City of Aurora

Community Police Task Force Recommendations
City of Aurora Community Police Task Force Recommendations

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Developed by Aurora Community and Police Task Force

Attention:
Aurora City Council and Aurora City Manager

Submitted by:
Ryan Ross, PhD
March 20, 2021
**Contextual Background and General Community Police Task Force Outlook**

The community's growing concerns in trust, safety, excessive Force, and accountability with the Aurora Police Department were the impetus for creating the Aurora Community Police Task Force (“Task Force”). In December of 2019, to further explore these concerns, provide a voice to the community, and educate those concerned on the community's perspective, several rounds of community forums were conducted. In February of 2020, former Mayor Pro Tem Johnston sponsored a resolution to improve APD communication and develop recommendations for a civilian-involved oversight system on police procedures and processes. The successful Resolution led to the Aurora City Council appointing the Task Force in June 2020 to develop recommendations.

This Task Force has had a unique opportunity to learn, share, and now create recommendations. The collective believes these recommendations represent a great start to improve the community and police relationship and keep citizens of Aurora (especially Black, Brown, and Poor people) safe. Equally important, the Task Force asserts acceptance of the recommendations will improve transparency, accountability, and engagement with the Aurora Police department. As a facilitator, it has been a great experience working with such a diverse group of committed and passionate citizens. Many Task Forces like these across the country have halted or been determined ineffective because of lack of agreement. These citizens have worked to ensure their work does not have a similar fate. While there have been emotional, passionate, and courageous discussions, the Task Force collectively has reached a democratic consensus. Dissenting opinions emerged, as they should have with a diverse group, with a complex challenge. However, it's important to note the comments focus less on the proposed recommendations and more on what happens next and the follow-up process for the recommendations.

The Task Force would like to ensure the City Council, City Manager, and Mayor understands that their recommendations center on improving citizens' lived experiences in Aurora. They arrived at the recommendations due to research, education, community experiences, and police experiences. The feedback or criticisms that inform these recommendations derive from actual experience, education, and data. They are not a blind attack on law enforcement.

After nearly a year of work, the Task Force would like to see their work taken seriously and have feedback provided in real-time on the outcome of the review of their recommendations.

The Task Force members are optimistic that this work will not be shelved or set aside, making their commitment a futility exercise. While hopeful, the Task Force has concerns rooted in prior experiences that there may be a repeat of previous recommendation processes that appear to be no follow-through without transparency. In light of this concern, the Task Force requests the City Manager assign a staff member to update the evaluation process associated with these recommendations. More specifically, if a recommendation is accepted, what is the implementation timeline, and if not accepted, a clear explanation of why, shareable with community members.

The Task Force members believe the communities they represent, the citizens of Aurora, would prefer good relationships with the Aurora Police Department. However, the community as a whole must receive fundamental respect and decency. The following recommendations lead in this direction through addressing practices the community feels limit their safety and trust, as well as the transparency of the Aurora Police Department:
1. Procedures and practices support defending bad behavior
2. Unequal application of the law – police officers that break the law should be investigated and charged accordingly
3. Creating challenges for officers that do call out inappropriate behavior
4. Rejecting monitoring
5. Inability to receive criticism
6. Not taking responsibility for the actions of bad officers amplifies mistrust in the community

The Task Force understands the recommendations presented are the very beginning or foundation of important work that must follow and is not a catch-all solution. The Task Force believes implementing these recommendations with sincerity will increase police accountability, reduce instances of unnecessary force, and rebuild trust with Aurora's citizens.

Charge

The charge of the Task Force based on the Resolution is the evaluation, discussion, and development of recommendations to improve effective and transparent communication between APD and the community, including recommendations for a citizen-involved/citizen-based review of critical incidents, police operations, and police practices and procedures.

Process and Selection Overview

Committee members originally selected by Aurora City Council

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<th>Task Force Members</th>
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<tr>
<td>Candice Bailey</td>
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<td>Kevin Cox</td>
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<td>Thomas Mayes</td>
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<td>Robert Chase</td>
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*Virgil Majors – Non-Voting Police Liaison

Due to timing constraints and/or personal reasons Robert Chase suspended his participation in August 2020 and Kristin Pough and Jeanette Rodriguez in December 2020.

Task Operational Flow
Task Force Meeting Schedule and Education

Meetings: 2nd and 4th Tuesday of the Month (April 2020- March 2021) 6:30 – 9pm MST
November 2020 – One full Saturday – 9am -3pm

Videos: A video recording of Task Force meetings can be viewed here.

Education:
The Task Force received education in the following areas that include but are not limited to:

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<thead>
<tr>
<th>Excessive Force Policy</th>
<th>Civil Service Commission</th>
<th>APD Community Commitment</th>
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<tbody>
<tr>
<td>Current Legislation</td>
<td>Body Worn Cameras</td>
<td>Ride Along Opportunity</td>
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<td>APD Department Changes</td>
<td>APD Recruiting Practices</td>
<td>Authorized Firing of a Weapon</td>
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<td>Substance Abuse Policy</td>
<td>FALCK Rocky Mountain</td>
<td>Suspicious Calls</td>
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<td>Discipline Process</td>
<td>Duty to Intervene</td>
<td>Officer Relief Process</td>
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<td>Less Lethal Devices,</td>
<td>City of Aurora Legal</td>
<td>Use of Force Reporting and</td>
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<td>Weapons, and Techniques</td>
<td>Interpretations</td>
<td>Use of Force Review</td>
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Primary Recommendation Section One: Independent Citizens Oversight Office

1. The City of Aurora Community Police Task Force recommends creating an independent citizen's oversight office. The Task Force recommends the independent office have broad investigatory and subpoena powers that review and resolve civilian complaints, investigate critical incidents, and regularly assess Aurora Police Department policies and practices.

   a. The Task Force is recommending the independent oversight committee be created using input offered by the Task Force, not be a duplicated version of the office in the City and County of Denver, is staffed by citizens of Aurora and not operated solely as an advisory or recommending body.

   b. For the purpose of accountability, the Task Force's recommendations should be overseen by the appropriate authorizing entity that best moves the work forward most practically and efficiently (Ex. City Manager, Police Chief, City Council, City Charter).

   c. The Task Force recommends a formal debrief with decision-makers should the recommendation to create an independent oversight office not be created. The Task Force will want to learn the rationale behind any decision not to move forward with an independent oversight office to be accountable to the community.

2. The Task Force recommends the independent oversight office be called The Office of Police Accountability, Transparency, and Transformation (OPATT). It should be authorized through the appropriate entity and operate separately from but in full collaboration with the Aurora Police Department.

   a. The office should be created and staffed by community members representing each Ward in Aurora, who are not active law enforcement members. More specifically:
1. Members from the current Task Force who are committed to continuing this work. Members of this group are uniquely prepared with contextual history, engagement with the current Chief of Police, and have already received education related to the inner-workings and processes of the APD necessary to help move the work forward.

2. Reflect the diverse make-up of the City of Aurora (i.e., race, ethnicity, language, culture, gender, age, socio-economic status).

3. Include professional liaisons for expertise, information sharing, and updates.

4. Include individuals with political and policy acumen, victim advocacy and family experience, and youth leadership and engagement.

b. The OPATT office, to ensure accountability, engagement, and consistency, should have a budget, funded operational staff person, access to learning and development (force science, citizens' academy, etc.), and commission community members to support the work. Commissioners should receive a stipend while serving in an official capacity with the office.

3. The Office of Police Accountability, Transparency, and Transformation to create authentic and meaningful change/reform must have authority and responsibility expanded further than this Task Force.

a. Enforcement responsibility.

b. With the official support of the authorizer, OPATT will develop a mission that addresses comprehensive public safety, community and agency partnership, equity review of policy (police and municipal).

c. Primary functions of The Office of Police Accountability, Transparency, and Transformation

1. Ensure the enactment of promised reform and provide proper and objective oversight.

2. Use the recommendations from the Community Police Task Force to build out the office/committee.

3. Investigate, review, and monitor police actions.

a. Pending the results of discipline decisions, OPATT will have the ability to overturn previous decisions and open investigations.

b. In the instance of criminal charges, OPATT will have the ability to connect with the AGs office to make recommendations.

1. Ensure transparency and accountability before, during, and after a critical incident.

2. Review and investigate citizen complaints against police.

3. Receive regularly disaggregated data on police stops, use of force, and disciplinary actions of officers.
4. Regularly, conduct an audit of a certain percentage of videos collected from body worn cameras.

5. Connect regularly with the Chief of Police to discuss and measure police engagement with youth (tickets, arrests, warnings, etc.).

6. Have a role in the hiring process for police officers and offer exit interviews to officers leaving the APD.

Primary Recommendation Section Two: Community Trust and Communication

1. The City of Aurora Community Police Task Force is recommending the improvement of APD communication and trust within the community through the following recommendations and observations:

   a. Officers must be held accountable to the degree they have been disciplined for abuse of power, any wrongdoing, or any conviction by a court of law.

      1. In instances where the Civil Service Commission fails their mission statement, objectives, and/or responsibilities, including duties authorized by the city charter, there is a default to the OPATT office to reexamine and recommend discipline to the Chief of Police, City Manager, or appropriate authorizer.

      2. The original disciplinary process should be handled by the Chief of Police in full collaboration with full disclosure to OPATT.

      3. OPATT shall have the authority to review, overturn/reverse, refer/escalate, administer or investigate, including full subpoena powers, all discipline cases within the department.

      4. OPATT would have total access to anything related to all disciplinary actions and investigations.

   b. Provide increased funding for mental health services and engagement that supports the APD focus on protecting and serving the community versus enforcing penalties

      1. Increase Co-Responder program in the Aurora Police Department - Officers paired with mental health professionals who respond to calls as a team and work together for an entire shift.

      2. Mandatory specialized mental health training that equips officers with the skills to recognize the symptoms of mental illnesses and substance abuse, engage persons in crisis, de-escalate situations to connect the person to the needed care and not arrest. This training is to be provided by an appropriate 3rd party mental health provider.

      3. Implementation of mandatory third-party mental health screening for police officers regularly, to certify mental wellness and provide support in not developing mental illnesses such as anxiety, depression, PTSD, and burnout.
c. Creation of process that protects and supports officers who report other officers' crimes or unethical acts or express concerns with inequity in process or procedures. Promote the program widely and ensure anonymity through an ordinance.

d. Creation of a "safe to tell" tip line for any community member of Aurora that is also sent to OPATT

e. Community representation needs to be included in the hiring process of police officers

f. The city of Aurora should pursue all legally allowed methods to diversify the APD academy classes until the APD reflects Aurora's city demographics.

g. The city of Aurora needs to implement an equity lens within the hiring practices and human resource functions of the Aurora Police Department

h. Conduct "exit interviews" with candidates who are leaving the hiring process to understand why they left.

i. All APD policies and procedures, especially community-facing ones, should be reviewed to ensure they are anti-racist, transparent, and accessible to the public.

j. Video footage and/or real-time information should be provided to the Office of Police Accountability, Transparency, and Transformation in real-time

   1. Body camera should be automatically and manually activated from the departure of the vehicle to returning and driving away from the encounter unless required or noted below.

   2. The Task Force recognizes that videotaping on a person in custody is a viable tool, and the city will create a policy to ensure this is mandated.

   3. Camera should be active and recording during any public-facing engagement, transport, or official APD business.

   4. Camera footage should be available for audit by an independent entity to avoid any chance or temptation of video editing or tampering prior to review by Chief and representative from the Office of Police Accountability, Transparency, and Transformation.

   5. Any attempt to tamper or adjust camera footage during or after an event is subject to disciplinary and criminal action.

k. If a charter change isn't necessary, the Task Force recommends the city manager provide OPATT with structure and authority parallel to the Civil Service Commission. If a charter change is required, the City Manager shall ensure OPATT receives the information necessary to explore a charter change.

   1. OPATT should have a working relationship with the Civil Service Commission resulting in shared information and decision making.

   2. Until the charter change is complete, ensure OPATT receives information sharing and recommendations from the CSC.
l. PAR officer engagement and practices need to be reviewed and, where necessary, adjusted to ensure consistent engagement and services across all wards and neighborhoods. The Task Force recommends the following functions and data be provided:

1. OPATT has the authority to audit district data to ensure consistency
2. What is the PAR contact rate with community members by race, age, gender?
3. Assessment of current training needs and engagement practices
4. OPATT to receive a full overview and education of the PAR officer program
5. Access to PAR operational manuals and ability to review previous recommendations from the community and the actions taken or not taken by PAR officers

m. Based on guidance from OPATT, the Public Information Officers should prepare a monthly community report focused on data capturing the experiences of BIPOC. Examples of how to capture data include but are not limited to:

1. Civilian unit to follow-up and randomly audit police contacts;
2. Anonymous (optional and protected) Hotline or email to contact OPATT; and
3. Using current legislation, policy, procedure, and legal precedent the OPATT will prioritize victim safety, anonymity, and undue exposure to additional trauma. This includes but is not limited to investigations, legal proceedings, mediation, and being considered a person of interest.

n. In light of the January 6th attack on the nation's capital, police officer’s social media accounts should be continually monitored and appropriately disciplined based on department directives.

Secondary Recommendations: Recommendations at the request of Chief Wilson

During the meeting and education process for the Task Force members, Chief Wilson attended on several occasions to answer questions and/or provide education about the policies, practices, and procedures of the Aurora Police Department. During those visits, she (Chief Wilson) welcomed and solicited feedback from the Task Force. The following recommendations are for Chief Wilson and 21CP:

1. To bolster and improve police operations, the following areas should be addressed as a part of the recruitment, training, and education aspects of the Aurora Police Department.
   a. Culturally relevant instruction and professional development opportunities.
   b. APD should engage citizens in every part of the department that can affect community members.
   c. Training around and assessment of racial disparities.

2. As a matter of practice, no substances or drugs should be introduced by Aurora Police Officers into contacted persons unless it is used to save a life.
3. Funds should be re-appropriated to support youth development and engagement programs and initiatives operated by community.

4. The procedure for dispatching police should be reviewed to ensure too many officers don't show up to a reported incident. The Chief of Police should determine and share with OPATT an appropriate process or rationale to determine how many officers respond to a particular incident.
   a. The rationale should ensure both citizen and officer safety, and
   b. The rationale should support response numbers that do not escalate the situation.

5. Assess and report out to OPATT effectiveness and practices of the SRO program.

Task Force concerns that should be considered by the City Manager, City Council, and Aurora Police Department

- Distrust from the community in large part comes from a lack of accountability. The Task Force understands that criminal charging responsibility lies with the district attorney and that sentencing is at the discretion of judges but questioning if these practices are equitable and fair is a logical action item.
- Without equitable accountability for criminal actions for police officers, building trust will be difficult to impossible.
- The Chief of Police needs more autonomy and control over officers' hiring, firing, and discipline. The City of Aurora should prioritize its citizens by exploring a city charter change to support the Chief of Police as the organization's CEO.
- The internal review process should solely rest under the Chief of Police. It should be moved or completed in collaboration with the oversight body to reduce the chances of corruption.
- Assess and adjust the role of the Civil Service in the hiring process of new police officers.
- The Aurora Police Academy should explore other curriculums in the area, specifically the Community College of Aurora, to determine if additional content in the areas of equity, cultural identity, mental health, and de-escalation can be added in the next academy cohort.
- Monetary bonuses for referring officer candidates should be reviewed, asking the question, does this practice decrease diversity and encourage homogeneous repetitious behavior?
- SRO's should be audited the same way as recommended for the PAR officers. The APD should formalize the SRO program with APS, and OPATT should be authorized to investigate student and teacher complaints. SRO's should be assessed for mental health and drug test more often due to the increased exposure and contact with children.
RESOLUTION NO. R 2020-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, CREATING A POLICE COMMUNITY TASK FORCE FOR THE PURPOSE OF STUDYING AND MAKING RECOMMENDATIONS TO ADDRESS POLICE OPERATIONS AND COMMUNITY AND POLICE RELATIONS WITHIN THE CITY

WHEREAS, the relationship between the community and the Aurora Police Department (APD) is an important and valued focus for the City Council, City administration, police leadership, and the citizens of Aurora; and

WHEREAS, recent critical incidents and incidents involving police personnel have highlighted a need for improved relations between police and the community in order to present citizen-based recommendations to City Council and City Management; and

WHEREAS, the City Council finds and determines that creating a task force to study and present recommendations to City staff and City Council on matters related to the operation of the Aurora Police Department and its personnel would be beneficial in addressing community and police relations.

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

Section 1. Purpose: The City Council hereby creates a Police Community Task Force (the “Task Force”). The purpose of the Task Force is to inform Council about the status of police and community relations within the City, and to study and make recommendations related to police operations especially in terms of critical incident management, training, transparency, and oversight. The purpose of the Task Force is not to examine or review or make recommendations on a specific incident.

Section 2. Specific Charge: The initial charge of the Task Force will be the evaluation, discussion and development of recommendations to improve effective and transparent communication between APD and the community, including recommendations for a citizen-involved/citizen-based review of critical incidents, police operations, and police practices and procedures. The Task Force may recommend additional areas to study. City Council may modify, amend, expand, or change the specific charge of the Task Force by resolution so long as the modification, amendment, expansion or change does not assign the review of a specific incident to this Task Force.

Section 3. Term: The initial term of the Task Force for the specific charge stated in Section 2 will be for one (1) year from the date of formal appointment of the Task Force membership. The City Council may extend the term of the Task Force by resolution. If the Task Force completes its charge prior to the end of the term, it may disband.
Section 4. Membership: The Task Force shall consist of no less than nine (9) voting members and no more than thirteen (13) voting members, which shall include one (1) Chairperson who can be an organization representative or individual member. All Task Force members shall be volunteers and shall participate without compensation. All Task Force members shall be required to participate in training on police operations, as established by the City Manager or his designee, related to the Task Force’s charge. The term of appointment for members of the Task Force shall be for two years or until the end of the Task Force term, whichever is sooner. In the event the Task Force continues past two years, members can serve an additional two-year term.

(a) Organization Representation: To the extent possible, the Task Force should consist of at least one member from each of the following groups, which representative shall be selected by the organization listed:

- Aurora Chapter of the NAACP
- Police Labor Organization
- Aurora Community of Faith
- The Aurora Key Community Response Team
- Aurora Public Schools and Cherry Creek School District
- Criminal justice reform organization (such as Second Chance Center, Inc., Colorado Criminal Justice Reform Coalition)

(b) Individual Representation: The Task Force should also consist of individuals who must be Aurora residents and, to the extent possible, meet the following criteria:

- At least one resident from each of the three police districts.
- Individuals with direct experience in the criminal justice system.
- A lawyer with prosecutorial experience
- A lawyer with current or recent criminal defense experience
- An individual currently employed as a mental health professional.
- Residents from neighborhoods impacted by high APD operations, such as calls for service and/or high crime areas shall have an equitable representation of members proportionate to the percentage of crime volume reported in each district.
- Individuals who work with or volunteer with community service providers that traditionally work with individuals involved in the criminal justice system.
- Individuals of diverse backgrounds and varying ages.

Section 5. Member Selection: Upon passage of this Resolution, the City Manager will gather names for the organization Task Force members, individual Task Force members and the Chairperson. For individual members, staff can utilize existing systems for selection of members to Boards and Commissions. Staff will make appointment recommendations to City Council. The City Manager will prepare a resolution for Council for the February 24, 2020 regular City Council meeting to confirm the appointment of the Task Force members and a Chairperson of the Task Force.
Section 6. Work Plan: Within thirty (30) days following appointment, the Task Force shall prepare a work plan and schedule for presentation to the Public Safety Courts Civil Service Committee meeting. At a minimum, the work plan shall set forth the Task Force’s roles and responsibilities in the areas with which they have been charged and provide any recommendations for additional areas in the field of critical incident management that may be applicable. The Task Force will provide regular updates to the Public Safety Courts Civil Service Committee throughout the term.

Section 7. Staff Support: The City Manager’s Office and City Attorney’s Office will provide staff support to the Task Force, to include the active and regular involvement of the Chief of Police and members of the Aurora Police Department. In addition, the City Manager and the City Attorney shall be responsible for bringing in subject-matter experts to speak to the Task Force regarding best practices. The City Manager is authorized to hire a third-party facilitator to work directly with the Task Force.

Section 8. Meetings: Meetings will be held on a regular and timely basis that shall be determined by the Task Force members. The location of the meetings shall rotate between locations in each of the wards. Meetings will include members of the Task Force and staff support for the Task Force, as determined by the City Manager and the City Attorney. The Task Force Chairperson or a designee shall prepare an agenda and take minutes at each meeting of the Task Force. Minutes will be forwarded via email to the Mayor and City Councilmembers, as well as the Task Force members and staff support. In addition to input at meetings, the Task Force shall take input from community members and other stakeholders regarding their charge.

Section 9. Final Report: The Task Force shall submit a final report with their findings and recommendations to the Public Safety, Courts and Civil Service Committee at least sixty (60) days prior to the end of the Task Force’s term.

Section 10. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this 10th day of February, 2020.

MIKE COFFMAN, Mayor

ATTEST:

STEPHEN RUGER, City Clerk

APPROVED AS TO FORM:

NANCY C. RODGERS, Deputy City Attorney