Office of the Independent Monitor

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September 15, 2025

Auditor Timothy M. O'Brien, CPA
Office of the Auditor
City and County of Denver
201 West Colfax Ave., Dept. 705
Denver, Colorado 80202

Dear Mr. O'Brien,

The Office of the Auditor has conducted a performance audit entitled "Police and Sheriff Civilian Oversight." This memorandum provides a written response for each reportable condition noted in the final draft of the Auditor's report, which was sent to us on August 21, 2025. This response complies with Section 20-276 (c) of the Denver Revised Municipal Code.

Please see the subsequent pages for our responses to each recommendation and contact me at 720-913-3306 with any questions.

Sincerely,

Lisabeth Pérez Castle
Independent Monitor

CC:
Valerie Walling, CPA, Deputy Auditor
Dawn Wiseman, CRMA, Audit Director
Patrick Schafer, CPA, CIA, CFE, MBA, Senior Audit Manager
Jennifer Lim, CIA, Audit Manager

Police and Sheriff Civilian Oversight Audit

Office of the Independent Monitor
September 2025

AUDIT FINDING 1

Conflicting mandates and a perceived conflict of interest limits transparency and accountability

RECOMMENDATION 1.1

Determine and document whether requirements can be met

The Office of the Independent Monitor should:

- Determine whether it can fulfill the city charter and city ordinance requirements to publicly share recommendations for investigations, discipline, and policy reviews.
- Document its considerations, conclusions, and any limits related to the deliberative process privilege.

If needed, work with the Citizen Oversight Board and the City Council to clarify its authority, responsibility, and limitations in city charter and city ordinance.

Agency response:	Agree
Target date to complete implementation activities: (Generally expected within 60 to 90 days)	03/31/2026

Specific point of contact for implementation

Name:	
Phone:	

Provide a written response

The Office of the Independent Monitor ("OIM") agrees to reevaluate the city charter and city ordinance requirements to publicly share recommendations for investigations, discipline, and policy reviews, and document its considerations, conclusions, and any limits related to the deliberative process privilege.

RECOMMENDATION 1.2

Reevaluate policy
The Office of the Independent Monitor should reevaluate whether its policy of submitting its public reports to the City Attorney's Office for review is required, documenting its considerations, and its conclusions. This may include exercising its chartered right to obtain an opinion from independent legal counsel.

Agency response:	Agree
Target date to complete implementation activities: (Generally expected within 60 to 90 days)	03/31/2026

Specific point of contact for implementation

Name:	
Phone:	

Provide a written response
The Office of the Independent Monitor will reevaluate whether its policy of submitting its public reports to the City Attorney's Office for review is required and will document its considerations and conclusions.

RECOMMENDATION 2.1

Publicly report investigation timeliness
The Office of the Independent Monitor should conduct a comprehensive timeliness analysis of the review process and include it in its annual report. This analysis should include a breakdown of time spent by each party involved.

Agency response:	Agree
Target date to complete implementation activities: (Generally expected within 60 to 90 days)	3/15/2026

Specific point of contact for implementation

Name:	Spyridon Kodellas
Phone:	720-982-0747

Provide a written response

The OIM does a comprehensive analysis of the review process but only reports on the DPD/DSD/DOS time of review without adding the OIM's time to be fair to the Departments. As noted in the OIM's annual reports, we report their combined time (minus the OIM's initial triage, investigative, or disciplinary review, and the total number of days the case was suspended) to show their timeliness without confusing the average reader on the different nuanced phases that do not apply to many cases. The audit report provides a simplified version of the process that does not reflect all the phases/meetings that can, but do not always take place. Regardless, per the recommendation, the OIM agrees it will publish its time and try to find ways to report the timeliness of each party per phase without adding too much confusion to the average reader.

RECOMMENDATION 3.1

Update database and track results
The Office of the Independent Monitor should, at a minimum, update its database to include a data field to distinguish between mandatory and discretionary case reviews and track the results in its regular internal reporting.

Agency response:	Agree
Target date to complete implementation activities: (Generally expected within 60 to 90 days)	3/31/2026

Specific point of contact for implementation

Name:	Spyridon Kodellas
Phone:	720-982-0747

Provide a written response

The OIM does not manage its database but will work with the City's Technology Services (TS) to update the database to include a data field that distinguishes between mandatory and discretionary case reviews. The OIM will track the results. It will be up to the City's TS to implement the change since the OIM does not manage the database. With the exception of some scheduled discipline cases, the OIM does review all misconduct cases whether they are mandatory or discretionary.

RECOMMENDATION 4.1

Develop a strategic plan
The Office of the Independent Monitor should develop and publish a strategic plan that establishes a mission, vision, and strategic goals for the office, including developing metrics to track progress toward those goals.

Agency response:	Agree
Target date to complete implementation activities: (Generally expected within 60 to 90 days)	6/30/2026

Specific point of contact for implementation

Name:	Spyridon Kodellas
Phone:	720-982-0747

Provide a written response
The OIM is a small government office that relies on its governing Charter and Ordinance provisions and procedures to accomplish its goals and directives. That being said, the OIM agrees to create a strategic plan.

RECOMMENDATION 4.2

Implement the strategic plan
The Office of the Independent Monitor should implement the strategic plan from Recommendation 1.4 by identifying action plans, assigning roles and responsibilities, identifying timelines, and monitoring progress.

Agency response:	Agree
Target date to complete implementation activities: (Generally expected within 60 to 90 days)	9/30/2026

Specific point of contact for implementation

Name:	Spyridon Kodellas
Phone:	720-982-0747

Provide a written response
The OIM plans to implement a strategic plan. However, the contents of the strategic plan will rely on its governing Charter and Ordinance provisions and procedures.