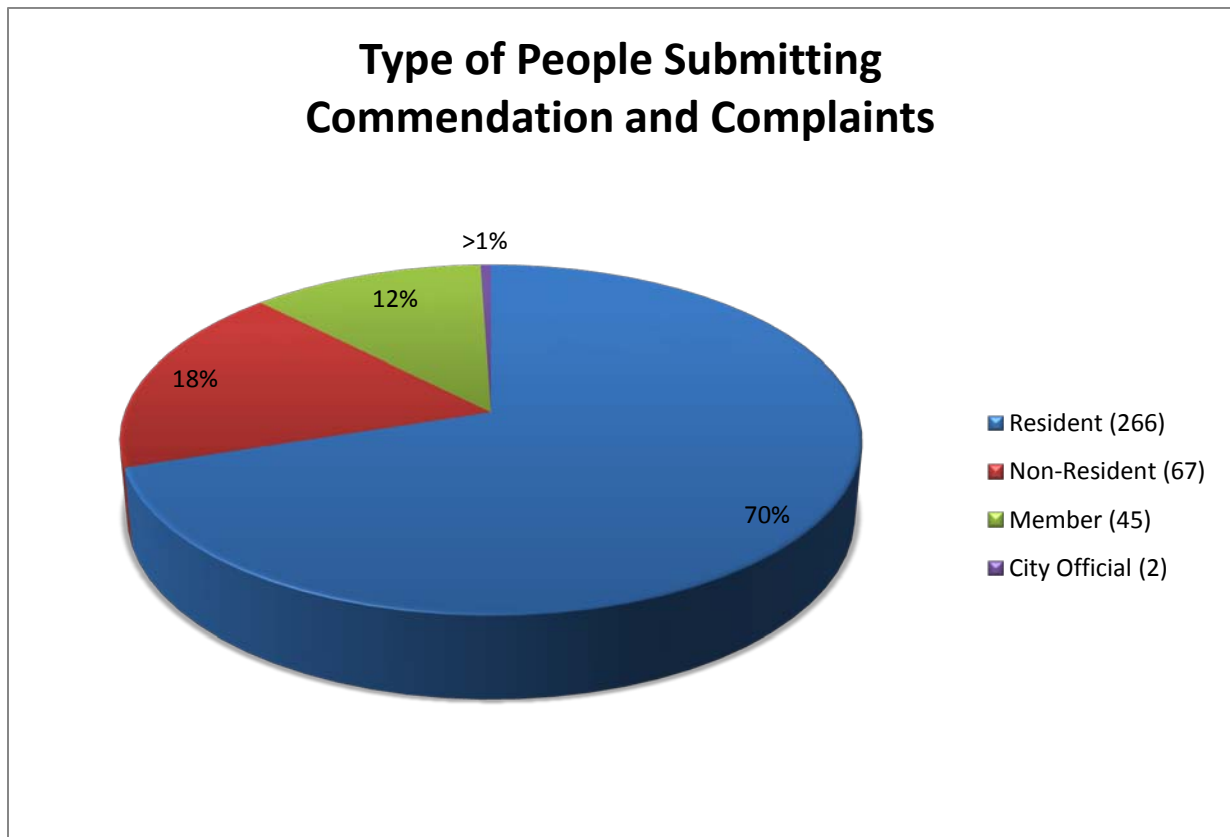
In 86 of the 96 commendations received, the officer's supervisor completed a positive Performance Appraisal Entry (PAE) report. The supervisors use the PAE reports as documentation for the officer's annual evaluation. Three (3) commendations resulted in the officer's Commander presenting the officer with a Commander's Commendation. One (1) citizen submitted a commendation to the entire Department in appreciation for Departmental efforts. An e-mail was sent to all members of the Department sharing the citizen's comments. Three (3) submissions were to commend members of the Department who were not commissioned officers.

The average time used by the Department to review, approve and close a commendation was 20 days.

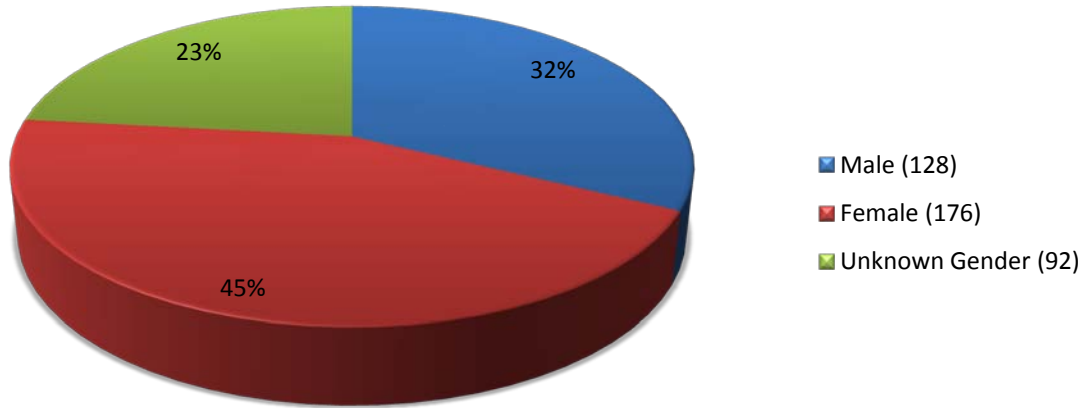


Automated Complaint and Commendation System, Miscellaneous Information on People Reporting

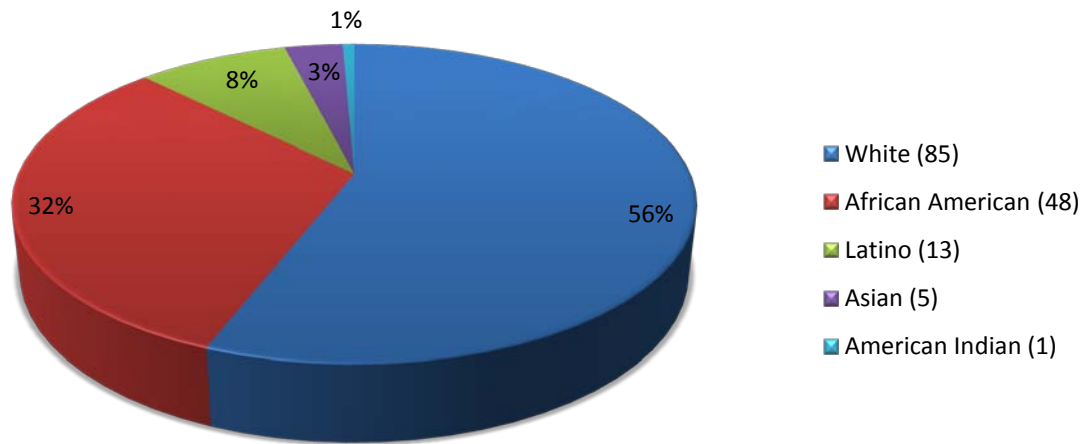
The automated complaint and commendation system allows the submitting person the opportunity to provide information about himself/herself. The system has a drop-down menu giving the person a choice of options to describe himself/herself. Two hundred sixty-six (266) of the people submitting a complaint or commendation indicated they were a citizen of Aurora. Sixty-seven (67) indicated they were a non-resident. Forty-five (45) said they were an employee member of the Department, and two (2) indicated they were government officials.



Gender of People Submitting Commendations and Complaints



Reported Ethnicity of People Submitting Commendations and Complaints



District and Bureau Discipline Report

During 2011, the Department completed and finalized 24 District / Bureau investigations. Each resulted in the Chief of Police ordering a Written Reprimand as discipline for the violation of one or more Department Directives. A Written Reprimand is permanent discipline that remains in the employee's file for his/her career. The following is a summary of these cases for 2011.

Chief Oates and the Aurora Police Department recognize that the individual members of the Aurora Police Department have a right to privacy in the contents of their personnel files and expect that the contents of these files will be held in confidence by their employer. This expectation and right to privacy flows from the United States Constitution, the Colorado Constitution, the Colorado Open Records Act, Colorado Revised Statutes § 24-72-201, et. seq., the Colorado Criminal Justice Records Act, Colorado Revised Statutes, § 24-72-301, et. seq., the City of Aurora Personnel Policies and Procedures, and the Aurora Police Department Directives. While there is little, if any, public interest in investigations stemming from allegations relating to purely administrative matters such as the use of equipment, abuse of leave and the like, these matters are nonetheless provided below.

Further, the City of Aurora also maintains the right to withhold its deliberative process as confidential. The following summaries are included below with these privileges of confidentiality in mind. The following summaries do not constitute a waiver of either the individual employee's expectation of privacy in the contents of his/her personnel file, nor waiver of the City of Aurora's right to withhold its deliberative process as confidential.

The Department has categorized these 24 cases as follows: Four (4) cases involved members not following Department policies for vehicle operations. One (1) case was the result of a member not following guidelines for Department equipment. One (1) case was for unsatisfactory performance. One (1) case involved use of City Computers. Two (2) cases involved a member not following the Department's emergency response policy. Four (4) cases involved issues of professional conduct. Three (3) cases concerned accessing criminal information systems, messages and email policies. Two (2) cases involved a member with attendance and court appearance issues. One (1) case involved improper handling of property and evidence. One (1) case involved a member leaving contraband in a vehicle. One (1) case involved conduct toward superiors and subordinate offices. One (1) case involved take home car privileges. One (1) case involved a member arriving late to work. One (1) involved a member violating overtime procedures.

The 24 District/Bureau written reprimands were issued to one (1) lieutenant, three (3) sergeants and eighteen (18) officers.

Of the 24 disciplinary matters resolved at the District/Bureau level with a Written Reprimand issued by the Chief of Police, all involved internal administrative matters.

These matters that resulted in written reprimands are summarized with more detail below.

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- 1) The Department sustained a sworn member for violating Department Directive 4.2.8 Authorized Use of Police Pursuits.

The member engaged in a pursuit to stop a burglary suspect who would not yield. The suspect vehicle was eventually boxed by the member and other units, and the suspect apprehended.

- 2) The Department sustained a sworn member for violating Department Directive 4.2.8 Authorized Use of Police Pursuits.

The member was involved in a pursuit after a burglary suspect attempted to flee the area. The member and other units contained the suspect and vehicle, stopping the pursuit.

- 3) The Department sustained a sworn member for violating Department Directive 14.3 Professional Conduct and Responsibility and 14.3.2 Conduct Towards Superior Officers and Subordinate Officers and Associates.

The member walked out of two meetings and did not return. One involved a meeting with his lieutenant and the other with his sergeant. The member was later witnessed at his assigned school using profanity and unprofessional comments.

- 4) The Department sustained a sworn member for violating Department Directive 14.3 Professional Conduct and Responsibility and 17.1.2 Prohibited Uses.

The member sent an email with an attachment to select members of the Department but also inadvertently sent it to an employee of another city department. This employee was offended by the email.

- 5) The Department sustained a sworn member for violating Department Directive 14.3.1 Unsatisfactory Performance.

The member failed to complete annual evaluations for officers on his team.

- 6) The Department sustained a sworn member for violating Department Directive 17.1.1 Authorized Use of City Computers, Associated Devices and City Owned Networks and 17.3.5 E-Mail Accounts.

The member replied to a department-wide email. The reply was sarcastic and unprofessional, and it was also distributed department wide.

- 7) The Department sustained a sworn member for violating Department Directive 17.2 Use of CAD, MDC and CCIS/NCIC Information.

The member used the Department's CAD/MDC system and the CCIS database to gain criminal justice information for personal use on several parties and their vehicles known to the member.

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- 8) The Department sustained a sworn member for violating Department Directive 8.14 Overtime Compensation.

The member was in District Court and was released for lunch. The member returned 25 minutes late, causing the court to call witnesses out of order. The member also submitted his overtime slip without deducting the lunch break.

- 9) The Department sustained a sworn member for violating Department Directive 8.9.2 Responsibility for Handling or Depositing Evidence and Other Property.

The member, involved in an arrest, retrieved some property during a search. The property was left on the trunk of the patrol car as the unit left the scene. A cell phone was recovered but not the cash.

- 10) The Department sustained a sworn member for violating Department Directive 17.1.2 Prohibited Uses.

The member sent an email to a recipient who felt harassed by the member, who used inappropriate language in the content of the message.

- 11) The Department sustained a sworn member for violating Department Directive 14.3 Professional Conduct and Responsibility.

The member was observed by another member leaning back with feet elevated on the desk, talking on the cell phone.

- 12) The Department sustained a sworn member for violating Department Directive 4.1.3 Vehicle Operation.

The member was involved in a second Photo Red-Light violation.

- 13) The Department sustained a sworn member for violating Department Directive 17.2.2 Unauthorized Use of CAD and MDC Systems.

The member made numerous unnecessary comments over the MDC to other officers during the shift.

- 14) The Department sustained a sworn member for violating Department Directive 4.2.7 Vehicle Inspection - Contraband.

The member transported a prisoner to jail and failed to properly search the vehicle after the trip. A member, who was assigned the vehicle the next day, found a loaded weapon during the vehicles pre-shift inspection.

- 15) The Department sustained a sworn member for violating Department Directive 4.1.3 Vehicle Operation.

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The member was operating a marked vehicle and looked down at the MDC. The vehicle ahead of the member braked to avoid a jaywalker. The member could not slow in time to avoid contact with the rear of that vehicle, which resulted in minor damage.

- 16) The Department sustained a sworn member for violating Department Directive 14.3.2 Conduct Towards Superior and Subordinate Officers and Associates.

The member responded to a department wide e-mail with one of his own questioning if a command decision was appropriate. This caused department wide speculation of the appropriateness of a command decision.

- 17) The Department sustained a sworn member for violating Department Directive 8.3.3 Appearance in Court.

The member was late to court and made inappropriate comments to a court employee about having to work nights and come to court the next day.

- 18) The Department sustained a sworn member for violating Department Special Order 11.4 Take Home Vehicles.

The member drove his assigned take home vehicle to meet a vendor on his day off. The vehicle was issued a parking citation while the member stopped to conduct personal business.

- 19) The Department sustained a sworn member for violating Department Directive 8.3.3 (d) Court-Members' Duties and Responsibilities.

The member missed court due to a sick child. The member called and notified Court Liaison but failed to notify the court itself, as required.

- 20) The Department sustained a sworn member for violating Department Directive 14.3 Professional Conduct and Responsibility.

A member allowed his team to take an Anti-Biased-Based Police Training Test together. The member coached and provided the answers to the test without allowing the officers to review the Power Point presentation. The member then had the officers sign off that they had reviewed the presentation.

- 21) The Department sustained a sworn member for violating Department Special Operating Procedures 2.5.1 Reporting for Duty, Briefing and Debriefing.

A member arrived 45 minutes late to work. No duty or car assignments had been completed for the oncoming shift, and no provisions for supervising the team were made.

- 22) The Department sustained a sworn member for violating Department Directive 4.1.3 Vehicle Operations.

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The member was driving a marked police vehicle when the member was involved in a minor, preventable, non-injury traffic accident.

- 23) The Department sustained a sworn member for violating Department Directive 4.6.5 Use of Departmental Equipment.

The member lost his department-issued building pass.

- 24) The Department sustained a sworn member for violating Department Directive 4.1 Routine Vehicle Operations and 4.2 Emergency Response and Police Vehicle Pursuits.

The member was captured on camera running a red light and traveling 11 miles over the posted speed limit. This was the second red light violation in one month.

Formal Internal Investigations and Discipline Report

During 2011, the Department completed and finalized 36 formal internal investigations. At the end of the year, the Department had two pending cases. The following is a summary of the cases resolved in 2011.

Chief Oates and the Aurora Police Department recognize that the individual members of the Aurora Police Department have a right to privacy in the contents of their personnel files, including the results of formal investigations and incidents of discipline, and expect that the contents of these files will be held in confidence by their employer. This expectation and right to privacy flows from the United States Constitution, the Colorado Constitution, the Colorado Open Records Act, Colorado Revised Statute, § 24-72-201, et. Seq., the Colorado Criminal Justice Records Act, Colorado Revised Statutes § 24-72-301. et. Seq., the City of Aurora Personnel Policies and Procedures, and the Aurora Police Department Directives.

Further, the City of Aurora also maintains the right to withhold its deliberative process as confidential. The following summaries are included below with these privileges of confidentiality in mind. The inclusion of the following summaries does not constitute a waiver of either the individual employee's expectation of privacy in the contents of his/her personnel files, nor waiver of the City of Aurora's right to withhold its deliberative process as confidential. In an effort to balance the privacy and confidentiality rights of the individual officers, retaining the deliberative process privilege associated with the decision making detailed below, while at the same time providing our citizens with sufficient information to evaluate the adequacy, thoroughness and impartiality of the Aurora Police Department's internal investigation and disciplinary process, the following information is provided:

Summary

The Department conducted thirty-six investigations involving thirty-four department members. These members consisted of one (1) commander, three (3) sergeants, two (2) agents, and twenty-nine (29) officers. The discipline issued by the Department ranges from termination to a written reprimand. The discipline included one (0) terminations, twenty-five (25) suspensions without pay, three (3) fines and five (5) written reprimands. One member retired before discipline was issued. The Department cleared three members of wrongdoing.

- 1) The Department sustained a sworn member for violating Department Directives 6.1.1 Arrest without a Warrant, 14.2.9 Constitutional Requirements and 14.3.1 Unsatisfactory Performance. The member received 240 hours suspension.

The member investigated a restraining order violation and contacted the suspect at his residence. The suspect refused to come out. The member had a security officer open the locked door. Entry was made and the suspect taken into custody, with no probable cause to make an arrest.

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- 2) The Department sustained a sworn member for violating Department Directives 14.1.4 Conformance to Law and 14.3 Professional Conduct and Responsibility. The member was terminated for violating these directives. His termination by the Police Chief was overturned by the Civil Service Commission, which imposed a six-month suspension.

The member, driving his personal vehicle, was involved in a single-car accident in Parker. The accident was investigated, and the member refused to take roadside maneuvers or a chemical test to determine blood-alcohol content. The member was taken into custody and later issued a summons for DUI and careless driving. This was his second arrest for DUI within 10 months.

- 3) The Department sustained a sworn member for violating Department Directives 14.1.4 Conformance to Law and 14.3 Professional Conduct and Responsibility. The member received a Written Reprimand for violating these directives.

The member was volunteering at a high school dance when a student aggressively approached a school employee. The member intervened, and a struggle ensued. The member was later charged by a neighboring jurisdiction for misdemeanor child abuse.

- 4) The Department sustained a sworn member for violating Department Directives 6.9.2 Enforcement Guidelines, 6.9.3 Domestic Violence Case Follow-up, 8.10.10 Municipal Application for Warrant Arrest, 8.10.24 Voiding a Summons, 14.2.9 Constitutional Requirements and 14.3.1 Unsatisfactory Performance. The member received a Written Reprimand for violating these directives.

The member investigated a domestic-violence incident and failed to complete a proper investigation. The member failed to have the victim complete the required paperwork, nor were her injuries photographed. The member failed to give the victim the case number and applied for an arrest warrant without having sufficient probable cause. Another officer doing follow-up reviewed the case and had to re-interview the victim to establish probable cause to arrest the suspect.

- 5) The Department sustained a sworn member for violating Department Directives 5.3 Use of Physical Force and 5.4 Reporting Use of deadly, Potentially Deadly and Physical Force. The member received a 20-hour suspension for violating these directives.

The member initiated a carotid chokehold on a suspect and failed to notify a supervisor or seek medical attention for the suspect. The member notified a supervisor 30 minutes after the incident occurred. The victim was located and medically screened.

- 6) The Department sustained a sworn member for violating Department Directives 6.6.5 Report Writing/Hard Booking Area, 6.11.2 Responsibility for Preliminary Investigations, 8.9.2 Responsibility for Handling or Depositing Evidence and Other Property and 14.3.1 Unsatisfactory Performance. The member received a 10-hour suspension for violating these directives.

The member brought a prisoner to the detention center and improperly handcuffed him to the bench and left the prisoner unattended. The prisoner was able to reach evidence and

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consumed a \$20 bill. The member failed to report this for two days and did not document the loss of evidence until later.

- 7) The Department sustained a sworn member for violating Department Directives 14.3.1 Unsatisfactory Performance. The member retired while the case was under investigation.

The member has failed numerous detailed performance expectations and has been given numerous retraining and goal setting sessions. The member has been consistently unsuccessful in having met performance goals.

- 8) The Department sustained a sworn member for violating Department Directives 6.1.1 Arrest without a Warrant, 6.11.2 Responsibility for Preliminary Investigations, 7.3.11 Sworn Members, 11.1.3 Mandatory Notifications to Social Services, 14.2.9 Constitutional Requirements and 14.3.1 Unsatisfactory Performance. The member received a 20-hour suspension and was required to take a training course for violating these directives.

The member handled several cases and calls in which the member failed to follow operational procedures and make proper notifications to other agencies and units. These actions caused a court case to be dropped because the member failed to document and place into evidence the form documenting Serious Bodily Injury. The member failed to properly supervise two detainees and to contact social services over the welfare of a small child.

- 9) The Department sustained sworn members for violating Department Directives 1.4.11 Supervisor Responsibility for Performance of a Subordinate, 8.2.3 Request for Leave Form, 8.25 Records Management, 14.1.6 Conduct Involving Moral Turpitude, 14.3.1 Unsatisfactory Performance, 14.3.5 Neglect of Duty and 14.3.7 Leave, Illness and Injury. The member received a 320-hour suspension, and the supervisor received an 80-hour suspension for violating these directives.

The member took excessive unapproved leave time due to family issues and came in late and left early without notifying a supervisor or making entries into Telestaff. He also did not come to work on multiple days for which he was paid as if he was in attendance. The member also submitted overtime for time not worked. The member's supervisor failed to account for the member's time off and to properly supervise the member's schedule or work appearances.

- 10) The Department sustained a sworn member for violating Department Directives 5.1.7 Other Unauthorized Firing of Weapons Situations and 7.3.14 Range Rules.

The member had an unintentional discharge during rifle in-service training.

- 11) The Department sustained a sworn member for violating Department Directives 4.6.5 Use of Department Equipment and 14.3.1 Unsatisfactory Performance. The member received a \$50-fine for violating these directives.

The member assisted with a DUI stop and attempted to use a hand-held breathalyzer (PBT), but it was inoperable. The member continued with the call and processed the suspect, but did not remember where the PBT was placed, and it subsequently turned up missing.

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- 12) The Department sustained a sworn member for violating Department Directive 5.1.7 Other Unauthorized Firing of a Weapon Situation. The member received a 10-hour suspension for violating these directives.

The member was preparing his cruiser for patrol. When attempting to place the shotgun in the cruiser, the gun discharged into the air.

- 13) The Department sustained a sworn member for violating Department Directives 14.3 Professional Conduct and Responsibility and 14.3.2 Conduct towards Superior and Subordinate Officers and Associates. The member received a 20-hour suspension for violating these directives.

A call was dispatched to the member while on patrol. The member called to get more information about the situation. The member spoke to the call taker in an inappropriate tone and made inappropriate comments about the situation.

- 14) The Department sustained a sworn member for violating Department Directives 8.2.3 Request for Leave Form and 14.3.1 Unsatisfactory Performance. The member received a 10-hour suspension for violating these directives.

The member wasn't feeling well and wanted to go home. The member sent an MDC message to his supervisor saying he was going home and left a leave slip on his supervisor's desk. The member failed to get acknowledgement or approval from a supervisor before leaving his duty assignment.

- 15) The Department sustained a sworn member for violating Department Directives 4.2.2 Adherence to Law during Emergency Response and 4.2.3 Requirements and Restrictions of Emergency Responses. The member received a 10-hour suspension for violating these directives.

The member was making an emergency response and stopped prior to entering the intersection. The member's view was partially blocked, and when he entered the intersection, he collided with another vehicle.

- 16) The Department sustained a sworn member for violating Department Directives 8.2.3 Request for Leave Form, 14.1.6 Conduct Involving Moral Turpitude, 14.3 Professional Conduct and Responsibility and 14.3.5 Neglect of Duty. The member received a 320-hour suspension and a \$2,740.53 fine for violating these directives.

The member took undocumented work absences on different days totaling 84 hours, not coming to work on multiple days for which he was paid, as if he was in attendance. The member also submitted an overtime slip for a DARE class that was to be taught the following day. The member cancelled the class. However, he did not cancel the overtime slip until directed to do so by a supervisor.

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- 17) The Department sustained a sworn member for violating Department Directives 7.2.1 In Service Training Attendance, 8.2.3 Leave Procedures and 14.3.5 Neglect of Duty. The member received a 30-hour suspension for violating these directives.

The member was scheduled to attend in-service training makeup sessions for the first and second quarter of 2010 in-service. The member failed to attend either makeup date, nor did the member notify a supervisor of the absences. The member failed to meet the 2010 in-service requirements.

- 18) The Department sustained a sworn member for violating Department Directives 14.3 Professional Conduct and Responsibility and 14.1.4 Conformance to Law. The member received a 160-hour suspension for violating these directives.

The member was arrested for DUI.

- 19) The department sustained a sworn member for violating Department Directives 5.3 Use of Physical Force and 14.3 Professional Conduct and Responsibility. The member received a written reprimand.

The member was assisting another officer in trying to control a subject being placed into custody. The officers tried to hold the subject against the hood of the patrol car because he was kicking them. The member hit the handcuffed subject in the face to stop him from resisting.

- 20) The Department sustained a sworn member for violating Department Directives 14.1.6 Conduct Involving Moral Turpitude and 14.3.1 Unsatisfactory Performance. The member received a 480-hour suspension.

The member was observed cheating on a promotional test by copying another member's answers.

- 21) The Department investigated a sworn member for violating Department Directive 5.3 Use of Physical Force. The member was in compliance of the directive.

The member was involved in a fight with an uncooperative subject. The member and another officer pulled the subject to the ground, and after a brief struggle, the officers were able to gain control and placed the subject into custody. The member used his body weight to pin the subject on the ground by dropping his knees to the subject's upper torso and unintentionally struck his face, causing an injury to the subject's face.

- 22) The Department investigated a sworn member for violating Department Directives 5.3 Use of Physical Force, 6.1.1 Arrest without a Warrant, 14.2.9 Constitutional Requirements and 14.3.1 Unsatisfactory Performance. The member was not sustained for violating Directive 5.3 Use of Force. The member received a 10-hour suspension for violating the remaining directives.

The member assisted other officers on a Hit & Run accident investigation. The member contacted a witness at her residence who refused to talk about the incident. The member

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entered the residence to arrest her for obstructing the investigation. A struggle ensued and both the member and the witness fell down a flight of stairs. The witness lost consciousness and was transported to the hospital for minor injuries.

- 23) The Department sustained a sworn member for violating Department Directives 14.3 Professional Conduct and Responsibility. The member received a written reprimand for violating this directive.

The member was off duty, driving home from work in his personal vehicle, and made a lane change in front of another vehicle. The driver of this other vehicle pulled alongside the member and shook his fist and “flipped off” the member. The member stuck his arm out the window and returned the gesture.

- 24) The Department sustained a sworn member for violating Department Directives 8.2.3 Request for Leave Form, 14.3 Professional Conduct and Responsibility and 14.3.1 Unsatisfactory Performance. The member received a written reprimand for violating these directives.

The member failed to complete required Use of Force Reports and Annual Evaluations in a timely manner. The member also entered leave, vacation and furlough time into Telestaff but failed to turn in required leave slips.

- 25) The Department sustained a sworn member for violating Department Directives 14.1.4 Conformance to Law and 14.3 Professional Conduct and Responsibility. The member received a 160-hour suspension for violating these directives.

The member was off duty and driving his personal vehicle and participated in a speed contest with another vehicle. The driver of the other vehicle lost control and was involved in a single-car accident.

- 26) The Department investigated a sworn member for violating Department Directives 14.1.4 Conformance to Law and 14.3.2 Conduct towards Superior and Subordinate Officers and Associates. The member was exonerated of any Directives violation.

An officer-involved shooting and hostage rescue had occurred, and all witnesses were sent to District 2 to be interviewed. The member was accused of entering a conference room and yelling and screaming at the officers there and allegedly denying the officers their constitutional right to speak with an attorney.

- 27) The Department sustained a sworn member for violating Department Directives 4.2 Emergency Response and Police Vehicle Pursuits and 4.2.2 Adherence to Law during Emergency Response. The member was not sustained on Directive 4.2, but was sustained and received a 10-hour suspension for violating Directive 4.2.2.

The member was responding to a Domestic Violence call involving a weapon. A civilian vehicle traveling in front of the member stopped. While passing this vehicle, the patrol car made contact with this vehicle’s rear bumper.

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- 28) The Department sustained a sworn member for violating Department Directives 10.2.18 Individual Member Responsibility and 10.2.3 Initial Inquiry. The member received a 10-hour suspension.

The member received a complaint concerning possible misconduct of another member. The member did not conduct an internal investigation and did not follow up with witnesses.

- 29) The Department sustained a sworn member for violating Department Directives 14.3 Professional Conduct and Responsibility, 14.3.5 Neglect of Duty and 17.5.3 Dispatch Authority. The member received a 10-hour suspension for violating these directives.

An officer was assigned by Dispatch to an unknown disturbance call. Dispatch contacted the member via radio and requested he pre-empt his lunch break and assist. The member replied "No, I can't." Dispatch again asked the member to clear to assist and the member replied, "No, I can't. I'm eating lunch." A supervisor ordered the member to clear his break and assist the other officer.

- 30) The Department sustained a sworn member for violating Department Directive 14.3 Professional Conduct and Responsibility. The member received a written reprimand.

The member recorded a meeting without the consent of the people in attendance.

- 31) The Department sustained a sworn member for violating Department Directive 5.1.7 Other Unauthorized Firing of a Weapon Situations. The member received a 9-hour suspension for violating this directive.

The member was in the bathroom stall practicing her shooting stance while holding a flashlight. After performing a chamber check, the member pointed the pistol at the outer wall of the restroom and discharged a round into the cement block wall.

- 32) The Department sustained a sworn member for violating Department Directive 4.6.5 Use of Departmental Equipment. The member received a \$90 fine for violating this directive.

The member took pictures of a crime scene using a department-issued camera. The camera was placed on the trunk lid of the patrol car and left there as the member drove off. The camera was lost.

- 33) The Department sustained a sworn member for violating Department Directives 14.2.1 Abuse of Position and 14.3 Professional Conduct and Responsibilities. The member received a 10-hour suspension.

The member was served court papers. While dressed in civilian clothing, the member exposed his holstered gun and badge.

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- 34) The Department sustained a sworn member for violating Department Directive 5.1.7 Other Unauthorized Firing of a Weapon Situations. The member received an 8-hour suspension for violating this directive.

The member went into the work shed at the Police Range to clean her weapon after shooting. Believing the weapon was empty, the member pulled the trigger, causing the weapon to discharge inside the shed, damaging a work bench and wall.

- 35) The Department sustained a sworn member for violating Department Directives 14.3.2 Conduct Toward Superior and Subordinate Officers and 14.3 Professional Conduct and Responsibility. This member received a 20-hour suspension

The member went to a Law Enforcement Conference in another County, where this member acted inappropriately and outside the policies of the Department.

- 36) The Department sustained a sworn member for violating Department Directive 5.3 Use of Physical Force. This member received 8-hours suspension.

The member struggled with a detained suspect. After being handcuffed, the suspect tried to run from the officer and physically resisted him. During the struggle, the suspect, once on the ground, attempted to reach for something in his waistband. The suspect did not comply with the officer's verbal commands. The officer struck the suspect three times with a closed fist.

Department Directives Cited in This Report

The directives cited in this report are printed in numerical order for reference. The directives here are in the current form and may have been updated since the investigation of the alleged violation at issue.

2.5.1 Reporting for Duty

Officers will report for duty in full uniform of the day with all necessary equipment for the performance of their assigned task. Officers will be neat, clean, properly groomed, and present a professional appearance.

4.1.3 Vehicle Operation

Under normal, non-urgent operating conditions, including responding to routine calls for service, operators of police vehicles will adhere to all existing traffic laws, driving defensively and in a safe, careful and a prudent manner.

Members may operate their radio, Mobile Digital Computer (MDC), cellular telephone (verbal not text) and other communication devices while driving. However, they must do so safely and are not relieved of responsibility if an accident occurs.

Driving police vehicles without headlights during hours of darkness is discouraged. Vehicles should be operated in this manner only when necessary to implement invisible deployment and should be driven at speeds that take into consideration lighting and surface conditions.

Operators of police vehicles will comply with all parking regulations and will not double park or block traffic lanes, unless it is necessary to perform specific police duties.

4.2 EMERGENCY RESPONSE AND POLICE VEHICLE PURSUITS

A sworn member operating a police vehicle under emergency response conditions will use audible or visual signals. A sworn member's primary responsibility is the safety and welfare of the public and the emergency response is secondary

4.2.7 Definitions

Blocking Vehicle: A motor vehicle positioned to create a roadblock.

Boxing In: The surrounding of a violator's moving vehicle with moving pursuit vehicles, which are then slowed, to a stop along with the violator's vehicle.

Divided Roadway: A road that includes a painted median or physical barrier between traffic traveling in opposite directions.

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Emergency Operation: Emergency operation will mean the act of driving a marked or unmarked police vehicle with the emergency lights or siren in operation according to the Colorado Revised Statutes and/or applicable municipal ordinance.

Eluding: Occurs when an operator of a motor vehicle, who has received a visual or audible signal such as a red light or a siren from a police officer driving a marked police vehicle, directing the operator to bring his/her vehicle to a stop, willfully increases his/her speed or extinguishes his/her lights in an attempt to elude the police officer.

Heading Off: An attempt to terminate a pursuit by pulling ahead of, alongside, and toward a violator's moving vehicle to force it to the side of the road or to otherwise come to a stop.

Sworn Member: means any commissioned peace officer, recruit, or sworn employee in the State of Colorado, regardless of specific title, e.g., Sheriff, Deputy, etc., as defined in C.R.S. 18-1-901(3).

Originating Jurisdiction: Originating jurisdiction will mean the jurisdiction in which a pursuit originates.

Paralleling:

- (a) Street Paralleling: Driving a police vehicle on a nearby street in the area of a pursuit for the purpose of participating in the pursuit.
- (b) Vehicle Paralleling: A deliberate offensive tactic by one or more patrol vehicles to drive alongside the pursued vehicle while it is in motion.

Potentially Deadly Force: Potentially deadly force, in terms of police vehicle pursuits, means force that the natural and probable consequence of which is death or serious bodily injury.

Primary Jurisdiction: Primary jurisdiction will mean the jurisdiction of the sworn member driving the primary vehicle.

Primary Vehicle: Primary vehicle will mean the patrol vehicle driven by the sworn member initiating a pursuit, or another patrol vehicle, which takes the lead vehicle position.

Pursuit: Pursuit means a sworn member actively attempting to apprehend an operator of a motor vehicle, who, after having been given a visual or audible signal (emergency lights or siren) by the sworn member directing such operator to bring the vehicle to a stop, the operator knowingly and willfully attempts to elude the sworn member. The mere act of extinguishing emergency equipment does not infer the discontinuance of a pursuit. Continuing to "follow" at a rate of speed exceeding the posted speed limit and/or in violation of other traffic laws may be considered a pursuit.

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Receiving Jurisdiction: Receiving jurisdiction will mean a jurisdiction, which is entered by a pursuit, which began in another jurisdiction.

Roadblock: A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles to affect the apprehension of a violator.

Secondary Vehicle: Secondary vehicle will mean a patrol vehicle, which becomes involved in a pursuit immediately following the primary vehicle and acting as the primary vehicle's backup.

Stop Sticks: Devices designed to penetrate and deflate the tire(s) of a moving (dynamic) target vehicle in a manner that will avoid catastrophic failure of the penetrated tire(s); thus ensuring the safest possible means of reducing the mobility of the target vehicle.

Special Purpose Vehicle: Any Police Department owned or operated vehicle, other than a fully marked patrol car operated by a sworn member. Special purpose vehicles include, but are not limited to, canine vehicles, motorcycles and unmarked vehicles (such as those assigned to PAR, Criminal Investigations, etc.).

Tactical Vehicle Contact: A calculated maneuver or tactic to pin, block or otherwise stop a suspect vehicle before the suspect driver has the opportunity to escape or elude police. Units routinely employing Tactical Vehicle Contact will provide procedures for the tactics in a Standard Operating Procedure.

Deliberate Vehicle Contact: Any action intended to result in contact between the suspect's vehicle and a police vehicle, other than tactical vehicle contact.

4.2.8 Authorized Use of Police Pursuits

Justification for engaging in a police vehicle pursuit must be limited to what reasonably appears to be the facts known by the sworn member(s) at the time a decision is made to engage in such pursuit. Facts unknown to the sworn member(s) at the time the pursuit is initiated, no matter how compelling, cannot be considered in later determining whether engaging in the police vehicle pursuit was justified.

Sworn members are authorized to engage in police vehicle pursuits only when they reasonably believe that the suspect, if not apprehended immediately, would create a real and substantial risk of another person being killed or seriously injured. This threat may be demonstrated when the sworn member reasonably believes that the suspect has recently committed a felony involving the use or threatened use of potentially deadly force, other than solely by the act of fleeing, or the suspect is attempting to escape or elude police by threatening to use or actually using potentially deadly force. The sole act of swerving a vehicle at a member does not constitute justification for a pursuit.

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Sworn members are equally responsible for discontinuing a vehicle pursuit whenever the risk to the public outweighs the benefit of immediate apprehension, the member will terminate the pursuit.

4.6.5 Use of Departmental Equipment

Members will utilize department equipment only for its intended purpose and will not abuse, damage or lose department equipment. All department equipment issued to members will be maintained in proper order. Damaged or lost property may subject the responsible individual to reimbursement charges and/or disciplinary action. Any lost or damaged equipment will be reported as soon as possible to a supervisor.

5.1.7 Other Unauthorized Firing of a Weapon Situations

In addition to the motor vehicle prohibition, members will not discharge a firearm under the following conditions:

- (a) Sworn members are not permitted to fire their weapons under the following circumstances:
- As warning shots, unless, in exceptional cases where no lesser degree of force would be effective or practical and the firing of a warning shot is the only alternative to the use of deadly force. Warning shots will not be fired when such discharge would pose a danger to any person.
 - At persons who have committed only a misdemeanor or traffic violation.
 - When the necessity of firing is outweighed by the probability that an innocent person may be injured or killed by the shot or ricochet.
 - To prevent the destruction of property or theft.
 - When such a discharge is a result of carelessness or the negligent handling of a firearm.

5.3 USE OF PHYSICAL FORCE

Physical force is defined as actual physical contact with a person. Physical force may be used to:

- Overcome resistance to lawful authority;
- Ensure compliance with lawful orders.

Members may employ physical force to defend themselves or another person from what the member perceives to be the imminent use of unlawful physical force. Members will use reasonable force when force is used to accomplish lawful objectives.

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A sworn-member having probable cause to believe that an individual committed a criminal offense, may use only that force which is reasonable and necessary to affect an arrest, prevent an escape, or to overcome resistance.

Members will treat suspects and prisoners in a fair and humane manner. Members will not mentally or physically abuse any prisoner in custody or use excessive force. Members will not strike a handcuffed prisoner except in the extraordinary articulable circumstances where a handcuffed suspect or prisoner violently attacks the member or another and places the member or another at risk of serious bodily injury or death and lesser means have been attempted and failed or are not feasible.

Members will attempt to utilize those control techniques and tactics that are departmentally approved. Those control techniques and tactics should employ maximum effectiveness with the minimum force needed to control the incident.

Members using any force that results in injury will arrange for reasonable, timely and appropriate medical treatment in accordance with established procedures.

6.1.1 Arrest without a Warrant

Members will immediately notify a supervisor or Patrol Lieutenant whenever an arrest without a warrant is made, unless the individual is released on a summons at the scene. All affidavits for arrest without a warrant must be approved prior to processing or booking an arrestee into the Aurora Detention Center. Warrantless arrest affidavits should be approved by the initiating member's District Lieutenant Watch Commander. In the absence of a Lieutenant Watch Commander, the affidavit may be approved by the acting District Watch Commander or the member's sergeant with notification to the Watch Commander. Affidavits prepared by detectives will be approved by their immediate supervisor or detective lieutenant when available. Detectives may get approval from a Watch Commander after hours.

Officers may arrest without a warrant only upon the determination that probable cause exists to believe that a crime was committed and that the individual to be arrested committed the crime or for a crime committed in the officer's presence. Prior to such arrest, officers will investigate the facts leading to the arrest. The investigation should include, if possible, identification of all witnesses and suspects, interviews of persons who may have pertinent information and crime scene / evidence protection and preservation.

A member effecting a warrantless arrest will document the incident fully and accurately in the Versadex Records Management System according to Directive 8.10 - Reports prior to the officer returning to service. When the call load dictates a need for the member to return to service immediately, a supervisor may override this requirement, but will ensure that all reports related to the warrantless arrest are completed prior to the member terminating his/her shift.

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7.2.1 Attendance

Annual in-service training is considered a duty assignment and as such, attendance is mandatory. All sworn members must attend and meet the minimum requirements established for all courses approved for the Annual In-Service Training program specific to their rank or specialty, unless specifically excused by the Chief of Police or designee.

Attendance at scheduled training classes for all members is required unless specifically excused by the Chief of Police or designee.

When scheduling conflicts occur, the member with the conflict is responsible for reporting the situation to his/her immediate supervisor. When a conflict occurs during academy sponsored training, the member will also notify the appropriate Training Section staff member.

Members missing any portion of training will report the absence to their immediate supervisor.

8.14 OVERTIME COMPENSATION

It is the policy of the Aurora Police Department that all overtime work will be authorized before being performed.

All overtime, except court overtime, must be authorized by the member's supervisor or command officer. The name of the authorizing member will be noted on all requests for overtime.

A command officer in the member's chain of command will review and approve for payment all requests for overtime, pay and compensatory time. Approval is an oversight function and responsibility of the command element of the department.

Court overtime (compensatory time and pay) will be reviewed for approval by the Court Liaison/Secondary Employment Detail.

Approved overtime for members will be compensated at one and one half (1 1/2) the basic hourly rate of pay. A two-hour minimum will be paid for court related overtime.

Members may designate whether they want to be compensated in pay or compensatory time for approved overtime hours.

Overtime compensation does not apply to Department command officers or other exempt employees, except as specifically authorized by the Chief of Police.

8.2.3 Request For Leave

All requests for leave will be approved through the appropriate chain of command before any member goes on leave.

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Members will enter the request into TeleStaff in accordance with the following guidelines. Supervisor/command officers reviewing requests for time off (compensatory time, personal or annual leaves) will check leave balance accruals and ensure appropriate staffing levels are met before authorizing the request.

- a. Annual Leave - Members will complete the TeleStaff leave request at least two weeks before going on leave, if possible. The TeleStaff leave request will be acknowledged and approved by the member's supervisor before a member goes on leave. The supervisor will advise the member if the leave is not granted.
- b. Personal Leave - will be handled the same as annual leave. Personal leave days will be granted if there is not a personnel shortage. Personal Leave compensation for sworn members will be handled in accordance with the collective bargaining agreement.
- c. Sick Leave -
 - All Bureaus/Sections/Units/Details are responsible for developing a procedure for members attempting to call in on Sick Leave. At a minimum the procedure will include:
 1. The requirement for members to provide a telephone number where they can be reached during the absence. When possible, the member will enter the request in TeleStaff.
 2. Directions for the supervisor/command officer receiving the information regarding the absence to ensure the absence is noted in TeleStaff.
 - In all cases members must describe to their supervisor or command officer his/her condition to include the following: specific injury or sickness, medical care received or intended to be received and anticipated return to work date. If the sick leave is being used for an injured or ill family member, only the anticipated return to work date and contact number need be provided unless the employee is requesting FMLA Leave. Failure to follow the above procedures may result in the absence being considered unauthorized leave.
 - On the fourth-consecutive day that an employee calls in sick, the supervisor will document the medical information pertaining to the absence in a securable file separate from the member's working personnel file. The supervisor or command officer will notify the Administrative Services Section of the employee's absence.
 - Members are required to call in each day that they are absent unless excused by their supervisor or manager. Supervisors will approve the sick leave in TeleStaff for each day of the absence to ensure an accurate roster is generated.

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- Members using sick leave when scheduled for a court appearance must call the appropriate court to report their absence.
- If a chronic illness of a member or a member's immediate family causes a member to be absent frequently or extensively, the supervisor will notify the Section / Bureau / District Command Officer. The member may be required to submit a doctor's written medical verification of the illness. The member may request FMLA status or the City may opt to place the member on FMLA, if the condition meets the requirements for FMLA. Medical verification for FMLA may only be requested once every 30 days. If the leave is for any non-FMLA medical reason, medical verification may be required for each subsequent request for sick time. The supervisor may require medical verification confirming that the member may return to duty before the member's scheduled return to work.
- With Section / Bureau / District Command Officer approval, supervisors may require the member to provide medical verification for the absence. If medical verification is required, the member will be notified either verbally or in writing to submit the verification upon return to work. The member has the responsibility to obtain the medical verification during their absence and provide the medical verification to their supervisor or designee, upon their return to work
- When the member returns to work, he/she will ensure the appropriate information is entered into TeleStaff. The supervisor will ensure that the TeleStaff entry is accurate. Once the member calls in sick, the sick leave will not be converted to vacation, compensatory time, or personal days.
- Leave will be considered unauthorized whenever a member fails to provide appropriate medical verification required by a supervisor.
- The Chief of Police may require the member to undergo an examination to determine his/her fitness for duty.
- Supervisors will not document medical information in TeleStaff or maintain any medical information in the employee's working file. All medical information obtained from a member must be maintained in a separate and secure file.

8.3.3 Member Duties and Responsibilities

(a) Acceptance of Subpoenas

It is the duty of every member to accept service of subpoenas or administrative notices and to appear as directed. Members will not intentionally evade service. All members will check for service of new subpoenas on each of their duty days, in the TeleStaff system and in their mailbox. If there is any document in their mailbox

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addressed to them, they will accept service. If there is a notice in the TeleStaff system and no subpoena found in their mailbox, the member will contact Court Liaison to acquire a copy of the subpoena or the necessary information required to fulfill their obligation.

Members receiving telephone notification from Court Liaison, court, prosecutorial personnel or a supervisor, will appear as directed.

(b) Appearance in Court

All members appearing in court will be punctual, conform to the court's rules of conduct and obey all orders of the Court.

Officers appearing in court on-duty will wear the Department Duty Uniform or the specialty uniform approved for wear for the officer. The ball cap authorized for wear with the Duty Uniform will not be worn in court. Sworn members approved to wear non-uniform attire and off-duty officers appearing in court will wear the Department Duty Uniform or business attire that adheres to Directive 8.1 - Appearance.

Unless restricted to an unarmed duty assignment, officers will carry weapons when attending Aurora Municipal Court, whether the officer is in plain clothes or uniform. The Chief of Police may authorize exceptions to this requirement.

Officers attending Adams County Court in uniform and on official business are allowed to carry weapons. Non-uniformed officers attending Adams County Court on official business are allowed to carry weapons as long as their department identification card is worn in plain view on their outer garment.

Weapons will not be worn, carried or displayed by officers in uniform or plain clothes while attending other County, District, or Federal Court unless ordered or permitted by the Court. Weapons will be properly secured before entering any courtroom.

(c) Members will notify Court Liaison immediately, through the chain of command, of any change in their original leave schedule. This notification will be made on form APD FM 520-383. A member's failure to make notification could result in any request for continuances being denied by department personnel when leave conflict is cited as the reason for the request.

(d) Members using sick leave when scheduled for a court appearance must call the appropriate court to report their absence. Members will provide the defendant's name, division number, time and summons or court case number when making notification. Members on emergency leave and under subpoena for any court must notify Court Liaison to report their absence.

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- (e) Members are responsible for resolving any court conflicts with the court of jurisdiction and for ensuring all affected courts are notified.
- (f) Members on injury leave when scheduled for a court appearance refer to Directive 15.10 - Administrative Schedule.

10.7 AWARDS FOR MEMBERS

This directive outlines available Department awards and process for nominating, deciding and presenting those awards.

10.7.1 Classification of Awards

Separate and distinct department awards are authorized for recognizing commendable and honorable deeds or acts by members in the line of duty. The definitions below are not intended to be all-inclusive. The Chief of Police recognizes that members will perform exemplary acts, which are not specifically defined herein. As such, the Chief of Police, at his discretion, may recognize a member for any award for their commendable acts.

The department awards that may be bestowed upon a member are as follows:

a. MEDAL OF HONOR

May be awarded to members who distinguish themselves by intentionally and knowingly placing themselves in a situation that involves an actual and imminent danger of death and whose actions demonstrate conspicuous bravery or heroism significantly above and beyond the call of duty. The member must perform an act so outstanding that it clearly demonstrates extraordinary courage beyond the requirements of the Distinguished Service Cross.

The member must have been aware of the great personal danger to themselves before the performance of the act and the act must have involved an imminent, actual and substantial threat to the member's life.

This award will be a medal, uniform ribbon, and certificate presented by the Chief of Police.

b. DISTINGUISHED SERVICE CROSS

May be awarded to members who distinguish themselves by demonstrating exceptional bravery despite an imminent risk of serious bodily injury or death.

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A member may be aware or unaware of great personal peril to themselves before the performance of the act.

This award will be a medal, uniform ribbon, and certificate presented by the Chief of Police.

c. PURPLE HEART

May be awarded to any member who sustains a gunshot wound, stab wound, or serious injury, under aggravated and hostile circumstances, which could have resulted in death or could potentially result in a permanent disability, which may force the member to retire.

This award will be a medal, uniform ribbon, and certificate presented by the Chief of Police.

d. LIFE SAVING AWARD

May be awarded to members who personally save a life. The life saving effort will normally involve one of the learned life supporting processes: mouth-to-mouth resuscitation, cardio-pulmonary resuscitation, the Heimlich maneuver for choking victims, or the control of severe bleeding. Actions meriting this award will be significant actions by the member.

The award will only be bestowed if the victim survives the incident. The request for a life saving award will be accompanied by a document from witnesses or an attending physician stating the methods applied contributed significantly to the victim's survival.

This award will only apply when victims are at imminent risk of death. This will normally not include deliberate actions taken by the victim, unless the victims have inflicted injury upon themselves which is actually life threatening.

This award will be a uniform ribbon, and certificate presented by the Chief of Police.

e. MERITORIOUS SERVICE RIBBON

May be awarded by the Chief of Police for service rendered in the line of duty when a member, because of diligence and perseverance, performs difficult tasks under unusual circumstances and goes far beyond that which is normally expected of members.

This award will be a uniform ribbon, and certificate presented by the Chief of Police.

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f. CHIEF'S COMMENDATION CERTIFICATE

May be awarded to a member for exceptional contribution to the progress of the Department, or to individuals who perform their duties in an unusually effective manner. The contribution must be adopted by the Department and increase the administrative or operational efficiency of the Department.

The Chief of Police may recognize individual members of other law enforcement organizations, or multi-jurisdictional task forces, for this award.

This award will be a certificate presented by the Chief of Police or a member of the Chiefs Executive Staff.

g. CHIEF'S UNIT CITATION

May be awarded to an entire unit whose members perform their assigned duties in an unusually effective manner.

The Chief of Police may recognize units comprised of officers from the Aurora Police Department as well as other organizations, or multi-jurisdictional task forces, for this award.

This award will be a certificate presented by the Chief of Police or a member of the Chiefs Executive Staff.

h. COMMUNITY COMMITMENT CERTIFICATE

May be awarded to members who, through their own efforts, display an unusually effective manner of employing the Aurora Police Department's community commitment philosophy by providing the public police services which embody the concepts of:

- Police employee/community identification, ownership, and trust or;
- A two-way dialogue between the police organization and the community or;
- A problem-solving approach to the delivery of police services or;
- An attention to those factors that contribute to deteriorating conditions in neighborhoods and community decay or;
- An official recognition of and an action oriented approach to those issues which give rise to fear of crime in the community or of crime in the community or;
- A skilled utilization of the network of governmental and community resources through the use of specific referrals and coordination or;
- An orientation toward the facilitation of community self help through involvement, knowledge, and organization.

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This award will be a certificate presented by the Chief of Police, Chief's Executive Staff, or any District Commander or Bureau Captain.

i. COMMANDER'S COMMENDATION CERTIFICATE

May be awarded to those members who, through their own efforts, perform their jobs in such a manner as to reflect high quality and professionalism in performance of their duties.

This award will be a certificate presented by any command level officer.

j. CERTIFICATE OF APPRECIATION - CITIZEN'S AWARD

May be awarded to any citizen who renders valuable, courageous, or heroic assistance to members of the Aurora Police Department.

This award will be a certificate presented by the Chief of Police, Chiefs Executive Staff, or any District Commander or Bureau Captain.

k. CAMPAIGN RIBBONS

May be awarded to members who participate in a "Specially Designated Operation" as identified by the Chief of Police.

This award will be a uniform ribbon and a certificate presented by the Chief of Police.

10.7.2 Definitions

- a. **Above and Beyond the Call of Duty:** This is an exercise of a voluntary course of action, the omission of which would not reasonably subject the individual to censure for failure in the performance of duty. It includes the acceptance of existing danger or extraordinary responsibilities with praiseworthy fortitude and exemplary courage, in the highest degree. It involves the voluntary acceptance of additional personal danger and risk of death or serious bodily injury.
- b. **Heroism:** This covers an act or actions by an individual engaged in actual combat with an armed suspect or in police operations which involve exposure to serious, imminent personal hazards.
- c. **Distinguished Themselves By:** A person distinguishes themselves by praise-worthy accomplishment, set above and apart from other persons in the same or similar circumstances. Determination of this distinction requires careful consideration of exactly what is or was expected as the ordinary, routine, or customary behavior and

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accomplishment for individuals of like positions and experience for the circumstances involved.

10.7.3 Procedure for Nominating a Member for Awards

Any member may nominate another member as a candidate for any of the awards listed in 10.7.1. The circumstances of a particular act or contribution to the department objectives must meet the prerequisites of the specific award.

Members making an award nomination will use the Awards Board Nomination Form (APD Form 110) along with any supporting documentation attached.

Nominations for the Medal of Honor, Distinguished Service Cross, Meritorious Service Ribbon, Purple Heart, Life Saving Award and Certificate of Appreciation – Citizens Award may be forwarded through the chain of command to the Board or given directly to the Awards Board Chairperson.

Nominations for the Commander's Commendation Certificate, the Chief's Commendation Certificate and the Chief's Unit Citation will not be processed through the Awards Board.

Nominations for the Chief's Commendation Certificate and the Chief's Unit Citation will be forwarded via the Chain of Command to the Office of the Chief of Police. Upon approval, the certificate will be awarded by the Chief of Police or a member of the Chief's Executive Staff during events throughout the year.

Nominations for the Commander's Commendation Certificate and the Community Commitment Certificate will be forwarded via the chain of command only as far as the appropriate Commander or Captain. It is the Commander or Captain's responsibility to review and distribute the certificate in a timely manner to the member.

10.7.4 Awards Board Selection Process

The Chief of Police will appoint an Awards Board, hereinafter referred to as the Board, to inquire into, and evaluate, the circumstances for which members have been nominated for awards.

The Board will consist of six members. At a minimum there will be one (1) Sergeant, one (1) Agent, one (1) Officer and one (1) civilian. The two remaining positions may be filled from any rank. If a vacancy occurs on the Board, the Chairperson will poll members of the department via e-mail to determine those who are interested. Those names will be forwarded to the Deputy Chief of Police. The Chief of Police will appoint a new Chairperson when that position is vacated.

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10.7.5 Duties of the Awards Board

The Board will meet quarterly to consider nominations. The Board will only vote on the following awards:

- Medal of Honor
- Distinguished Service Cross
- Meritorious Service Ribbon
- Purple Heart
- Life Saving Award

At the direction of the Deputy Chief, the Board may also vote on:

- Certificate of Appreciation – Citizens Award
- Community Commitment Certificate

The Board will review nominations for awards. The Board may investigate the circumstances of the nomination and collect facts, both favorable and unfavorable to the member for whom the nomination was made. Nominees may be interviewed by the board before a vote and nomination to the Deputy Chief of Police.

The Board, having heard all witnesses and evaluated all reports and written statements, will deliberate the facts presented in a closed session. Upon reaching a conclusion, the Board will recommend to the Deputy Chief of Police one of the following alternatives in writing:

- That the facts, as presented, do not warrant further action on the matter at hand.
- That some justification for recognition exists, but that such recognition has been determined by the Board to be for a lesser award than was recommended by the nominating member.
- That the circumstances surrounding the act met the prerequisites of the award recommended by the nominating member and that it is the decision of the Board that the nomination be approved.
- That the circumstances surrounding the act met the prerequisites for a higher award than was recommended. The decision of the Board is that the higher award be approved.
- The total number of awards presented the previous year
- The number of awards presented for each category
- The total number of recommendations for awards received by the Board.

The Board has the responsibility of maintaining the display case located at the District Two Station. Trophies and awards will be displayed for one year before being returned to the owner. The awards display case will be updated annually after the Awards and Promotional ceremony. At the discretion of the Board, trophies and awards may be displayed for a period of time that exceeds the one year limit.

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10.7.6 Distribution of Approved Awards

Awards will be distributed as follows:

- a. A copy of the nomination and original award(s) paperwork will be retained by the awards board indefinitely.
- b. Once an award(s) has been voted on and approved by the Deputy Chief of Police, the Chairperson will notify the member and their immediate supervisor via e-mail of the recommendation. This recommendation should be included in the members working file as a PAE and yearly evaluation.
- c. Each year the department will host an awards ceremony. All department members as well as immediate family members are invited to attend.
- d. Members receiving an award need to give a copy to their immediate supervisor to be included in their working employee file. Supervisors will document any award with a PAE and annually in the member's evaluation.
- e. A copy of the award will be maintained on the "G" drive in the folder marked "Awards."
- f. The Awards Board Chairperson is responsible for updating the spreadsheet which documents all awards that have been issued. This file is located on the "G" drive in the folder marked "Awards." This should be done annually after the awards ceremony.

10.7.7 Approval and Presentation of Awards

The Chief of Police or designee will make the final decision on all awards after reviewing any comments or recommendations that may have been submitted through the chain of command review process and after receiving the recommendations of the Board.

Formal presentation of all awards may be made by the Chief of Police or designee, Commander or Bureau/Section Command Officer as appropriate. Formal presentation will usually be during the annual award ceremony.

10.7.8 Wearing of Awards

Members wearing awards will do so according to Department [Directive 8.1 - Appearance](#).

SO-11-04 TAKE-HOME VEHICLES

The purpose of this Special Order is to outline the policy on use of a take-home vehicle.

City owned vehicles assigned as take-home vehicles are not provided for the personal use of their operators but are provided for the benefit of the Department in case their operators are required to respond to a duty-related situation. Take-home vehicles are not intended to

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take the place of the member's personal transportation and are assigned for official business purposes only. Unauthorized use of take-home vehicles will result in disciplinary action.

Definition

A take-home vehicle is any city-owned or leased vehicle designated for use after normal duty hours. This designation is approved by the Chief of Police based upon on-call and/or assignment status.

Restrictions on use

City-owned vehicle use is limited to transportation to and from a police facility, responding to a call for which the member is on-call, or when attending Department-sanctioned training or meetings.

No alcoholic beverages are to be consumed or carried in departmental vehicles, and departmental vehicles are not to be driven after the operator has consumed alcoholic beverages off-duty, unless such action can be directly related to departmental business. Under no circumstances will a member operate a city vehicle while legally impaired by drugs or alcohol.

Members on light-duty status will retain the use of their assigned city vehicle, but the vehicle may be used only for travel to and from their duty assignment.

Family members will not be routinely transported in Department vehicles except for purposes of dropping the family member off or picking him/her up while on the way to or from a duty assignment.

City vehicles shall not be used for off-duty employment or for transportation to and from off-duty employment except as approved by a Commander or above.

This Special Order will be reviewed in six months through October 15, 2011, to allow for input and review, and is subject to revision or cancellation at the discretion of the Chief of Police.

14.1.4 Tactical and In-Progress Calls

Members on-scene at a tactical and/or in-progress emergency call may, if reasonably necessary to prevent loss of life or serious bodily injury, and if the evolving tactical situation requires, deviate from the orders given by a command or supervisory officer if that command or supervisory officer is not on scene. Any divergence from orders must be explained by the member, and will be subject to scrutiny after the call.

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14.1.6 Conformance to Directives

Members will observe and obey all Department Directives, Special Orders and Standard Operating Procedures. All members have the responsibility to become thoroughly familiar with the provisions and regulations of this Department Directives Manual and are expected to know and assume their duties and obligations. In the event of breach of discipline or violation of some law, rule, directive, procedure or other duty, it will be presumed that the member was familiar with the law, rule, directive, policy or other duty in question.

14.2.9 Constitutional Requirements

When conducting criminal investigations, members should be conscious of the fact that their procedures will be scrutinized by the courts. It is incumbent upon each member to stay abreast of court decisions that relate to police investigative conduct.

Members will not make any arrest, search or seizure which they know or reasonably should know is not according to established legal precedent or statutory law.

Members will follow all established constitutional guidelines and requirements pertaining to interrogations of individuals suspected of criminal activity. The obtaining of a confession or admission by means of coercion, duress, threats or promises by any member will not be tolerated by this department.

No member will refuse a suspect the right of counsel, when requested, during any investigation or interrogation.

No member will in any manner delay for any reasons the appearance of any individual accused of a criminal offense before an appropriate magistrate.

When an accused person waives their rights, it is the responsibility of the investigating member to ensure that the accused person's waiver was made "voluntarily, knowingly, and intelligently."

14.3 PROFESSIONAL CONDUCT AND RESPONSIBILITY

Members will conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Unprofessional conduct and irresponsibility will include that which brings the Department into direct disrepute, publicly or amongst its members, reflects direct discredit upon the member, or impairs the operation or efficiency of the Department or member.

14.3.1 Unsatisfactory Performance

Members will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.

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Unsatisfactory performance may be demonstrated by lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, the failure to conform to work standards established for the member's rank, grade or position, the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention, or absence without leave or habitual tardiness.

In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or an official written report of repeated infractions of directives, and/or corrective action reports of the Department.

Members are required to maintain proficiency in the proper deployment of authorized weapons. Members will only deploy those weapons for which they are certified to carry. The discharge of any weapon in a negligent or inappropriate manner could be considered an unsatisfactory performance.

14.3.2 Conduct Towards Superior and Subordinate Officers and Associates

Members will treat superior officers, subordinates, and associates with respect. They will be courteous and civil in their relationships with one another. When on duty and particularly in the presence of other members or the public, officers should refer to each other by rank.

14.3.3 Making a False or Untruthful Declaration

Members will not, in the course of their official duties, willfully or knowingly make a false or untruthful declaration, either orally or in writing. This rule is applicable regardless of the materiality of the declaration.

14.3.5 Neglect of Duty

All members are required to take appropriate police action toward aiding a fellow peace officer exposed to danger or in a situation where danger might be impending.

Members will not read, play games, watch television or movies, or otherwise engage in entertainment while on duty, except as may be required in the performance of their duties specifically or as authorized by the Chief of Police. They will not engage in any activities or personal business, which could cause them to neglect or be inattentive to duty.

Members will report for duty at the time and place required by assignment or orders and will be physically and mentally fit to perform his or her duties for the entirety of the assigned shift. Only command level officers (lieutenants or above) possess the authority to grant a member permission to report late to or leave early from a duty assignment without the submission of an entry in the attendance software. Sergeants serving in an acting lieutenant position are not

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granted this authority. Command officers exercising this authority are expected to be able to explain his or her action to the next level of the chain of command.

Members will be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Training courses, seminars and conferences approved for individual members to attend are considered duty assignments. Judicial or administrative subpoenas will constitute an order to report for duty under this section.

Members will remain awake while on duty. Should a member experience difficulty remaining awake, he or she will report to a supervisor, who will determine the proper course of action. Members will not leave their assigned duty posts until relieved or authorized by proper authority.

Members may be permitted to suspend patrol or other assigned non-emergency activity, with proper authorization, for the purpose of having meals. If a member's meal break is counted as time worked, that member is subject to immediate recall at any time and will be alert to all radio calls on their primary channel. Members whose meal breaks are not counted as time-worked are not normally subject to recall.

14.3.10 Reporting Responsibility

Reports submitted by members either written or oral will be truthful and complete to the best of their knowledge and no member will knowingly enter or cause to be entered any inaccurate, false, or improper information, nor will they withhold information favorable to a defendant.

Accidents involving departmental personnel, property, and/or equipment must be reported according to departmental procedures.

When city property is found bearing evidence of damage which has not been reported, it will be prima facie evidence that the last person using the property or vehicle was responsible.

17.1.1 Authorized Use of City Computers, Associated Devices and City-Owned Networks

Members are expected and have the obligation to use good judgment at all times when using the Internet and other electronic communication tools. Members should be professional and courteous when sending electronic messages. Electronic media is made available to members for the purpose of providing an effective method to communicate, increase productivity, perform research and obtain information that will assist in performing job-related tasks. Personal use of the Internet should be limited to non-compensable hours, with prior supervisor approval.

Members have no expectation of privacy when using Department or City-owned and/or controlled equipment. Members should be aware the use of any Department or City-owned and/or controlled communications tools may be considered public record under this state's

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public record law, and may be subject to public inspection under Colorado's Revised Statutes, 24-72-203.

17.1.2 Prohibited Uses

Members are prohibited from using City-owned and/or controlled computers, associated devices and networks for any of the following activities:

- a. Transmitting any material or messages in violation of Federal, state, local law, ordinance, regulation or City policy, including but not limited to: sexually, racially, or ethnically offensive comments, jokes or slurs.
- b. Distributing sensitive or confidential information. (Exception: Crime bulletins and Department information blogs used for official police business. Members are cautioned that these materials are discoverable.)
- c. Distributing unauthorized broadcast messages or solicitations (all broadcast or solicitation messages must be approved by the Director of Information Technology or the City Manager).
- d. Accessing or distributing offensive or pornographic materials.
- e. Using City-provided electronic media to accomplish personal gain or to manage a business.
- f. Distributing copyrighted materials not owned by the City, including software, photographs, or any other media.
- g. Downloading of copyrighted information or software.
- h. Developing or distributing programs that are designed to infiltrate computer systems internally or externally.
- i. Accessing or downloading any resource for which there is a fee without prior appropriate approval.
- j. Representing yourself as another user or employee.
- k. Misrepresenting yourself to any other entity or user. Members working in an authorized undercover sting operation, purposefully misrepresenting themselves to catch criminals, are exempt from this restriction.
- l. Attempting to access any system an employee is not authorized to access (hacking).
- m. Giving your username and password to anyone for an unauthorized purpose.
- n. Loading any software without approval from the Electronic Support Section and/or the Information Technology, as appropriate.
- o. Knowingly introducing viruses to a city-owned computer or network.

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Information Technology (IT) will notify the Electronic Support Section when computers are infected with spyware, viruses or other harmful downloads which require intervention by IT. When a computer requires intervention by IT for issues relating to spyware, viruses or other downloads on more than two occasions, The Electronic Support Section will notify the appropriate Division Chief and a preliminary administrative investigation will be initiated.

As the City provides an electronic mail system (e-mail) to Department members for use, members are prohibited from accessing other electronic mail services outside of the City e-mail system via City-owned and/or controlled computers. Security protocols within the City e-mail system protect the City network from unauthorized intrusions, viruses and other threats. The use of other electronic mail services may defeat the security system, opening the door to potential viruses and network breaches.

17.2 USE OF CAD AND MDC

This Directive, City of Aurora Information Security Policy and CCIC/NCIC Regulations govern the use of the CAD and MDC.

Any information available through the CCIC/NCIC terminal or MDC is limited to criminal justice purposes only. The criminal justice information system will not be queried for personal reasons, including but not limited to curiosity or other non-criminal justice investigation.

For the purposes of this directive, the MDC is considered an extension of the Aurora Police Department's law enforcement facilities

17.2.2 Unauthorized Use of CAD and MDC Systems

The CAD and MDC will not be used for unauthorized personal messages or unnecessary comments or opinions.

No obscene or profane language may be used on the CAD or MDC Systems. Because of CCIC/NCIC regulations, criminal histories may not be run from the MDC's. Only members certified and authorized through CBI may run Criminal histories. Criminal histories will only be conducted for official police business in conjunction with an actual investigation.

Members are not permitted to utilize an MDC outside the defined work environment (*e.g.*, taking a MDC home to access CCIC/NCIC) without specific authorization. Command officers may approve the use only when the assignment is directly related to an ongoing investigation and overtime has been authorized. An exception to this directive exists when equipment/applications require evaluation. All testing of equipment will be conducted at the direction of the Electronic Support Section.

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17.3.5 E-mail Accounts

- a. The City e-mail system is a department approved communication system. E-mail accounts are assigned to improve customer service and to enhance communication within the Department.
- b. All members assigned an e-mail account will check their messages at least once per shift. The e-mail account will be checked near the end-of-watch prior to regularly scheduled days off to ensure prompt action of priority messages.
- c. Good customer service is expected and, as such, e-mail messages requiring a response or action from a member will be handled as soon as practical. Messages left on a member's day off will be returned on the next duty day if possible.
- d. When a member is unavailable for more than one day during the normal workweek, such as for vacation or training, the "Rules or Out of Office Assistant" function of the system will be enabled to notify persons attempting contact of the scheduled absence. The reply message displayed from the "Rules" function should include an anticipated date of return and an alternate point of contact for issues requiring immediate attention.
- e. Mass distribution of e-mail messages to "APD" and other large group distributions are limited to official business.
- f. All e-mail messages will be professional and within the rules of acceptable communication between co-workers or with superiors and/or subordinates. City e-mail messages are public record and therefore must be treated as if they were spoken in public and in compliance with the standards set in 14.3 PROFESSIONAL CONDUCT and RESPONSIBILITY.
- g. The City e-mail system is not a public forum for comments in favor of or against any policy, position or function. Department related labor organizations may use the system for distributing information to their members or perspective members only with the expressed permission of the Chief of Police or designee.

17.5.2 Dispatch Authority

The PSCD has the primary responsibility for the assignment of calls and the monitoring of on-duty units. The PSCD will have the authority from the Chief of Police to direct members to perform police tasks anywhere in the city without regard to beat assignment or present call status.

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In cases where a unit is specifically assigned to a special operation (perimeter duty, OPJOHN, STEP duty etc.) the PSCD will obtain clearance from the Command Officer/Supervisor of that special operation before reassigning units involved.

In cases where a conflict exists regarding the assigned officer's response to a call, the officer will respond to the call unless there is a clear and compelling emergency or higher priority activity that requires the officer's immediate attention.

Absent an emergency, the conflict will be handled through the affected member's and the dispatcher's chain of command after the call is handled. The public will not be denied service while a conflict between members and dispatchers is decided.

Ultimate authority for the operational functioning of units still lies with the Patrol Lieutenants and supervisors. It is recognized there will be occasions when there is a compelling need for a supervisor or Patrol Lieutenant to modify call responses. Nothing in this directive will prohibit them from taking such action should a situation mandate that intervention.