



# AURORA POLICE DEPARTMENT

## 2019 ANNUAL COMPLAINTS & DISCIPLINE REPORT

**CHIEF OF POLICE**  
VANESSA WILSON  
**DEPUTY CHIEF OF POLICE**  
DARIN PARKER  
**OPERATIONS DIVISION CHIEF**  
HARRY GLIDDEN  
**METRO DIVISION CHIEF**  
TERRY BROWN  
**PROFESSIONAL ACCOUNTABILITY DIVISION CHIEF**  
MARCUS DUDLEY  
**MANAGER OF BUSINESS SERVICES**  
JOHN SCHNEEBECK

## Contents

Introduction.....	2
Automated Complaint and Commendation System.....	2
District and Bureau Discipline.....	3
Negotiated Disciplinary Settlement Agreement Process.....	3
Formal Internal Investigations and Discipline.....	3
Automated Complaints by Type.....	6
Automated Complaints by Validity.....	7
Automated Complaints, Results.....	8
Automated Complaints, Follow Up Contact Method.....	9
Automated Commendations by Type.....	10
Automated Complaint and Commendation System.....	11
Miscellaneous Information on People Reporting.....	11
District and Bureau Discipline Report.....	14
Negotiated Disciplinary Settlement Agreement.....	18
Formal Internal Investigations and Discipline Report.....	20

**Please note that during the reporting year of 2019 the Chief's Office was as follows:**

**CHIEF OF POLICE**  
NICK METZ  
**DEPUTY CHIEF OF POLICE**  
PAUL O'KEEFE  
**OPERATIONS DIVISION CHIEF**  
ERNIE ORTIZ  
**METRO DIVISION CHIEF**  
VANESSA WILSON  
**COMPLIANCE & PROFESSIONAL STANDARDS DIVISION CHIEF**  
HARRY GLIDDEN  
**MANAGER OF BUSINESS SERVICES**  
JOHN SCHNEEBECK

## 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 using 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 community we serve.

The Department has four methods to manage complaints and discipline which are: The Automated Complaint and Commendation System; District / Bureau Discipline; Negotiated Disciplinary Settlement Agreement Process; and Formal Internal Investigations and Discipline.

## Automated Complaint and Commendation System

The Aurora Police Department created the Automated Complaint and Commendation System in 2006 to manage and record all allegations and investigations of 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 website. If the Department receives a complaint or commendation in person, on the telephone, or in writing, the receiving employee enters the information into the system. Once entered in the automated system, the complaint is forwarded to the Internal Affairs Bureau (IAB) Commanding Officer. Once the Internal Affairs Commanding Officer or designee has reviewed the case, if he or she determines the case is an allegation that can be investigated at the District / Bureau level, he or she will send the case to the appropriate Commanding Officer. The Commanding Officer will assign the case to an appropriate supervisor in the District / Bureau and a preliminary investigation will be completed. If during the preliminary investigation the investigator believes the allegation should not be handled at the District / Bureau level, a request for investigation by the IAB will be completed and forwarded through the complaint management system to the subject member's Division Chief.

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 similar complaints and or commendations.

The system records all 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/Bureau Discipline**

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 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 or designee. If the Chief concurs with the findings, a Written Reprimand is prepared, reviewed, and approved by the Chief. The Chief of Police may personally issue and serve the Written Reprimand on the employee or delegate this duty to a command officer within the employee's chain of command. The Written Reprimand is part of the employee's permanent discipline file.

## **Negotiated Disciplinary Settlement Agreement Process**

When an internal or external complaint is entered into the automated complaint system, it is immediately routed to IAB for review. The IAB Commander or designee will review the complaint to determine if it should be assigned to IAB for a full IAB investigation or reassigned to the subject member's Commander for either Preliminary Investigation or an NDSA (Negotiated Disciplinary Settlement Agreement). The IAB Commander or designees will add notes to the automated complaint system indicating the matter is eligible for the NDSA process. The tracking note will include a range of discipline based on the comparable discipline for prior similar policy violations resulting in a 40-hour suspension or less. The purpose of the NDSA process is to provide efficient resolution of Departmental Directives violations requiring limited formal discipline without the necessity of a formal Internal Affairs investigation.

## **Formal Internal Investigations and Discipline**

The Internal Affairs Bureau (IAB) Commanding Officer or designee receives allegations of misconduct. The IAB Commanding Officer determines whether the allegation of misconduct necessitates an IAB investigation or be sent to the District for investigation. If a formal investigation is warranted, the IAB will seek authorization from the Chief of Police. The IAB completes the investigation and will notify the subject member/members' Division Chief(s), and District / Bureau Commander Officer(s) that the case is available for review. Once the involved Chiefs and Commanding Officers have reviewed the case, the Deputy Chief, on behalf of the Chief of Police, will convene a Chief's Review Board (CRB). The CRB will review the case and discuss the recommendation of finding from the IAB Commander. If the CRB determines a finding of sustained for any allegation of misconduct, or noncompliance for any compliance review, the CRB will make a recommendation of discipline to the Chief of Police. The Chief of Police will inform the member of recommended discipline. Additionally, critical incidents (i.e. police shootings, use of force resulting in serious injuries or death, serious traffic accidents involving officers, etc.) may result in a formal investigation regardless of whether there is any evidence or accusation of misconduct.

## Perspective Statistics

The Department provides the following statistical information for the purpose of perspective. The Department currently employs 729 sworn officers, 148.5 civilian employees, and 91 public safety communication employees (total 968.5). During 2019, the Department handled 232,403 calls for service from the public, arrested 9,278 suspects, issued 5,760 criminal summonses (non-custodial arrests) and issued 23,420 traffic citations (this excludes parking tickets and General Offense related traffic summonses).

As noted in detail in the following sections, the Department received a total of 519 complaints for sworn members, 24 complaints for non-sworn members, 39 commendations for sworn members and there were no commendations received for non-sworn members.

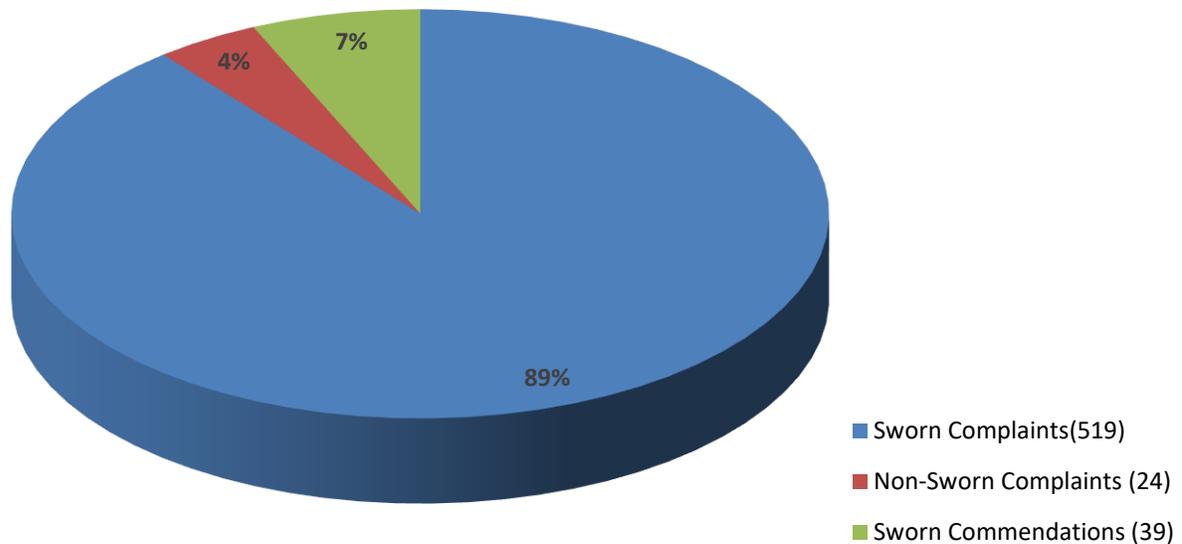
## Automated Complaint and Commendation Report

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 personnel.

During 2019, there were 543 complaints received online or entered by a Police Department member that involved 519 sworn members and 24 non-sworn members. *(Please note: some complaints may include several officers).*

Additionally, 39 commendations were received for sworn officers. There were no commendations submitted for non-sworn members of the Department.

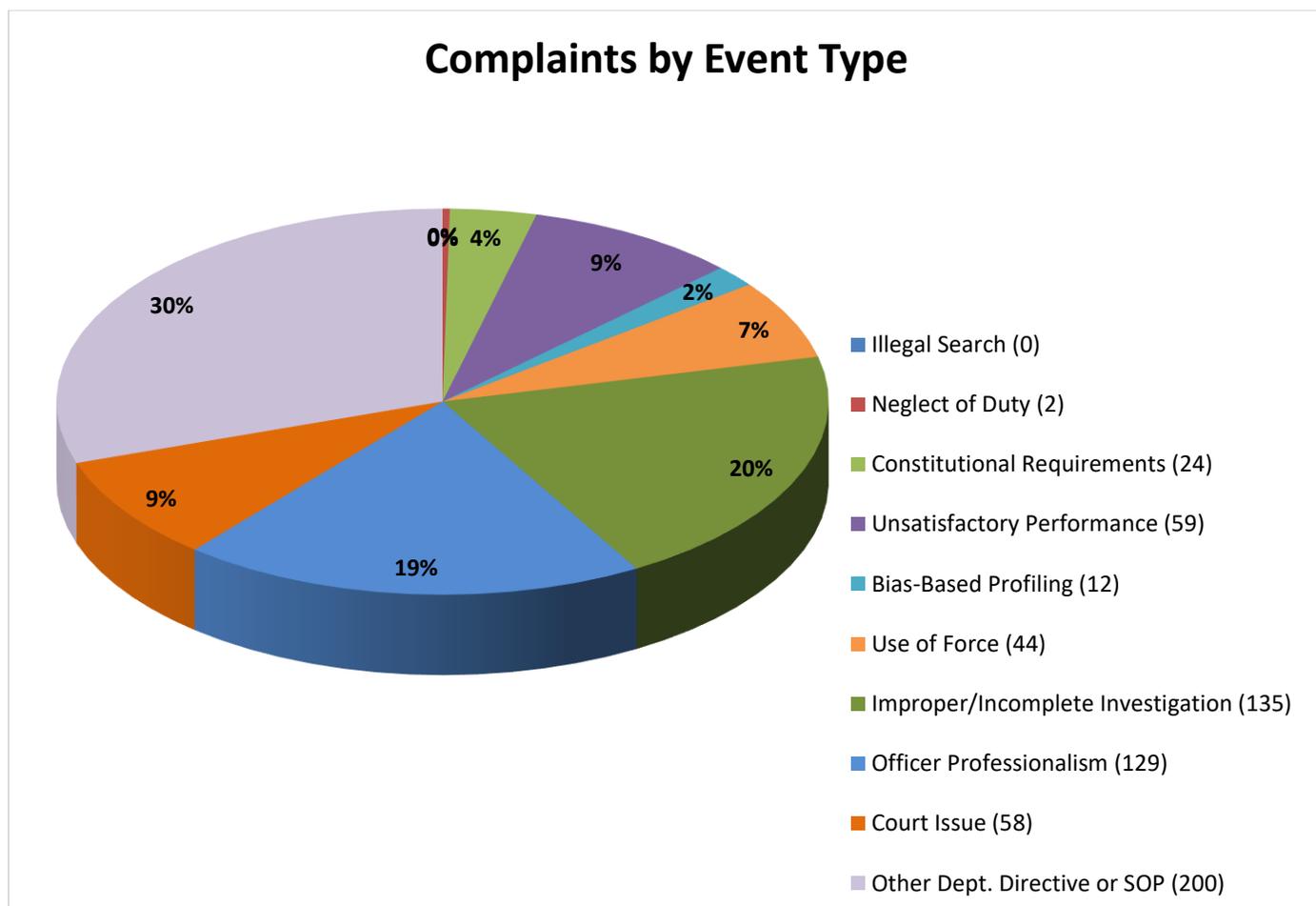
### 2019 Automated Complaints and Commendations



## Automated Complaints by Type

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

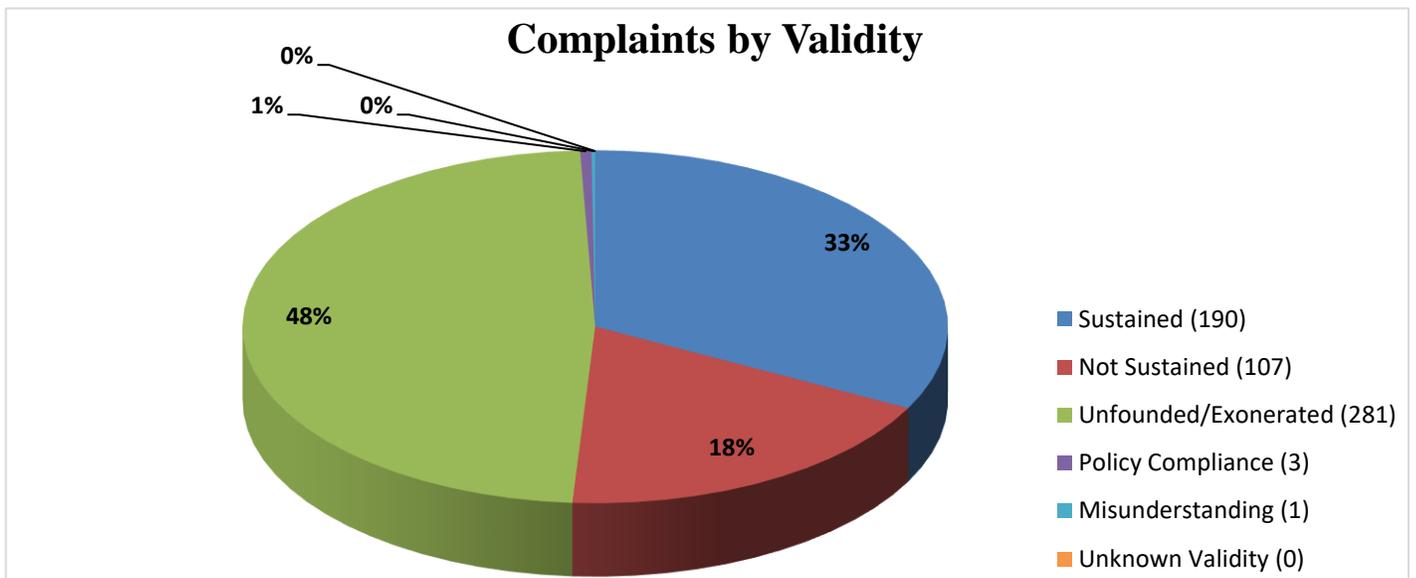
The system categorized the complaints received during 2019 as follows: There were 2 reports of neglect of duty, 58 reported violations of court issues or missed court, 24 reported violations of constitutional rights, 59 allegations of unsatisfactory performance, 12 allegations of racial profiling, 44 reports of excessive use of force, 135 complaints of improper or incomplete investigations, 200 for other directives or standard operation procedures not captured under the other types and 129 complaints of rudeness or professionalism issues. There were no allegations of an illegal search. Note this reflects the number of allegations and some complaints may have more than one allegation or pertain to more than one member.



## Automated Complaints by Validity

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

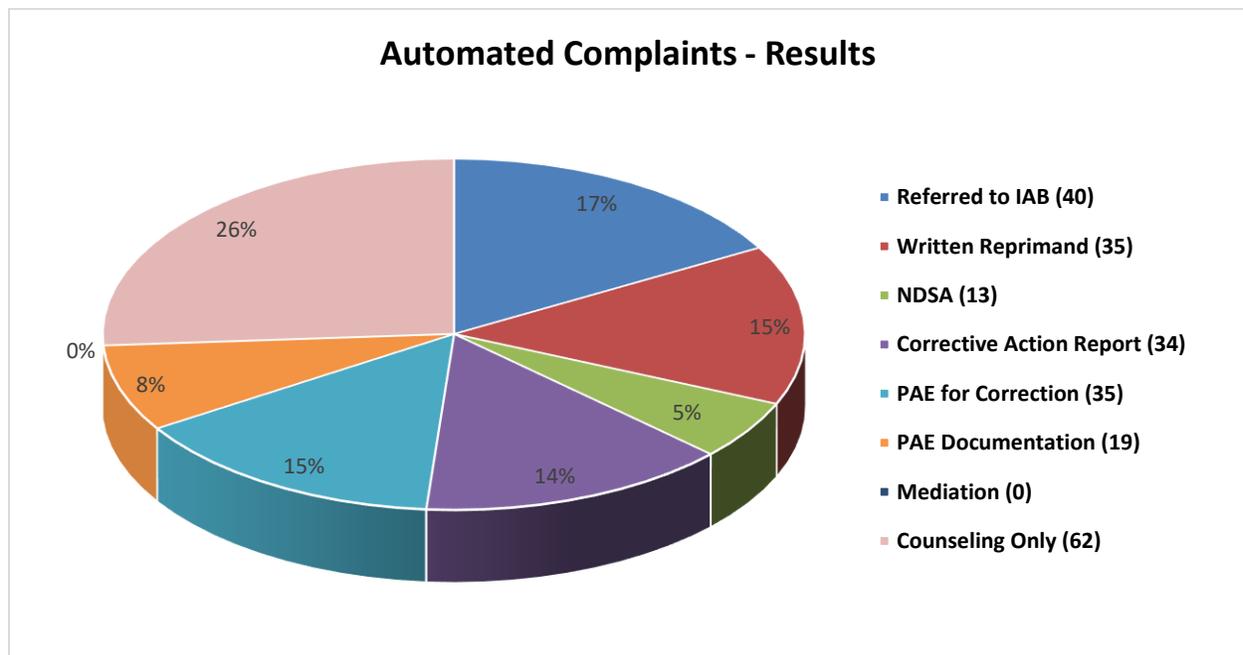
The Department has reviewed each of the complaints and ascertained the validity of the complaint. From these there were 190 sustained, 107 not sustained, 281 complaints that were unfounded/exonerated, 3 within policy, 1 misunderstanding, and none with an unknown validity.



## 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 for the Internal Affairs Bureau 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 are found to be valid. This is because the complaint may not be valid considering the Department Directives, but the supervisor may determine the officer needs some degree of instruction to help him/her do a better job.

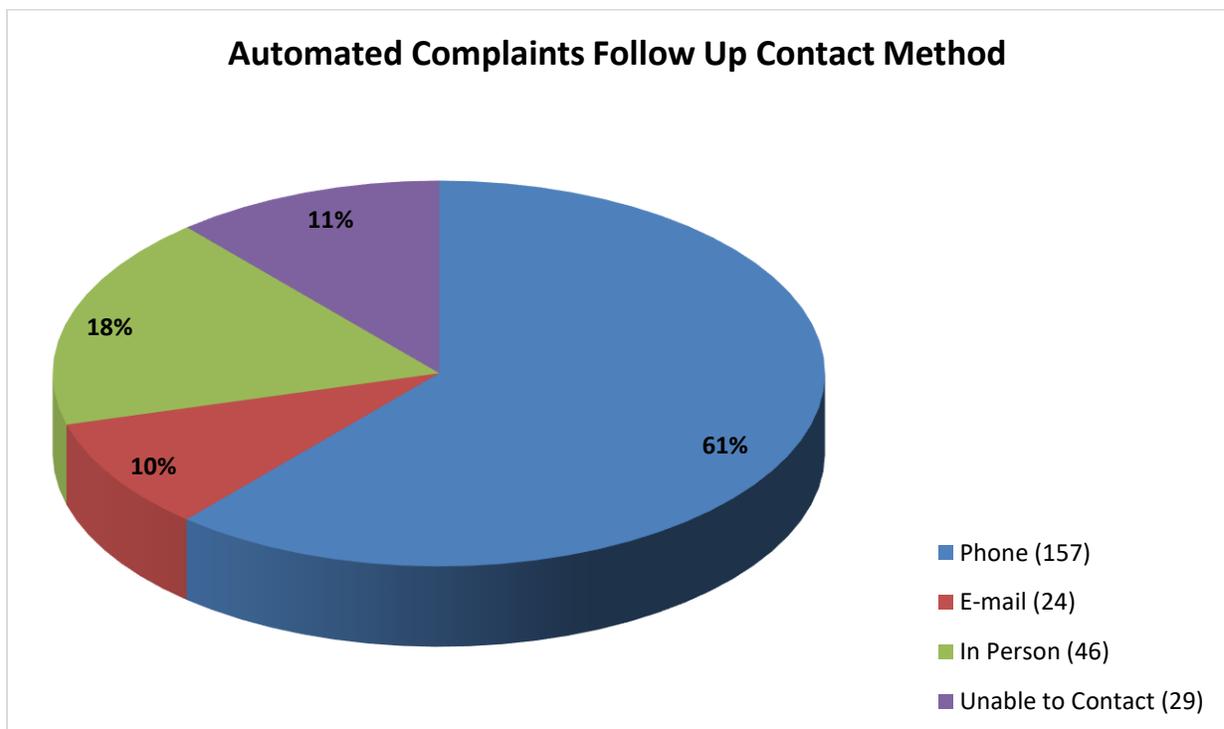
The results of the complaints submitted are as follows, in descending order of severity. The Chief of Police ordered the Internal Affairs Bureau to formally investigate 57 members in 40 separate cases (*Please note: some employees may be involved in more than one IAB case. See page 20 for results of formal investigations*). The Department sent 13 cases through the Negotiated Disciplinary Settlement Agreement (NDSA) process. The Department issued 35 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 34 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 to correct the behavior. Thirty-five Performance Appraisal Entry (PAE) reports documenting negative performance were recorded. The supervisors use the PAE reports as documentation to be included in the officers’ annual evaluations. On 62 occasions, the supervisors verbally counseled the officers. The supervisors completed 19 Performance Appraisal Entry reports that were to document the investigation only (nothing negative toward the officer). There were no complaints that were referred to mediation.



## 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. This is captured in the Automated Complaint System.

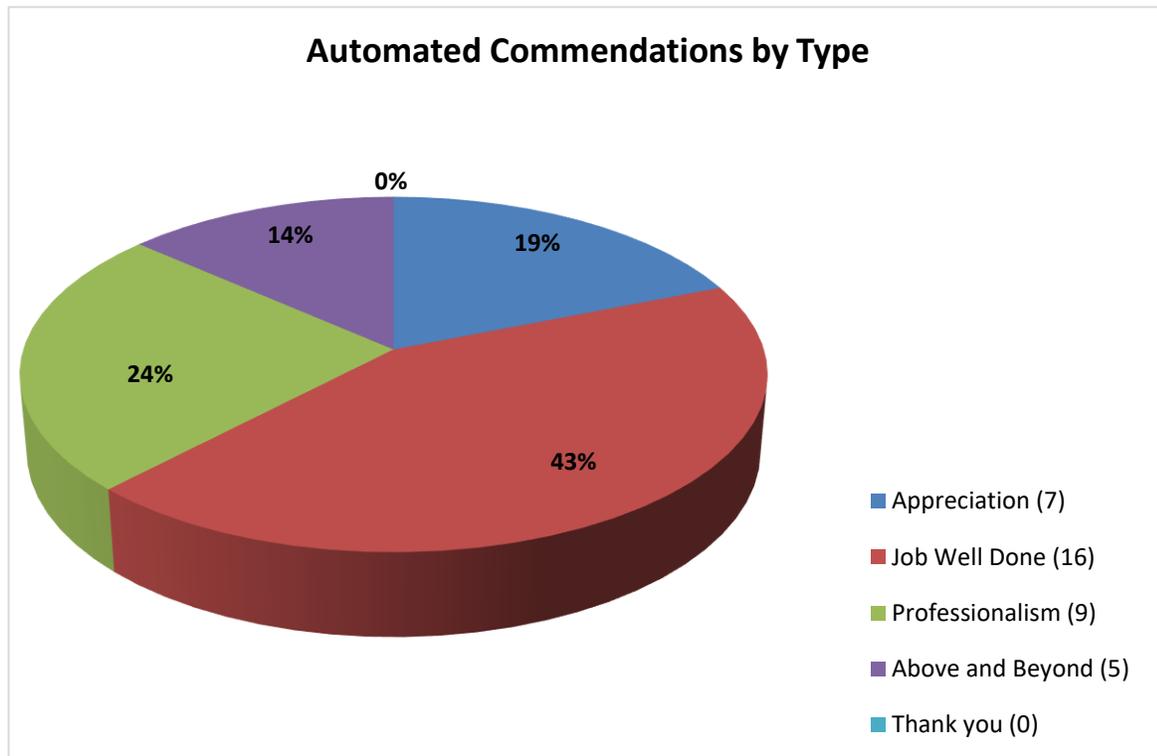
The supervisor contacted the complainant by telephone in 157 of the cases. The supervisor used e-mail 24 times. In 29 cases, the supervisor could not contact the complainant (anonymous complaint or attempted but unable to contact). The supervisor met the complainant in person 46 times.



## Automated Commendations by Type

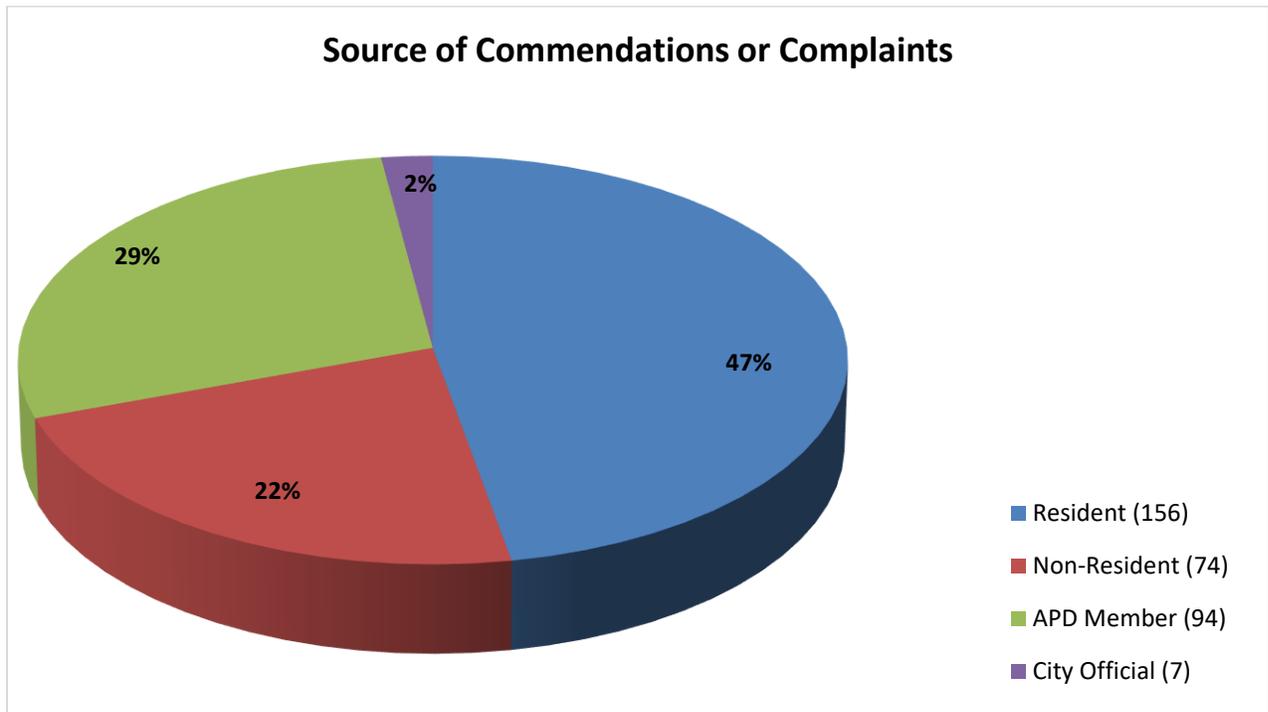
The system categorized the commendations received during 2019 as follows:

Seven citizen submissions expressed appreciation for the officer. Sixteen others reported a job well done. Nine submissions stated the officer was professional. Five reported the officer went above and beyond expectations.

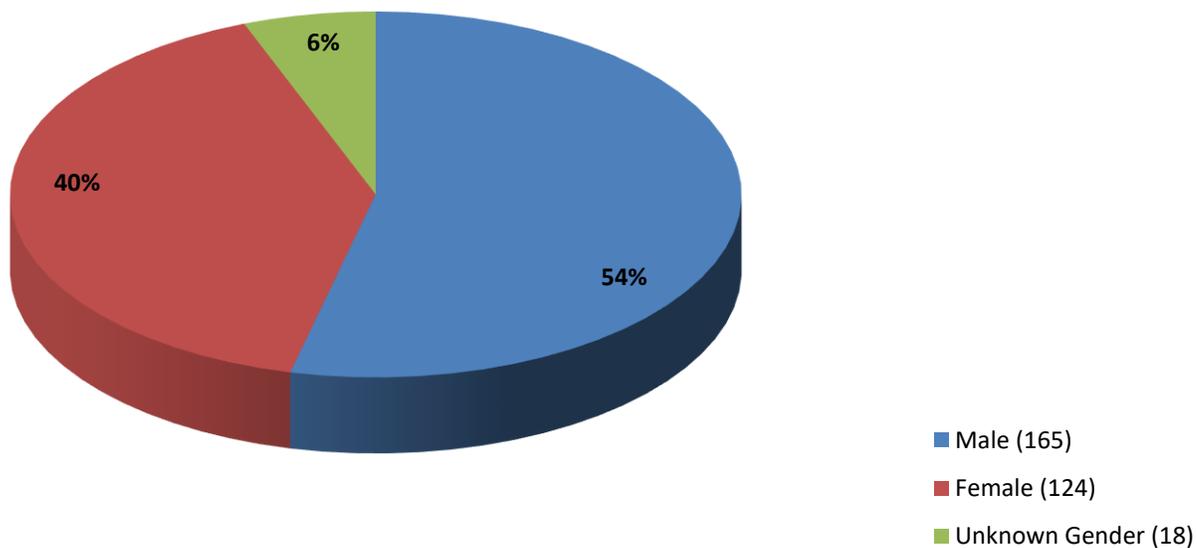


## Automated Complaint and Commendation System: Miscellaneous Information on People Reporting

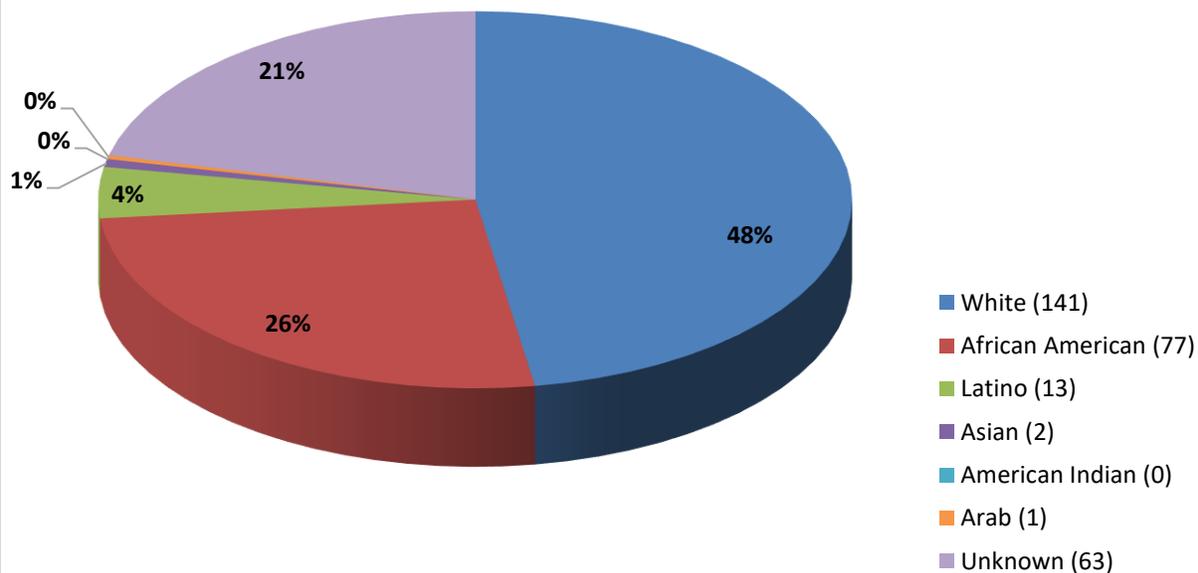
The automated complaint and commendation system allows the submitting person the opportunity to provide information about himself/herself. The system has a drop-down menu giving the person a choice of options to describe himself/herself; 156 of the people submitting a complaint or commendation indicated they were a citizen of Aurora; 74 indicated they were a non-resident; 94 said they were an employee member of the Department; and 7 indicated they were a government official.



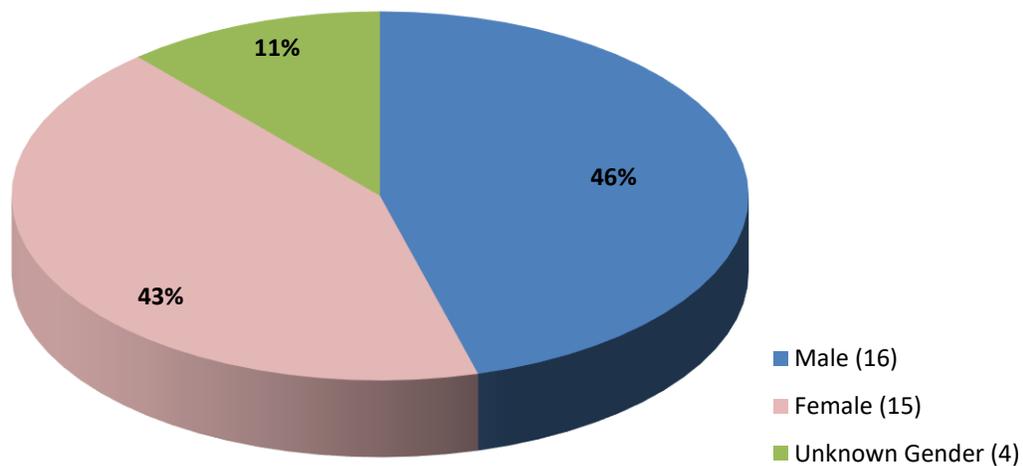
### Gender of People Submitting Complaints



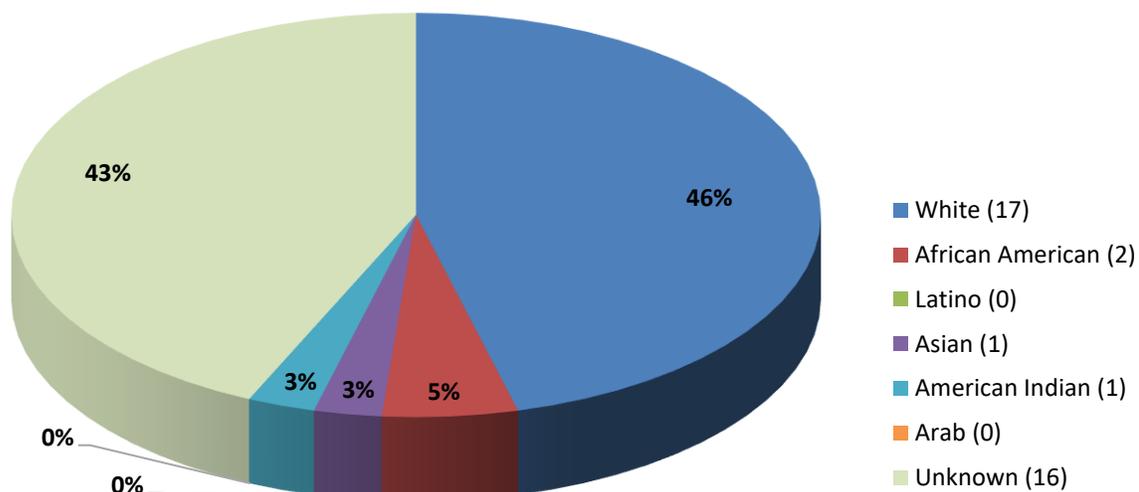
### Reported Ethnicity of People Submitting Complaints



### Gender of People Submitting Commendations



### Reported Ethnicity of People Submitting Commendations



## Case Summary Disclaimer

Chief Wilson and the Aurora Police Department recognize 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 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 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 file, 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.

## District and Bureau Discipline Report

During 2019, the Department completed and finalized 42 District / Bureau investigations that 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 Department has categorized these 42 cases as follows: Seven cases involved members not following Department policies for vehicle operations and/or the Department's emergency response policy. Three cases involved issues of professional conduct. Six cases involved department equipment. Nine cases involved the handling of investigations, evidence and/or property. Five involved court issues. Eleven cases involved unsatisfactory performance. Two cases involved supervisor responsibilities. One case involved body worn camera operation.

The 42 District/Bureau written reprimands involved 32 members and were issued to one civilian, seven recruit officers, 21 officers, four agents, three sergeants, and three lieutenants.

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

- 1) The Department sustained a sworn member for violating Department Directive 14.2.15, Unsatisfactory Performance.

An agent approved an arrest affidavit containing numerous errors, resulting in the arrest of the wrong person.

- 2) The Department sustained a sworn member for violating Department Directive 6.11.2, Responsibility for Preliminary Investigations.

This officer authored a municipal arrest warrant containing numerous errors, resulting in the arrest of an innocent person.

- 3) The Department sustained two sworn members for violating Department Directive 6.11.2, Responsibility for Preliminary Investigations.

During a disturbance call, officers failed to obtain complete victim or witness statements or contact the suspect, none of the involved parties were cleared in CCIC/NCIC and no written offense report was completed.

- 4) The Department sustained sworn members for violating Department Directives 4.2.8, Authorized Use of Police Reports and 18.02, StarChase Vehicle Pursuit Management Technology.

These members participated in an unauthorized pursuit of a stolen vehicle.

- 5) The Department sustained 5 sworn officers for violating Department Directive 8.3.4, Court - Members Appearing Late or Failure to Appear.

These members failed to appear for court.

- 6) The Department sustained 7 recruit officers for violating Department Directive 14.2.15, Unsatisfactory Performance.

These recruit officers were sustained for poor academic performance.

- 7) The Department sustained a sworn member for violating Department Directives 5.8.15, Unintentional or Negligent Discharge of a Less Lethal Weapon.

An officer was sustained for improper operation of a taser.

- 8) The Department sustained a sworn member for violating Department Directive 4.6, Issuance of Equipment, Badges and ID cards.

This member lost his wallet containing his department-issued ID card at a gas station.

- 9) The Department sustained a civilian member for violating Department Directive 14.3, Additional Professional Conduct and Responsibility.

This member was sustained for using offensive or abusive language and disrespectful behavior towards other members, creating a negative work environment.

- 10) The Department sustained a sworn member for violating Department Directive 4.2.3, Requirements and Restrictions of Emergency Responses.

This member was sustained for excessive speed resulting in an on-duty motor vehicle accident.

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

This sworn member placed a department-issued laser on the trunk of his Traffic vehicle and drove away. The laser was later recovered but damaged beyond repair.

- 12) The Department sustained a sworn member for violating Department Directive 8.10.11 Traffic Accident Reports.

Member failed to make necessary corrections to a traffic report in a timely manner.

- 13) The Department sustained a sworn member for violating Department Directive 8.10.9, Warrantless Arrest Affidavits.

This sworn member approved an arrest affidavit lacking sufficient probable cause to arrest a suspect.

- 14) The Department sustained a recruit officer for violating Department Directives 14.2.14, Conduct Towards Superior and Subordinate Officers and Associates and 14.2.15, Unsatisfactory Performance.

This recruit officer had a poor academic performance and displayed aggressive and negative behavior towards other members.

- 15) The Department sustained 2 sworn members for violating Department Directive 4.6.5, Use of Departmental Equipment.

These officers lost their body worn cameras.

- 16) The Department sustained a sworn member for violating Department Directive 1.4.11, Supervisor Responsibility – Accountability for Performance of Subordinates.

This sworn member approved a report that lacked critical evidence.

- 17) The Department sustained a sworn member for violating Department Directive 8.9.3, Depositing Evidence and Other Property.

A sworn member failed to properly safeguard personal property collected from a suspect.

- 18) The Department sustained a sworn member for violating Department Directive 4.4, Police and City Owned Vehicle Collisions.

This member was involved in his third preventable motor vehicle accident while on duty.

- 19) The Department sustained a sworn member for violating Department Directive 14.2.15, Unsatisfactory Performance.

A sworn member failed to complete an investigation in a timely manner, resulting in the expiration of the statute of limitations expiring before charges could be filed.

- 20) The Department sustained an agent for violating Department Directive 14.2.15, Unsatisfactory Performance.

This member failed to meet department expectations regarding case management, timelines for documenting investigative work and the disposition of cases.

- 21) The Department sustained a sworn member for violating Department Directive 16.4, Body worn Cameras.

A sworn member failed to activate his body-worn camera during a motor vehicle accident involving a pedestrian.

- 22) The Department sustained a sworn member for violating Department Directive 6.11.2, Responsibility for Preliminary Investigations.

This member failed to conduct a thorough investigation, failed to interview witnesses, and failed to take a report on a harassment and disorderly conduct call.

- 23) The Department sustained a sworn member for violating Department Directive 1.4.7, Authority and Responsibility – Sergeant.

A sworn member failed to conduct an inquiry into allegations of employee misconduct, provide clear expectations of unit expectations, and shared a confidential email with a subordinate.

- 24) The Department sustained a sworn member for violating Department Directive 4.6.5, Issuance of Equipment, Badges and Identification Cards – Use of Department Equipment.

This member lost his department issued badge.

- 25) The Department sustained a sworn member for violating Department Directive 14.2.21, Police Community Relations.

A sergeant at the scene of a fight was heard engaging in escalating behavior and unprofessional conduct.

## Negotiated Disciplinary Settlement Agreement

During 2019, the Department completed and finalized 13 Negotiated Disciplinary Settlement Agreements. Each resulted in the Chief of Police ordering a Written Reprimand or a suspension as discipline for the violation of one or more Department Directives.

The Department has categorized these cases as follows: one case involved issues of professional conduct, one case involved department equipment, one case involved unauthorized firing of a weapon, one involved court issues, 15 cases involved investigation issues. *(Please note: some Negotiated Disciplinary Settlement Agreements may involve more than one allegation.)*

The 13 Negotiated Disciplinary Settlement Agreements cases involved 11 members and were issued to 8 officers, 1 agent, 1 sergeant, and 1 lieutenant.

- 1) The Department sustained an agent for violating Department Directives 6.11.4, Criminal Investigation Information Development and 14.2.15, Unsatisfactory Performance. This member received a 20-hour suspension.

This agent failed to complete a thorough investigation and include relevant documents in the case report before closing a case.

- 2) The Department sustained a sergeant for violating Department Directive 14.3.8, Police Community Relations. This member received a 20-hour suspension.

This sergeant made unprofessional statements to a citizen in the presence of two officers.

- 3) The Department sustained a sworn member for violating Department Directives 14.2.15, Unsatisfactory Performance, and 6.11.2, Responsibility for Preliminary Investigations. This member received a Corrective Action.

An officer completed two separate reports that both contained inaccurate or incorrect information.

- 4) The Department sustained a sworn member for violating Department Directive 8.3, Court. This officer received a 10-hour suspension.

This officer failed to appear for a scheduled court hearing.

- 5) The Department sustained a sworn member for violating Department Directive 14.2.15, Unsatisfactory Performance and 6.11.2, Responsibility for Preliminary Investigations. The officer received a 20-hour suspension.

This member was investigating a DUI, contacted the suspect at the hospital and failed to advise the suspect of the express consent law until being sent back to the hospital after the two-hour limit had expired. The suspect refused to consent, and no revocation notice was issued to the suspect.

- 6) The Department sustained a sworn member for violating Department Directive 8.10.11, Traffic Accident Reports. The member received a Written Reprimand.

Member completed a traffic accident report needing corrections and failed to complete the corrections in a timely manner and prior to going on leave.

- 7) The Department sustained a sworn member for violating Department Directive 6.11.2, Responsibility for Preliminary Investigations and received a 20-hour suspension.

After being assigned to a possession of marijuana by an 11-year old student, this member failed to seize the marijuana, issue a summons, or complete a report.

- 8) The Department sustained a lieutenant for violating Department Directive 8.10.9, Warrantless Arrest Affidavits, and issued a Written Reprimand.

This lieutenant approved an arrest affidavit lacking probable cause.

- 9) The Department sustained an officer for violating Department Directive 5.8.15, Unintentional/Negligent Discharge of a Less-Lethal Weapon. The member received a Written Reprimand.

While this officer was returning a less lethal shotgun into a police vehicle, the shotgun was pointed straight up and discharged into the air.

- 10) The Department sustained a sworn member for violating Department Directive 4.1.3, Vehicle Operation. The member received a 20-hour suspension.

This member was involved in an accident with a fire truck after traveling at a high rate of speed, weaving in and out of traffic without the use of emergency lights or siren.

- 11) The Department sustained an officer for violating Department Directives 14.2.15, Unsatisfactory Performance, 6.13, Handling the Mentally Ill, and 6.9.2, Domestic Violence Case Follow-up. This member received a 30-hour suspension.

This member authored a warrantless arrest affidavit containing numerous errors, misspellings and punctuation and that lacked probable cause for the arrest. On another case involving a suicidal subject, this officer failed to interview witnesses and left crucial information out of his report.

- 12) The Department sustained an officer for violating Department Directives 6.9.3, Domestic Violence Case Follow-Up and 6.9.1, Enforcement Guidelines. This member received a Written Reprimand.

Despite adequate probable cause, this member failed to charge the primary aggressor in a domestic violence case and cleared the case without charges.

- 13) The Department sustained an officer for violating Department Directives 6.11, Preliminary and Criminal Investigations, and 14.2.15, Unsatisfactory Performance. This member received a 30-hour suspension.

This member failed to conduct a thorough investigation at a disturbance call, did not properly establish the circumstances, did not control the parties on scene and did not practice proper officer safety.

## Formal Internal Investigations and Discipline Report

The Department conducted 40 formal Internal Affairs investigations in 2019 involving 57 department members. The members consisted of three civilians, one recruit officer, 36 officers, two agents, 9 sergeants, four lieutenants, and two commanders. *(Please note: some employees may be involved in more than one IAB case).* The discipline included 12 suspensions without pay, 12 written reprimands, ten corrective actions and one demotion. Seven members resigned or retired before discipline was issued. Four members were terminated. The Department cleared 12 members of any wrongdoing. One case has not reached final discipline therefore is not included.

- 1) The Department sustained a sworn member for violating Department Directives 14.1.5 Conformance to Law, and 14.5 Substance Abuse. The member resigned prior to final discipline.

This member tested positive for the presence of cocaine during a urine test and admitted to having used cocaine throughout the year.

- 2) The Department investigated and sustained a sworn member for violating Department Directives 14.1.5, Conformance to Law, 14.2.1, Conduct Unbecoming, and 14.3.3 Making a False or Untruthful Declaration. The member resigned prior to final discipline.

An off-duty officer made false allegations of a crime to an outside agency, claiming he had been followed by a subject he had previously arrested. The subsequent investigation revealed that the information provided was untruthful.

- 3) The Department sustained a sworn member for violating Department Directive 14.3, Professional Conduct and Responsibility. The member received a Written Reprimand.

This member made disparaging comments on two occasions regarding other department members.

- 4) The Department sustained an officer for violating Department Directives 4.1.3, Vehicle Operation, 4.2.8 Authorized Use of Police Pursuits, and 6.11.2, Responsibility for Preliminary Investigations. The officer resigned prior to final discipline. A sergeant was sustained for violating Department Directive 1.4.11, Supervisor Responsibility – Accountability for Performance of Subordinates and received a Written Reprimand.

An Officer was engaged in an unauthorized pursuit of a vehicle at very high speeds after his patrol car was intentionally rammed by another vehicle. The officer then returned to District 1 at very high speeds for no legitimate reason. The officer completed a police report regarding the incident without providing any documentation or evidence of damage to the police vehicle. No CCIC hit was entered to request the vehicle be held for processing nor to warn other agencies about the actions of the driver. The sergeant was aware of the incident and approved the report.

- 5) The Department investigated a sergeant for violating Department Directives 4.2.8, Authorized Use of Police Pursuits, 14.3.3 Making a False or Untruthful Declaration, 15.3.3, Sworn Member Responsibility/Authority, 16.4.3, and Body Worn Camera Operation. A lieutenant was sustained for violating Department Directive 1.4.11 Supervisor Responsibility: Accountability for

Performance of Subordinates. The sergeant retired prior to final discipline. The lieutenant received a 40-hour suspension.

An on-duty sergeant began a pursuit of a stolen vehicle into Denver, where, after a short foot chase, the suspect was taken into custody after being tackled by the sergeant's civilian rider. The sergeant did not activate his body-worn camera, his written report contained untruthful statements, and he did not complete a use-of-force report. The lieutenant failed to properly supervise the sergeant during this incident.

- 6) The Department investigated four sworn members for violating Department Directives 4.2.8, Authorized use of Police Reports, 16.4.3, Body Worn Camera Operation, SO 18.02, StarChase VPMT, and 4.2.11, Pursuit Reporting and Review. One officer was sustained on 4.2.8 and received a Written Reprimand. Two officers were sustained on SO 18.02 and 4.2.8 and each received a Written Reprimand. A sergeant was sustained on 18.02 and 4.2.8. The sergeant retired prior to discipline.

A sergeant located a stolen vehicle and deployed a StarChase dart on the vehicle. A traffic stop was attempted, but the vehicle eluded. A pursuit was initiated by the sergeant and the officers without proper authorization.

- 7) The Department sustained a sworn member for violating Department Directive 14.3.1, Unsatisfactory Performance. The member received a 10-hour suspension.

An officer failed to properly prepare for his court testimony related to his involvement in a homicide investigation, which was critical to the successful prosecution of the case.

- 8) The Department investigated two sworn members for violating Department Directives 14.2.11, Constitutional Requirements, 14.2.15 and Unsatisfactory Performance. One member was not sustained on either allegation. The second member was sustained on both allegations and resigned prior to discipline.

Officers were dispatched to a disturbance call where a female closed the residence door in the officers' face during the latter part of the investigation. One officer forced entry to the residence by kicking in the door, and after the female resisted arrest, the officer deployed his taser and took the female into custody.

- 9) The Department investigated two sworn members for violating Department Directives 8.12.3 Requirements/Limitations of Sworn Members Engaged in Secondary Employment, 14.2.1 Conduct Unbecoming, 14.2.2 Making a False or Untruthful Declaration, 14.2.13 Neglect of Duty. Both officers were sustained on all allegations except 14.2.2. One officer received a 20-hour suspension and the second officer's discipline is pending return from extended leave.

Two officers were working off duty employment and were provided the employer's expectations. Both officers failed to meet the expectations and were asked by the employer to leave due to their failure to perform the job tasks.

- 10) The Department sustained a sworn member for violating Department Directives 14.1.5, Conformance to Law, 14.2.1, Conduct Unbecoming, 14.2.13, Neglect of Duty, and 14.5.4, Alcohol Impairment. The officer was demoted and received a suspension of 360 hours.

A uniformed, on-duty officer was found unconscious and unresponsive in the driver's seat of an unmarked APD vehicle in the middle of a busy street. Attempts to awaken the officer were unsuccessful, and the window of the vehicle had to be broken out. Responding officers reported smelling the odor of an unknown alcoholic beverage. The vehicle was in gear, engine running, the officer was armed, and the officer's foot was on the brake. The officer later admitted to drinking alcohol while on duty.

- 11) The Department investigated a sworn member for violating Department Directives 14.2.11, Constitutional Requirements, 14.2.15, Unsatisfactory Performance and 14.1.2, Unlawful Orders. The member was sustained on 14.2.11 and 14.2.15 and received a 20-hour suspension.

An on-duty sergeant responded to the scene of a dispute between two parties and instructed officers to arrest a female without probable cause.

- 12) The Department investigated three sworn members for violating Department Directives 14.3, Professional Conduct and Responsibility, 14.2.14, Conduct Towards Superior and Subordinate Officers and Associates, 14.2.15, Unsatisfactory Performance, and 1.4.11, Supervisor Responsibility: Accountability for Performance of Subordinates. A sergeant was sustained on 14.2.14 and 14.3 and received a Corrective Action. A lieutenant and commander were sustained on 1.4.11 and received Corrective Actions.

Over several years, during patrol briefings, a sergeant made numerous comments considered to be unprofessional in a work environment, while in the presence of a lieutenant and a commander, who failed to take the necessary steps to ensure the behavior was not repeated in the future.

- 13) The Department investigated a commander for violating Department Directive 14.2.14, Conduct Towards Superior and Subordinate Officers and Associates. The commander was exonerated on the allegation.

It was alleged that during a meeting with an agent and a lieutenant, the commander was aggressive and abusive, refused to let the agent speak and used profanity.

- 14) The Department investigated two civilian employees on Department Directives 14.1.5, Conformance to Law, 14.3 Professional Conduct and Responsibility and 14.2.2, Making a False or Untruthful Declaration. Employee 1 was sustained on 14.1.5 and 14.3 and resigned prior to discipline. Employee 2 was sustained on 14.3 and was terminated by the Chief of Police. However, at the time of this report, this case is pending Career Service appeal.

During an audit of gift card donations received for federal government employees, it was discovered that a substantial dollar amount of gift cards were missing. After a criminal investigation, both employees were issued summonses for the theft. Employee 1 pled guilty in court to Petty Theft. During the subsequent internal investigation, it was determined that Employee 2 made inconsistent statements during the criminal investigation.

- 15) The Department investigated two sworn members for violating Department Directives 14.2.2, Making a False or Untruthful Declaration, 14.2.1, Conduct Unbecoming, 14.2.15, Unsatisfactory Performance, 5.3, Use of Physical Force, and 14.2.11, Constitutional Requirements. Officer 1 was sustained on 14.2.1, 14.2.11, and 14.2.15, and received a 10-hour suspension. Officer 2 was sustained on 14.2.1 and 14.2.15 and received a 10-hour suspension.

During a motion hearing on a burglary case in Arapahoe County, a District Court Judge ruled that the officers provided false testimony, were not credible, the initial arrest was unjustified and unlawful and the search of the defendant's person unconstitutional.

- 16) The Department investigated a sworn member for violating Department Directives 4.3.8, Traffic Accidents, 8.10.11, Traffic Accident Reports, 14.2.2, Making a False or Untruthful Declaration, 14.2.15, Unsatisfactory Performance, and 16.4.3, Body Worn Camera Operation. The officer was sustained on 4.3.8, 8.10.11 and 14.2.15. The officer resigned prior to final discipline.

The officer responded to an injury accident and determined who the at-fault driver was but did not issue a citation. His accident report lacked required information or had information entered incorrectly and corrections took an excessive period of time to complete.

- 17) The Department investigated three sworn members for violating Department Directives 6.11.2, Responsibility for Preliminary Investigations, 14.2.2, Making a False or Untruthful Declaration, 14.2.11, Constitutional Requirements, 14.2.15, Unsatisfactory Performance, 16.4.3, Body Worn Camera Operation, 1.4.6, Authority for Responsibility – Lieutenant, and 1.4.7, Authority for Responsibility – Sergeant. The officer was sustained on 6.11.2 and received a Corrective Action. The sergeant and the lieutenant were not sustained on any allegations.

An officer responded to Arapahoe County to assist another agency on a call and arrested a female subject at that location. The case was later dismissed due to the arrest being made outside of legal jurisdiction. The officer's report and affidavit contained inaccurate and untruthful statements. The lieutenant approved the affidavit and the sergeant approved the report.

- 18) The Department sustained a sworn member for violating Department Directives 14.1.5, Conformance to Law, and 14.2.1, Conduct Unbecoming. The officer resigned prior to final discipline.

An off-duty officer was arrested after being observed by Colorado State Patrol in their personal vehicle, driving at inconsistent speeds, disrupting the flow of traffic, and subsequently striking a concrete barrier. A handgun and an unopened bottle of an alcoholic beverage were located in the vehicle.

- 19) The Department sustained a sworn member for violating Department Directive 14.1.5, Conformance to Law. The officer received a 160-hour suspension.

While off-duty and driving their personal vehicle, an officer was arrested in Adams County for DUI and Speed Exhibition. The officer subsequently pled guilty to Driving while Ability Impaired. During an internal investigation the officer admitted to having consumed an unknown amount of alcohol prior to driving on the night of the incident.

- 20) The Department investigated a sworn member for violating Department Directives 14.2.1, Conduct Unbecoming, and 16.4.3, Body Worn Camera Operation. The member was not sustained on either charge.

It was alleged that while working at an off-duty security job, an officer made racial slurs and did not activate his body worn camera.

- 21) The Department investigated a sworn member for violating Department Directives 14.2.1, Conduct Unbecoming, 14.2.13, Neglect of Duty, 14.2.14, Conduct Towards Superior and Subordinate Officers and Associates, and 14.2.15, Unsatisfactory Performance. The officer was sustained on 14.2.1, 14.2.13, and 14.2.14 and received a 20-hour suspension.

An officer responded to a suspicious vehicle call and arrived in the area first. Another officer arrived and contacted the female occupant of the vehicle and discovered that the female had two active warrants. As the second officer placed the female into handcuffs, the primary officer used expletives towards the arresting officer in front of the female and left the scene, leaving the arresting officer alone and with possible unknown threats from the parties in the residence associated with the arrestee.

- 22) The Department sustained a sworn member for violating Department Directive 8.12.3, Requirements/Limitations of Sworn Members Engaged in Secondary Employment. The member received a Corrective Action.

An officer called in sick for a regularly scheduled duty shift and worked an overtime shift the following day in violation of department policy.

- 23) The Department investigated a sworn member for violating Department Directives 6.11.2, Responsibility for Preliminary Investigations, 14.2.2, Making a False or Untruthful Declaration, and 14.2.15, Unsatisfactory Performance. The officer was sustained on 6.11.2 and received a Written Reprimand.

An officer responded to a neighborhood dispute. Despite body camera footage of witnesses providing information corroborating the victim statements, the officer did not take a report or charge anyone with a crime.

- 24) The Department investigated sworn members for violating Department Directives 14.2.15, Unsatisfactory Performance, 14.2.11, Constitutional Requirements, and 1.4.7, Authority and Responsibility – Sergeant. An agent was sustained on 14.2.15 and received a 10-hour suspension. An officer and two sergeants were not sustained on any allegations.

An officer responded to a report of sexual assault. During the investigation, the officer contacted the Special Victims Unit and was advised by an agent to arrest the suspect. The warrantless arrest affidavit and offense reports were approved by 2 sergeants. The case was later dismissed due to lack of probable cause.

- 25) The Department Investigated sworn members for violating Department Directives 14.2.15, Unsatisfactory Performance, 6.11.2, Responsibility for Preliminary Investigations, 14.2.11, Constitutional Requirements, and 1.4.11, Supervisor Responsibility: Accountability for Performance of Subordinates. An officer was sustained on 6.11.2 and 14.2.11 and given a Written Reprimand. Sergeant 1 was sustained on 1.4.11 and given a Written Reprimand. Sergeant 2 was sustained on 14.2.15 and given a Corrective Action. A lieutenant was not sustained on any allegations.

An officer responded to investigate a kidnapping and sexual assault of a 10-year old female. The officer did not confirm the location of the incident with the victim or witnesses and made a warrantless arrest at the wrong address without proper suspect identification, resulting in an innocent person being arrested. One sergeant was on scene when the arrest was made. The

Crimes Against Children Sergeant failed to respond to the location, which may have prevented the incorrect arrest. The lieutenant approved the affidavit.

- 26) The Department investigated sworn members for violating Department Directives 14.3, Professional Conduct and Responsibility, 14.2.1, Conduct Unbecoming, 6.11.2, Responsibility for Preliminary Investigations, 1.4.7, Authority and Responsibilities – Sergeant, and 10.2.1, Complaint Procedures. The officer was sustained on 14.2.1 and received a Written Reprimand. The sergeant was sustained on 10.2.1 and received a Written Reprimand.

An officer responded to a report of possible property damage and advised the complainant that the complaint was a civil matter. After responding a second time to the location on an assault report, the homeowner was arrested without proper investigation. During the subsequent interaction at the jail, the arrestee requested to speak with a supervisor to file a complaint against the officer, but the sergeant failed to follow up on the arrestee's complaint or speak with the arrestee concerning the matter.

- 27) The Department investigated a sworn member on allegations of 14.2.2, Making a False or Untruthful Declaration, 14.2.6, Intervention, 14.2.15, Unsatisfactory Performance, and 14.1.1, Lawful Orders. The officer was not sustained on any of the allegations.

It was alleged that an on-duty, uniformed officer intervened in a homicide investigation by contacting the suspect, advising the suspect not to do anything without an attorney, and obtaining legal counsel for the suspect.

- 28) The Department sustained a sworn member for violating Department Directives 6.11.2, Responsibility for Preliminary Investigations, 8.10, Reports, 14.2.2, Unsatisfactory Performance, and 16.4.3, Body-Worn Camera Operation. The officer received an 80-hour suspension.

An officer was dispatched to a threats/fraud report at APD Headquarters. The officer did not take a report, collect available evidence, make any effort to identify suspects, did not have his body-worn camera on for the entire contact with the victim, and referred the victim to the fraud officer, who was on vacation at the time. Additionally, the officer omitted material information in the report that was written several days later.

- 29) The Department investigated a sworn member for violating Department Directives 14.1.5, Conformance to Law, 14.2.1, Conduct Unbecoming, and 14.2.3, Abuse of Position. The officer was terminated by the Chief of Police. However, at the time of this report, this case is pending Civil Service appeal.

An off-duty officer was arrested by another agency after running a red light and striking two vehicles, causing significant damages and injury to another driver. The officer provided his APD identification, showed signs of intoxication, denied being in a traffic accident, was belligerent to arresting officers, and refused to provide a breath or blood test as required by law.

- 30) The Department investigated a sworn member for violating Department Directives 6.5.8, Conduct During Transport and 14.2.1, Conduct Unbecoming. This member was terminated.

While transporting a hobbled arrestee to the jail, the arrestee slid onto the floorboard of the patrol vehicle with her head on the floor, remaining in this position for approximately 21 minutes. Despite the arrestee's pleas for help and saying that she could not breathe, the officer

did not stop the car and check on the arrestee or reposition her to a safe and appropriate position to ensure her safety during the transport.

- 31) The Department sustained a non-sworn member for violating Department Directives 14.2.13, Neglect of Duty, and 14.2.15, Unsatisfactory Performance. The member was given a 160-hour suspension.

The employee reported to her duty assignment, was unhappy with her work assignment, refused to take her assigned position after being ordered to do so, and left without completing her assigned shift.

- 32) The Department investigated sworn members for violating Department Directive 14.2.15, Unsatisfactory Performance. Each of the three members received a Corrective Action. Officers responded to a noise complaint, where an uncooperative suspect physically resisted officers and was tased prior to being taken into custody. The use of force was later determined not to follow department policy.

- 33) The Department sustained a recruit officer for violating Department Directive 5.1.3, Other Unauthorized Firing of a Weapon. The officer received a 1-day suspension.

A recruit officer responded to an in-progress burglary. While contacting a possible suspect inside of the residence, the officer unintentionally discharged his duty weapon.

- 34) The Department investigated sworn members for violating Department Directives 6.11.2, Responsibility for Preliminary Investigations, 8.10.9, Warrantless Arrest Affidavits, and 1.4.6 Authority and Responsibilities – Lieutenant. An officer was sustained on 6.11.2 and received a Written Reprimand. A lieutenant was sustained on 6.11.2 and 8.10.9 and received a 24-hour suspension.

A warrantless arrest affidavit completed by an officer lacked probable cause for one of the charges and did not include exculpatory statements and information. Upon locating suspected narcotics on the arrestee, a second warrantless arrest affidavit containing errors was completed and approved by a Patrol Lieutenant, instead of correcting and merging the affidavits.

- 35) The Department investigated a sworn member for violating Department Directives 6.11.2, Responsibility for Preliminary Investigation, 8.10, Reports, and 14.2.15, Unsatisfactory Performance. The member was sustained on 6.11.2 and 14.2.15 and received a 10-hour suspension.

An officer and his recruit responded to a call involving harassment of a 12-year old student. After receiving detailed information from the parents of the child, an offense report was not completed at the direction of the training officer, despite having suspect information and the request of the parents for a report to be filed.

- 36) The Department investigated a sworn member for violating Department Directives 14.5.4, Alcohol Impairment, 14.2.1, Conduct Unbecoming, and 14.2.15, Unsatisfactory Performance. The officer was terminated by the Chief of Police. However, at the time of this report, this case is pending Civil Service appeal.

An officer reported to his duty assignment and his supervisor observed the odor of an alcoholic beverage on his breath. A PBT result showed a BAC of 0.59. A blood test provided a BAC of 0.35.

- 37) The Department investigated sworn members for violating Department Directive 17.2, Use of CAD and MDC. Officer 1 was sustained and received a Written Reprimand. Officer 2 was not sustained on the allegation.

For personal reasons, an officer conducted a clearance on a trailer involved in a personal business transaction with relatives that was involved in a civil lawsuit.

- 38) The Department investigated a sworn member for violating Department Directives 14.2.1, Conduct Unbecoming, 14.2.15, Unsatisfactory Performance, 14.5.4, Alcohol Impairment, and 14.5.2, Controlled Substances. The member was sustained on all charges and resigned prior to final discipline.

Upon arriving for an assigned duty shift, an officer displayed signs consistent with the consumption of alcoholic beverages. A PBT test showed a BrAC content of .138. Toxicology results showed a BAC of .125 and the presence of a controlled substance in the officers' system at the time of the blood draw.

- 39) A sworn member was sustained for violating Department Directives 8.2.3, Request for Leave, 14.2.1, Conduct Unbecoming, 14.2.2, Making a False or Untruthful Declaration, and 14.2.13, Neglect of Duty. The officer retired prior to final discipline.

An officer was absent from his duty shift without authorization on numerous occasions, submitted requests for leave for hours he did not work but was being paid for, untruthfully submitted requests for overtime hours not worked, and untruthfully documented citations that were written during regular duty for an overtime assignment.