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OFFICE OF THE INDEPENDENT CONSENT DECREE MONITOR FOR THE CITY OF AURORA

The Consent Decree: RP 3 Highlights

Presentation to the Community Advisory Council's Virtual Meeting

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Independent Consent Decree Monitor

February 16, 2023

What is the Consent Decree?

THE CONSENT DECREE

- **On September 15, 2021, the Attorney General concluded its investigation and found that the Aurora Police Department, Aurora Fire Rescue, and Civil Service Commission needed to reform in various areas including biased policing, use of force, investigative encounters, use of chemical sedatives, recruitment, hiring and promotion, and accountability and transparency.**
- **On November 16, 2021, the Attorney General and the City of Aurora announced that they had reached an agreement on how the city would reform these areas of public safety. This agreement is called a Consent Decree.**

What is the Role of the Monitor?

The Consent Decree requires compliance with its mandates which are overseen by an Independent Consent Decree Monitor. In addition, the Monitor and his team provide technical assistance, engages with the community and reports on the progress of the City to the Court, the parties and the public.

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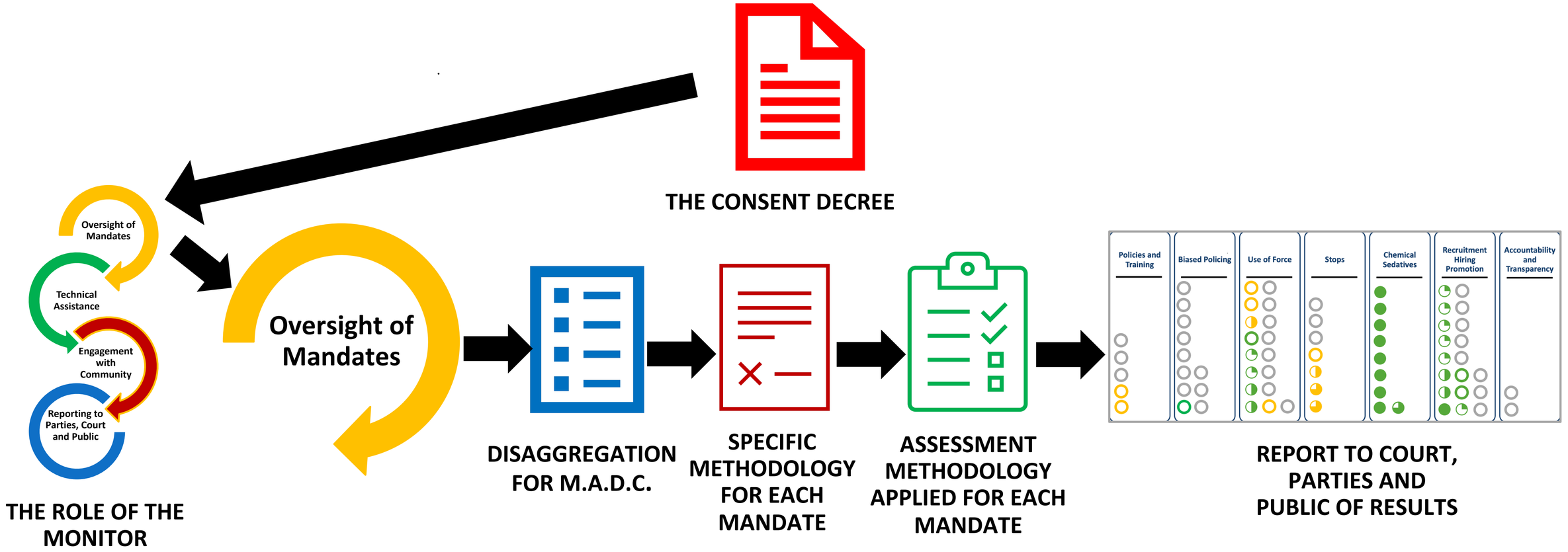
The Process of Assessment



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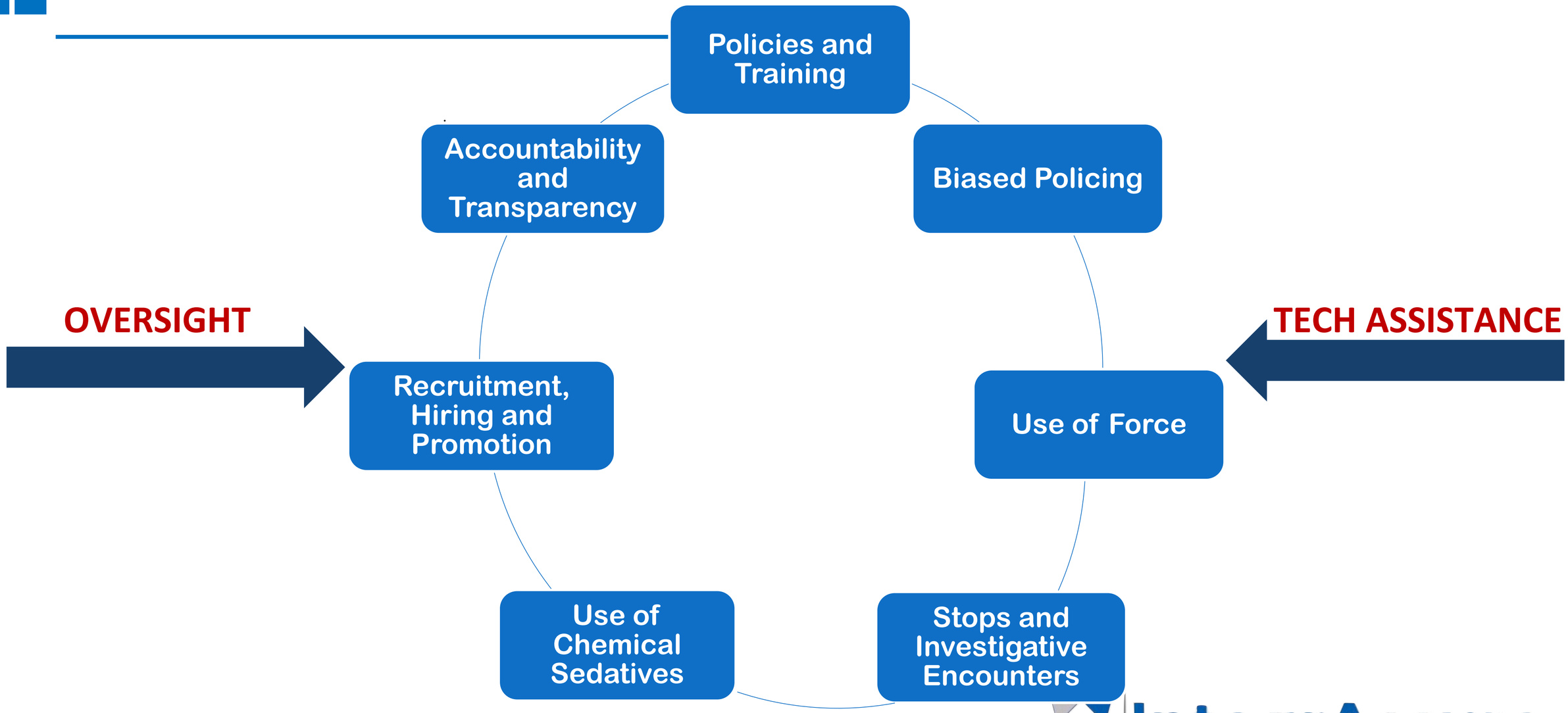
Areas of the Consent Decree



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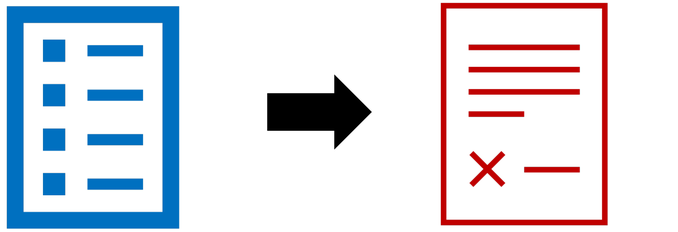
How is Compliance with the Consent Decree Measured?

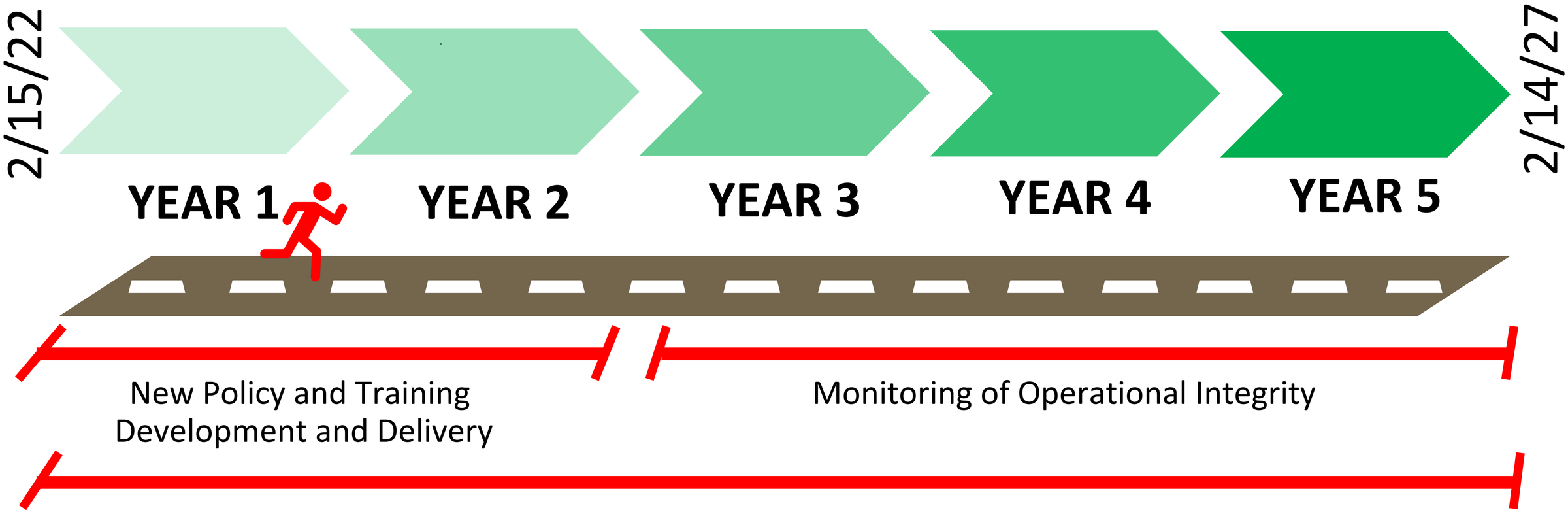


DISAGGREGATION FOR M.A.D.C.

SPECIFIC METHODOLOGY FOR EACH MANDATE

The Monitor created the Methodologies to Aid in the Determination of Compliance (MADC) which is a roadmap for the City on how to achieve compliance under the Consent Decree. Each of the 70 Mandates of the Consent Decree has a separate methodology which was agreed on with the City. The methodology for each Mandate provides detail on how the Monitor will assess that mandate and outlines when and how the Monitor will determine compliance status of that particular Mandate, including the specific data will use in measuring compliance.

The Consent Decree Timeline: A Marathon



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How We Communicate Progress

LEGEND (REV)	ESTIMATED 0-24% COMPLETE	ESTIMATED 25-49% COMPLETE	ESTIMATED 50-74% COMPLETE	ESTIMATED 75-99% COMPLETE	SUBSTANTIAL COMPLIANCE
RIGHT TRACK (IN LINE WITH MONITOR EXPECTATIONS)					
CAUTIONARY TRACK (AT THIS TIME UNCERTAIN IF MONITOR'S EXPECTATIONS WILL BE MET)*					
WRONG TRACK OR UNACCEPTABLY OVERDUE (EXPECTATIONS OF MONITOR ARE NOT BEING MET)					
NOT EVALUATED IN THE INDICATED REPORTING PERIOD	[CELL IN CURRENT OR PAST REPORTING PERIODS INTENTIONALLY LEFT BLANK]				
TO BE EVALUATED IN THE NEXT REPORTING PERIOD					
*OR, DEADLINE MISSED BUT MONITOR EXPECTS THAT IT WILL BE MET WITHIN A REASONABLE PERIOD					

Current Status of the Consent Decree - Overview

	RIGHT TRACK					CAUTIONARY TRACK				WRONG TRACK				
Area of the Consent Decree	0-24%	25-49%	50-74%	75-99%	100%	0-24%	25-49%	50-74%	75-99%	0-24%	25-49%	50-74%	75-99%	NYE
Policies and Training Generally (APD)		1					2							2
Policies and Training Generally (AFR)			1		2									
Policies and Training Generally (CSC)						1								
Addressing Racial Bias in Policing						5	1		1					3
Use of Force			4		1	4	3	3						1
Documentation of Stops					1		1	4						0
Use of Ketamine and Other Chemical Sedatives					9									
Recruitment, Hiring and Promotion (APD)	2	3												
Recruitment, Hiring and Promotion (AFR)		2	3											
Recruitment, Hiring and Promotion (CSC)			2		1	1	1							4
Accountability and Transparency						2								

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RP 3 Focus Issues

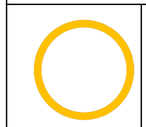
- New Interim Chief
- Efforts at Improving Police-Community Relations
- Body-Worn Camera Audit
- Designing Civilian Oversight Infrastructure for end of the Monitorship
- Gun violence reduction grant
- Hiring Report
- Internal Investigations and Disciplinary System

RP 3 Highlights

SUBSTANTIAL COMPLIANCE

- **11 Mandates found to be in Substantial Compliance**
  - **2 regarding how AFR develops and updates policy, including timely submission of new policy to the Monitor**
  - **9 centered on AFR's continued removal of ketamine from its protocols and not being used in the field and continued post-incident review of uses of other chemical restraints.**
- **From prior periods there are an additional three Mandates which are in substantial compliance:**
  - **Contacts policy form**
  - **Joint APD/AFR Policy**
  - **Hiring of Expert for RHP**

RP 3 Highlights

CAUTIONARY TRACK			
			
0-24%	25-49%	50-74%	75-99%

- **29 Mandates on Cautionary Track because of missed deadlines or uncertainty as to whether expectations of Monitor will be met.**
  - **20 missed deadlines: 10 in Contacts Policy; 19 in UOF policies.**
  - **9 due to uncertainty of ability to meet expectations in reasonable time frame**
    - **Analyzing and transmitting contact data to State**
    - **FRB needs to be more focused on continuous improvement—getting much better recently**
    - **Uncertainty re Civil Service Commission re-writing rules for hiring**

SUBSTANTIAL COMPLIANCE = SUCCESS

- I have seen what success looks like
- I have been doing this a long time including for 9 years in LA monitoring the LAPD
  - Quality of contacts and arrests way up
  - UOFs way down
  - Crime way down
  - Officer safety way up
  - Public Trust and Confidence went from 25% to 83%
- Working together, no doubt that we will get to the finish line of this marathon achieving that ecosystem we all want and having a department that is a model for the rest of the country

Questions

FEBRUARY 16, 2023

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