

Aurora Police Department

These are questions the Community Advisory Council received during and shortly after the Public Community Event held on May 2, 2023. All questions have been transcribed verbatim from the cards and/or emails submitted. These questions were shared with the Aurora Police Department and the Police Department provided the following answers:

- 1) Question: Police chief did not answer question- has there been an increase or reduction in reported police abuse complaints? He only talked about national things in his answer to this question.

Answer: Below is a breakdown of complaints by year. Please note that clearance rates might not equal the number of total complaints because multiple officers could be named in one complaint.

2021 – No open cases.

Total: 416

Sustained: 186

Unfounded: 225

Exonerated: 56

Not Sustained: 129

2022 – Three open cases.

Total: 543 (Preliminary count. Data will not be finalized until Q3 2023)

The Aurora Police Department defines clearances in the following ways in Directive 10.2.1:

Sustained: A finding in which, after considering all evidence, a violation of policy has been established by a preponderance of the evidence. The term "preponderance of the evidence" means the proposition is more probably true than not.

Unfounded: A finding that indicates the act or acts in the complaint did not occur or did not involve an APD employee.

Exonerated: A finding of a complaint that indicates the alleged action did occur, but

that it was justified, lawful and/or proper.

Not Sustained: A finding of a complaint that indicates the investigation failed to discover sufficient evidence to prove or disprove the allegations made in the complaint.

- 2) Question: What is the main difference between the old training and the new?

Answer: The main difference in our new training is an increased emphasis on scenario-based training. Scenario-based training can incorporate a variety of elements, such as the use of actors, to simulate true-to-life situations. New training addressing use of force, racial bias and constitutional policing are reviewed and approved by the Consent Decree Monitor. Additionally, the Aurora Police Department seeks out nationally recognized firms to deliver training on industry best practices.

- 3) Question: Can the Aurora Police create a mentee program for our young people, which creates community policing where both parties are holding each other accountable?

Answer: The Aurora Police Department currently engages our community in a number of ways. The Aurora Police Department is home to APD Police Explorer Post 2024. Founded on Jan. 3, 1981, Post 2024 serves youth 14-20 who are interested in exploring a career in law enforcement and/or serving their community. Explorers attend a 16-week academy held every Saturday from January through April. The academy offers young adults a personal awareness of the criminal justice system through a comprehensive program of training, competition, service and practical experiences. The explorer program promotes personal growth through character development, respect for the law, physical fitness, and good citizenship. Police explorers have provided thousands of volunteer hours of service to APD and the Aurora community. Explorers work side-by-side with APD personnel and assist with a variety of tasks, such as traffic control, community events and DUI checkpoints.

The Aurora Police Department also hosts twice per year a Global Teen Police Academy to expose teenagers aged 14-17 to the daily functions of the Aurora Police Department. The academy takes place over two weeks with most classes held at the Aurora Municipal Center. Classes include, 911 Communications, Traffic and Criminal Law, Vice and Narcotics, K9 and SWAT, Investigations and Gang Awareness, Crime Prevention and Internet Safety, Firearms Safety, an Obstacle Course, Advanced Drivers Training, and "Shoot vs. Don't Shoot" scenarios. The Global Teen Police Academy consists of a

series of interactive classes held daily and taught by the department's student resource officers. There is no cost to participate. However, each participant must undergo a background check. Applicants are accepted from all metro-area cities, but applicants from Aurora are given first preference to attend classes. APD launched the Global Teen Police Academy in 2014 because its executive leadership team believes relational policing plays a vital role in reducing crime. Graduates gain knowledge that they can implement to enhance the quality of life and safety in their community.

Lastly, the Aurora Police Department has proposed a cadet program. Similar to an apprenticeship, the program would provide an opportunity for young adults to explore a career with APD while also pursuing an associate's degree. The program combines education, community service and public safety. The two-year program would provide cadets an opportunity to engage and build rapport with Aurora Police Department employees. The program could provide APD explorers aged 18-21 an opportunity to also become cadets, providing them additional training and exposure to a variety of non-enforcement police assignments until they are old enough to attend a police academy and become Colorado POST certified. The minimum age for POST certification in Colorado is 21. If successfully launched, the cadet program would be in partnership with the Community College of Aurora, which has a richly diverse student body. We believe this partnership will greatly assist APD in recruiting highly-qualified and diverse police candidates.

- 4) Question: Are you open to community input in establishing the discipline matrix and reviewing the use of force policy?

Answer: The mandated timelines do not allow for community input about our newly proposed use of force policy. However, we are in the process of creating an online transparency portal. A component of that portal will soon allow us to publish proposed policies to gather public comments and community input.

- 5) Question: The ICAT training focused on de-escalation techniques and was begun in January and ended March 22023. How was de-escalation training coordinated with implicit bias and crisis intervention (mental health) training both of which factors may lead to an escalation?

Answer: Although ICAT training focuses on de-escalation techniques, de-escalation is a component of nearly every piece of training required by our officers. A portion of the implicit bias and crisis intervention training also focused on de-escalation. Moreover, the hands on, scenario-based training included instances involving individuals in mental health crisis and required the intensive use of de-escalation techniques by the trainees. Lastly, the department took the added step of hiring professional actors for roleplaying,

which greatly added to the realism of the training, and added immeasurable value to the training experience.

- 6) Question: How do I get two more seats (myself and another community member) at the July training? From last night's meeting, I understand that "all the spaces have been filled"; so, my concern is "why advertise" that "community members" are invited, but, yet true "community members of impacted communities are not invited. Who better to have input in racial (or anti racial) training than impacted community members; these members should have a say in how the training impacts or does not impact themselves and their communities; and impacted community members are the ones that best know their communities and their needs. So, where is the trust building and community input and why are our voices not being heard and acknowledged and where are our seats?

Answer: The Consent Decree Monitorship, IntegrAssure, established a community board, the Community Advisory Council, to represent the collective voice of our community. IntegrAssure selected the first three co-chairs of the Community Advisory Council. The co-chairs then selected the remaining nine members to ensure all backgrounds and geographic locations within the city of Aurora are represented.

City Manager

These are questions the Community Advisory Council received during and shortly after the Public Community Event held on May 2, 2023. All questions have been transcribed verbatim from the cards and/or emails submitted. These questions were shared with the City management team and the City management team provided the following answers:

- 1) Question: Will we have an oversight committee after the Monitor is gone?

Answer: City management continues to discuss and consider appropriate oversight mechanisms to implement following the Consent Decree Monitor's departure and will increasingly work with the Monitor team as their departure date approaches, which is at least three years from today, to determine the best approach. The city management team wholeheartedly recognizes and appreciates the community's desire to have an additional oversight system in place.

- 2) Question: What is the City actively doing to ensure the community is aware of and has opportunities to engage you in conversations about the consent decree process outside of CAC planned events?

Answer: The Aurora Police Department, Aurora Fire Rescue and Aurora city management remain committed to open, transparent communication with residents. The independent Consent Decree Monitor, IntegrAssure, actively seeks community input and feedback on their website, AuroraMonitor.org, where they are also providing regular updates on reports, resources, and policies. In addition to the community meetings hosted by the Community Advisory Council, the Aurora Police Department regularly hosts forums with district commanders to review residents' concerns and questions. The best way to stay informed on these forums is through APD's social media channels (Facebook.com/AuroraCOPD, Twitter.com/AuroraPD).

- 3) Question: Respect and dignity from not only the electeds but from all city employees should be given to everyone. Why are the electeds and all employees accountable to DEI DEI training culturally fluency training?

Answer: DEI training is currently infused into both New Hire Orientation as well as the new supervisor training, which all supervisors must attend within the first year of their position. This is tracked within the learning management system to ensure that employees complete these requirements.

- 4) Question: Regarding DEI training, what are your action plans for all electeds and city staff to be part of continuous training. And what are your action plans for "executive team" to be trained, since you stated that the last "training" was "18 months ago"?

Answer: DEI training is available to employees as both part of their mandatory training plan as well as through optional programming. The city has also created a program for employees called Equity Champions, which provides city employees with DEI content that they can then take back to their individual teams. As new content becomes available to address current needs, training plans will be implemented to ensure that staff receives the necessary training.

Consent Decree Monitor

These are questions the Community Advisory Council received during and shortly after the Public Community Event held on May 2, 2023. All questions have been transcribed verbatim from the cards and/or emails submitted. These questions were shared with the Monitoring Team and the Monitoring Team provided the following answers:

- 1) Question: Outreach to impacted communities- look around the room where has been the outreach to impacted communities? What are the plans for impacted community voices to be heard? Last survey was via text and with no methodology language will the future survey encompass all impacted communities across all communication platforms. Will this "survey" include all the impacted communities? How will these impacted

communities be reached? Will all platforms be used to reach the impacted communities? What will be the population? Will language accessibility be available for the survey?

Answer: The Monitoring team's outreach efforts have been centered around establishing the Community Advisory Council, consisting of twelve prominent Aurora community leaders of diverse backgrounds. The Community Advisory Council have been asking the community to sign up for listening sessions as well as attending all Ward meetings to increase awareness of the Consent Decree and to hear from the impacted communities. However, we can always do better and would love to hear from the community members on how we can improve. With respect to the survey, we undertook a baseline survey last May and will be doing another survey in the not-distant future. We certainly want to make certain that all Aurora voices are heard and will make sure that the survey is again designed to do so. To the extent that any individual has specific concerns relative to the operations of APD or AFR, they should feel free to contact the Monitor through the website.

- 2) Question: Aurora Sentinel Article May 2, 2023 in the blue: no discipline for 2 Aurora cops after 4 lawsuits. Please comment. Platform for discipline.

Answer: As the Monitor stated to the reporter when he was interviewed for the article in question, we will determine if there are steps with regard to those incidents which should be undertake. We believe that circumstances underlying the type of incidents discussed in the article should be examined as soon as they come to light and necessary corrective actions taken at the first opportunity. Lastly, the Monitor will work with the Department to ensure that suppression rulings as well as judges rulings with respect to adverse credibility pertaining to officers are incorporated into the early intervention system that APD is currently developing. Additionally, we will be, working with the Department to include civil rights lawsuits, sustained complaints and disciplinary outcomes in order to alert the department when concerning patterns arise.

- 3) Question: What has actually changed since last year?

Answer: There are many changes that occurred in the first year of the monitorship and many of these accomplishments are detailed in the RP4 report under the focus issue of "Year in Review." Most notable changes are policy publications for the documentation of contacts, constitutional policing, and biased-based policing policies. Along with these policies, APD implemented a contact data collection system to collect information about contacts APD engages with the community and completed training APD officers on constitutional policing and biased-based free policing. There were also significant improvements observed in APD's Force Review Board's process with specific improvements noted in APD's willingness to be self-critical in reviewing its uses of force incidents. There was also governance implemented on how policies are developed and

finalized in APD. Lastly, the City changed its entry-level hiring process for APD and AFR to provide APD and AFR with the final say in hiring.

- 4) Question: Why does it seem like the community is an after thought when it comes to the actual changes being made under this consent decree? Communication Plan

Answer: The community is not an afterthought with respect to changes under the Consent Decree. While the changes being made are mandated by the Consent Decree, it was the community that forced the changes, and it is the community who must feel the changes on the streets of Aurora. The Monitor has made extensive efforts to hear from the Community with respect to change. The Monitoring team's outreach efforts have been centered around establishing the Community Advisory Council, consisting of twelve prominent Aurora community leaders of diverse backgrounds. The Community Advisory Council have been asking the community to sign up for listening sessions as well as attending all Ward meetings to increase awareness of the Consent Decree and to hear from the community. In addition, we have held four community events as well as publish all of our reports on auroramonitor.org to inform the community of different progresses and milestones being met under the monitorship. The Monitoring Team have also attended and presented at every Ward meetings we have been invited to as well as present to the Public Safety Committee of the City Council on several occasions. However, we need ongoing and consistent community feedback to accurately measure the success of the monitorship. We can always do better and would love to hear from the community members on how we can improve.

- 5) Question: In the Recruitment, Hiring and Promotion mandates, 4 were listed as 50-75% complete. What are the key initiatives that are expected to improve the Promotion process, given that the diverse population that we want to hire won't come to APD and AFR if the senior leadership team doesn't look like them?

Answer: In RP4, the assessments were for mandates regarding recruitment and hiring. The assessments of mandates related to promotion process will occur in RP 5. The Monitor is expected to publish a report with recommendations to improve the promotional process as governed by the Civil Service Commission in May of 2023. This report will delineate recommendations on how the City can improve its promotional process.

- 6) Question: I welcome the decision to go with the Whole Person Review changes to many of the mandatory exclusions for hiring APD and AFR personnel making those exclusions permissive. The U.S. Equal Employment Opportunity Commission has focused on these issues as well, particularly with the growing use of artificial intelligence. Examples of those issues are college degrees and ancient or low level criminal history. What could

have been done better to avoid the negative press saying that hiring less qualified personnel would result? Also, please give more detail on how the use of the new permissive factors will be reviewed.

Answer: There have been some concerns raised in the media as to whether this change results in lowering the quality of officers who are eventually selected. The clear purpose of the change is not to reduce standards for hiring, but to eliminate potential barriers for the best candidates to be hired, as many well qualified candidates may nonetheless have blemishes in their background. The change recognizes that those without minor arrests may very well have engaged in minor criminal behavior and were lucky enough not to have been caught or arrested. Likewise, it recognizes that some individuals may lie about drug use, where others tell the truth. Moreover, it recognizes that a single bad decision does not necessarily define an individual. Essentially, a “whole person” review allows hiring decision makers to fully consider whether a candidate would make a good officer or firefighter, taking into account the individual’s total background, test score, job suitability analysis, and oral interview, thus giving each candidate an opportunity to be fairly evaluated on their own merits. The City is in the process of developing specific guidelines on how this approach should be adopted in practice and the Monitor will be watching closely to make sure that the approach is adopted in the way envisioned so as to increase quality and diversity in the departments’ ranks.

- 7) Question: The report indicates that for Civil Service Commission that a more appellate review recommendation after study was discarded and the current de novo review was retained. What factors led to the retention and what do you expect will be the changes that will address the issues with the CSC found in the original consent decree?

Answer: After considering the question of whether the de novo review process should be changed, it was the Monitor’s recommendation to the Commission and the City that the current system be retained. Simply put, the suggested change to the process in the Consent Decree would be violative of the City Charter. The relevant portion of the Aurora City Charter reads as follows:

8) Disciplinary and appeal procedure.

(e) A member shall have ten (10) business days from the service of the order to file an appeal of the disciplinary order with the Civil Service Commission. The appeal shall be in writing and contain the name and address of the appealing member, a copy of the written command being appealed and a brief summary of the reasons for the appeal. A member may express a desire to have the hearing closed to the public. Upon receipt of an appeal, the Commission shall promptly provide a copy of it to the office of the City Attorney.

(f) The Commission shall conduct a hearing on the appeal not less than fifteen (15) nor more than thirty (30) days after receipt of the appeal. After a hearing date has been set, it may be continued only upon agreement of all the parties or upon good cause shown to the Commission. The notice of the hearing shall indicate whether the hearing will be public.

(g) At the hearing before the Commission, each side may offer evidence and cross examine witnesses. The member may be represented by a representative of their choosing and the City Manager-Department shall be represented by the City Attorney or a designee. The hearing shall be recorded by a reporter or an electronic recording device. The Commission may adopt rules for the conduct of the hearing. The City Manager and Chief of the Department, through the office of the City Attorney as counsel, shall offer evidence and justification of the departmental action. The rules of evidence shall conform, to the extent practicable, with those in civil nonjury cases in the District Courts. However, when necessary to do so in order to ascertain facts affecting the substantial rights of the parties to the proceeding, the Commission may receive and consider evidence not admissible under such rules if such evidence possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs.

Moreover, our review found that the current system is working well assuring what, through the Commission, amounts to community review of disciplinary decisions of each department, while, at the same time providing due process for department members, which, by design, does not fully exist within the current disciplinary process of each department. We have made additional recommendations in areas relative to the disciplinary process that we believe would enhance and improve the overall process as it currently exists. In making our recommendations, we were guided by two major principles. First, that the system provide both due process for, and accountability of, those who have been found to have digressed from the policies of the department and who feel that they have been treated unfairly. Second, that the system be transparent to the public to the greatest extent possible. We believe that our recommendations do promote those ends.

Aurora Fire Rescue

These are questions the Community Advisory Council received during and shortly after the Public Community Event held on May 2, 2023. All questions have been transcribed verbatim from the cards and/or emails submitted. These questions were shared with the Aurora Fire Rescue and the Fire Rescue provided the following answer:

- 1) Question: Ketamine- yes, the use has been ok'd and given a green dot. The decision was made to use droperidol as a "replacement" drug. This drug is FDA blackboxed with over 300 do not uses, to be used with caution to be only used in hospital or clinic under supervision. Out in the field- it will be used as a replacement to ketamine. Will AFR be

reevaluating droperidol? Droperidol Are there any plans to re-evaluate the use of this drug in the field? The use of this drug is to be used in “controlled settings” This is FDA black boxed; with over 300 “do not use”, “use with caution” Here is the package insert:

<https://www.drugs.com/pro/droperidol.html>

In contrast, the black box warning on droperidol mandates that a 12-lead electrocardiogram be performed before administration of droperidol. If the QTc is greater than 440 ms for males and 450 ms for females (QTc values seen in at least 10% of all adults), droperidol is not to be administered.

<https://pubs.asahq.org/anesthesiology/article/108/5/966/8340/The-Black-Box-Warning-for-Droperidol>

<https://www.sciencedirect.com/science/article/abs/pii/S0735675723001730>

<https://emergencymedicine.wustl.edu/items/droperidol-for-the-management-of-agitation-in-the-ed/>

I could not find any evidence based studies of the use of droperidol in the field

I did find limited studies of the use of this drug for “agitation” in the ED/ER settings (controlled settings)

Answer: AFR has no plans or taken any steps to place ketamine back into use for paramedics. Droperidol was reintroduced back into the protocols this year, but it is not a replacement for ketamine. Droperidol was added because of the risks associated with only having midazolam available for use as a sedating medication. Droperidol is more appropriate than midazolam in patients with alcohol in their system and head injury patients because it is much safer for the patient. Droperidol has been used in EMS services for many decades and it is a safe medication for use by paramedics. The QT prolongation concerns that prompted a black box warning was based on doses that were 10-20x the amount used in EMS dosing. There is good safety data and studies that show that the doses used by EMS do not carry that same risk. An EKG is not possible to obtain prior to use of the medication in a combative patient and it is not needed. All patients that receive droperidol will receive full cardiac and respiratory monitoring as soon as it is possible to do so, same as all other sedating medications. Below are some links that provide additional information:

[The Safety and Effectiveness of Droperidol for Sedation of Acute Behavioral Disturbance in the Emergency Department - ScienceDirect](#)

[Randomized Controlled Trial of Intramuscular Droperidol Versus Midazolam for Violence and Acute Behavioral Disturbance: The DORM Study - ScienceDirect](#)

[A Prospective Study of the Safety and Effectiveness of Droperidol in Children for Prehospital Acute Behavioral Disturbance - PubMed \(nih.gov\)](#)

[Droperidol: Making a Comeback!!! - REBEL EM - Emergency Medicine Blog](#)

[Droperidol Is Back \(and Here's What You Need to Know\) - ACEP Now](#)

[Safety of Droperidol Use in the Emergency Department \(aaem.org\)](#)