



---

MEMORANDUM

19-054

TO: William Kilpatrick Chief of Police  
VIA: Joe Harvey Deputy Chief  
FROM: Denise S. Mehnert Professional Standards Sergeant  
DATE: May 28, 2019  
GPD PPM: 34.17  
CALEA: 26.2.5  
SUBJECT: 2018 Summary of Internal Investigations

The Professional Standards Unit is part of the Administration Division. The Professional Standards Unit Sergeant may report directly to the Chief of Police on professional standards investigations.

The professional standards process afforded members of the community and agency an avenue to voice complaints regarding employee conduct. It gave the community and agency members a place to submit questions of members' action and agency procedures. Furthermore, the process provided a review of agency directives and procedures to promote best practice as an organization.

The Professional Standards Unit maintained the records and processes of internal investigations. The investigations were conducted by the Professional Standards Sergeant or an agency supervisor. The findings of an investigation were recommended by the investigator. The final determination of findings was made by the Chief of Police. Substantiated allegations were addressed through a review of directives, training, corrective action or discipline.

The internal investigations are categorized in to one of the identified the incident types of complaint, inquiry or administrative review.

## Complaints

In 2018, the department received a total of twenty-six (26) complaints against its members.

<b>Year</b>	<b>External</b>	<b>Internal</b>	<b>Total</b>
2018	22	4	26
2017	15	6	21
2016	27	3	30

The complaints were reported in-person, by phone, mail, email and other electronic methods, to include, Facebook.

In three complaints the involved member was unable to be identified. In one, the member was unknown due to lack of cooperation by the complainant to identify. Additionally, the investigation was unable to find evidence that confirmed the incident occurred and/or involved a department member. The second involved department equipment that was turned in by a citizen after being found next to a roadway in the City. The lost equipment was never reported and the investigation could not identify the responsible member. As for the third, the investigation has not been completed to determine if an involved member will be identified. The investigation was granted an extension due to the need of resources outside of the agency to assist in the investigation.

The year total of complaints for 2018 was five more than number of complaints received in 2017 and four less than complaints received in 2016. The past three year average (2016-2018) for complaints was equal to 2018 with an average of twenty-six complaints per year.

In 2018, the number of complaints filed by an external source increased by 47% over the previous year. The number of complaints filed by internal sources has stayed generally consistent with the average being four per year for the past three years.

There was no member who received an exorbitant number of complaints in 2018. This was consistent with the findings of the prior three years. Three members received three complaints that triggered early intervention alerts. The complaints were reviewed by each member's supervisor; no patterns were identified and the determination was no intervention was needed. A total of seven members received two complaints for the year. None of the

members who were involved in multiple complaints for the year were terminated nor resigned.

### *Investigation Dispositions*

The complaint investigation may involve more than one allegation, and more than one officer. Professional Standards investigation dispositions are the final determination or outcome of each allegation.

Golden PD PPM defines the dispositions as follows:

- Substantiated – Allegation is supported by sufficient evidence.
  - CALEA – Sustained
  
- Unsubstantiated – Insufficient evidence to prove or disprove the allegation
  - CALEA – Not Sustained
  
- Unfounded – The allegation is false or not factual.
  - CALEA – Unfounded
  
- Proper Action – The member acted lawfully and properly and within prescribed department or city directives
  - CALEA – Exonerated
  
- Outcome Not Based on Complaint – Outcome not alleged in the complaint but disclosed by the investigation.
  - CALEA – Sustained
  
- Exceptionally Cleared – Accused member is no longer a member of the department at the conclusion of the investigation.
  - CALEA – Sustained

Dispositions for complaint allegations\*

<b>Dispositions</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>
Sustained	13	17	10
Not Sustained	15	11	13
Unfounded	25	5	27
Exonerated	24	12	17
<b>Total **</b>	<b>77</b>	<b>45</b>	<b>67</b>

\* Table uses CALEA dispositions.

\*\* One complaint can contain more than one allegation and/or more than one member under investigation. (E.g. one complaint with two allegations against two members = four allegations)

In 2018, 17% of the allegations were sustained in finding misconduct was committed by the member. In 19% of the allegations there was insufficient evidence to prove or disprove any wrong doing by the officer. The majority of the allegations, approximately 64%, were found to either to not have occurred, or found to be proper action by the officer.

*Personnel Actions*

Personnel actions are the disciplinary results from sustained complaints. In 2018, two members chose to resign from the agency either during the investigation or after the findings were determined. The members were not involved in the same investigation. It was the only complaint each involved member received in 2018. There were no other investigations that resulted in discipline.

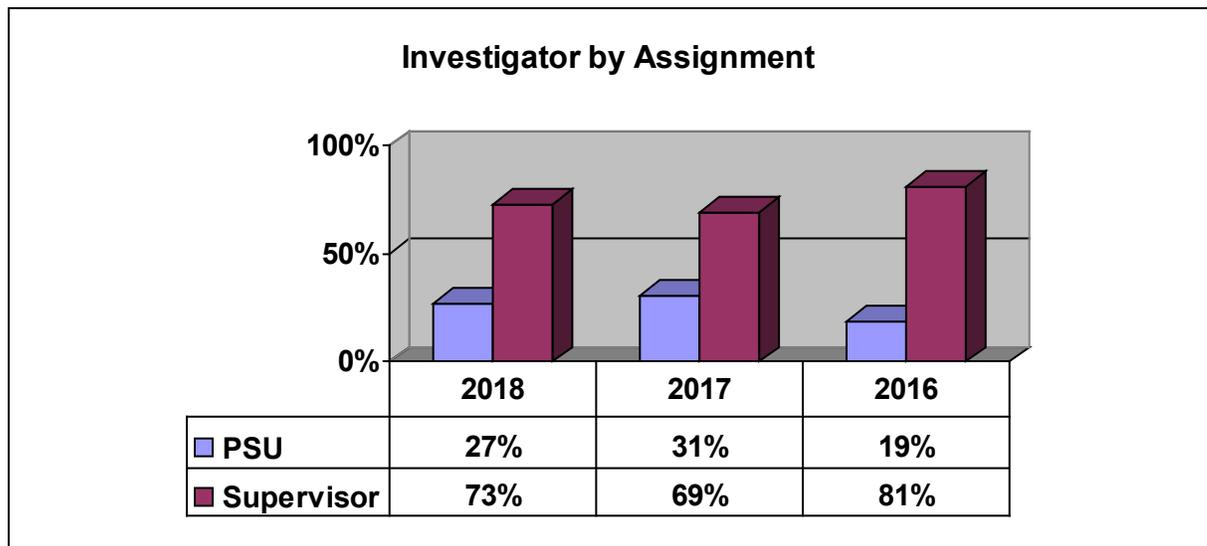
Personnel Actions\*

	<b>2018</b>	<b>2017</b>	<b>2016</b>
Suspension	0	2	0
Demotion	0	0	0
Resign In Lieu of Termination	2	0	0
Termination	0	0	0
Other	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>0</b>

\*Table uses CALEA personnel actions.

### *Investigator by assignments*

The investigations were conducted by the Professional Standards Sergeant or an agency supervisor. Professional Standards Sergeant primarily investigated allegations of serious misconduct.



### **Inquiries**

An inquiry addresses a question or concern regarding policy, procedure or practice of the department or its member with no basis of a complaint. The investigation may begin as an inquiry, however it may be reclassified as a complaint of misconduct should the course of the investigation the investigator found reason to do so.

In 2018, the department received a total of five (5) inquiries; all were from an external source.

<b>Year</b>	<b>External</b>	<b>Internal</b>	<b>Total</b>
2018	5	0	5
2017	5	0	5
2016	3	0	3

In the first inquiry, a citizen called to request a meeting with a sergeant, detective and officer to discuss him being harassed by the department. The sergeant called the citizen back to schedule the meeting however never

received a response. The inquiry was closed. In the second inquiry, a citizen left a note of disapproval with the payment for fines incurred from a traffic summons. When the investigator made contact with the citizen he was upset with receiving the summons instead of a warning for the violation. There was no wrong doing found on the part of the officers and the inquiry was closed. In the third inquiry, a citizen admitted to the traffic violation she was cited and had no concern about the officer's action. The violation was for no left turn. The citizen admitted there was a sign clearly posted for no left turn, however was confused by a second sign that was laid down. The concern was addressed with the Colorado Department of Transportation and the inquiry was closed. The fourth inquiry, a father disagreed with his adult son receiving a traffic summons instead of a warning for the traffic violations. There was no wrong doing found on the part of the officer and the inquiry was closed. The fifth inquiry, a motorist was upset by the behavior and demeanor of an officer who cited him for a traffic violation that he did not contest. There was no identified misconduct to indicate a basis of complaint. There was no wrong doing found on the part of the officer and the inquiry was closed.

**Administrative Review**

Administrative reviews are generally used to follow-up situations where the department was involved, but questions or complaints are directed toward other entities. They can also be used to help evaluate policy, training, et al.

The average amount of reviews over the past three years has been one a year.

<b>2018</b>	<b>2017</b>	<b>2016</b>
1	0	2

In 2018, there was one administrative reviews beyond the incidents reported to the department's incident review board (e.g. Use of force and vehicle pursuits). The incident was on an officer involved shooting that resulted in a death of person. The incident involved members of multiple agencies. There was no allegation or suspicion of misconduct on the part of our agency's involved officer. The incident involved a state patrol trooper who requested assistance/cover on an occupied stolen vehicle that was also involved in a shooting in another jurisdiction. The occupants were seen asleep in the vehicle. The contact was two miles from the City's boundary with limited access. The Golden Police officer was the closest responding officer, and the only Golden Police member directly involved in the deadly force

encounter. Additionally deputies from the county responded arriving after the officer. When the occupants were woken by officer's verbal commands, the driver put the vehicle into drive and drove towards one of the deputies and the trooper. The deputy and trooper fired at the vehicle. The driver was struck by gunshots, including a fatal shot to the head. The vehicle veered out of control and down an embankment towards a creek. Officers on scene responded to the vehicle where some extricated the female passenger, while the Golden Officer rendered aid to the male driver. The female sustained minor injuries and the male was pronounced dead at the hospital. The Golden Police officer had his shotgun deployed however did not perceive a threat to justify him using deadly force. In the review of the incident and independent criminal investigation, the Golden officer directly involved, and those who responded after the shooting, were found to be in compliance with applicable laws and department directives.