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Denver police, auditor vehemently disagree about whether police are working to end racial profiling

Denver City Auditor Timothy O’Brien says a September check showed the department is not following the recommendations

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PUBLISHED: September 28, 2017 at 9:45 am | UPDATED: September 28, 2017 at 11:49 am

The Denver City Auditor Timothy O’Brien says Denver police have not implemented any of his recommendations to help patrol officers avoid racial bias despite their partial agreement to do so, but police say that’s simply not true.

“There is no way to tell if officers are stopping people without bias regarding race, gender or age if officers choose not to document demographic data,” O’Brien said in a Thursday news release.

Although police officials had agreed with recommendations made in a 2016 audit, a follow-up review in September showed that none of them had been followed, O’Brien’s news release says.

“It’s important for Denver Police policies to protect and serve all people equally,” O’Brien said.

But Deputy Chief Matt Murray of the Denver Police Department said O’Brien doesn’t know what he’s talking about.

“We are absolutely in compliance with what we agreed to in the audit,” Murray said. “I think the auditor is misinformed and doesn’t know what we’re doing.”

In fact, Murray said the police department has gone the extra mile to create a data collection system that meets national standards by hiring the Center for Policing Equity and meeting on a weekly basis every Monday for a year with community leaders. But oddly, Murray added, O’Brien has never released his survey to the police department.
“That’s always been a mystery to us why he wouldn’t release that to us so we know where we stand and where we need to improve,” Murray said.

But O’Brien sees it differently.

Denver police agreed to use the U.S. Justice Department’s community policing self-assessment tool to review police actions over time, O’Brien said. Instead, the department told O’Brien’s office that they used two other surveys.

“Auditors were unable to see these survey results or the contents of the survey. Denver Police shared no information regarding the independent survey, which the Denver Police Protective Association keeps for internal purposes,” O’Brien says. “We cannot assess whether either survey met the spirit of or captured content similar to the CP-SAT survey. As a result, we consider this recommendation as having not been implemented.”

Murray said the police department is preparing a memorandum of understanding between the Center for Policing Equity and city and police officials. Only then can it begin to collect data, which has not begun, he said.

“We’re very very close” to signing the memorandum after a year of meetings, Murray said.

O’Brien also had recommended that Denver police update its biased-policing policy including doing an annual demographic study that would have required officers to collect data for all pedestrian and traffic self-initiated contact. Currently, officers only collect this data for encounters that lead to a citation, arrest or street check.

Again, Murray disagreed. The police department did update its biased-policing policy in 2016, following O’Brien’s recommendations even though the department had not agreed to do so, he said.

O’Brien stressed the importance of doing surveys including asking each person police contact demographic information including the contact’s ethnicity.

“Without demographic data from police encounters there is no way to ensure community policing efforts are effective or equitable,” O’Brien says.

Murray said such questioning would be intrusive and counterproductive. If police asked each person they contacted personal information including their race, ethnicity, age and sexual orientation it would further drive a wedge between police and members of the community.