



**DENVER**  
OFFICE OF THE  
INDEPENDENT MONITOR

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# The Police Response to the George Floyd Protests in Denver, an Independent Review

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**Nicholas E. Mitchell**  
Independent Monitor

# KEY FACTS

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- The GFP in Denver started on May 28, three days after George Floyd's murder.
- Large crowds peacefully demonstrating during the day.
- Smaller crowds engaged in violent clashes and property damage at night.
- Protests were multi-directional.
- By the third day, Sat. May 30: 10,000+ people.

# KEY FACTS

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- 339 arrests during first five days, mostly for curfew but also other charges.
- 200+ fire-related calls, 33 guns seized.
- Significant injuries to protesters and police.
- 81 officer injuries; 11 placed on limited duty, 4 took time off for injuries.

# KEY FACTS

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- Many serious community member injuries though precise number is unknown. 125 DHPD calls.
- 100+ complaints to IAB, 50+ remain open.
- Significant damage to gov't property and businesses.
- Litigation to date: 3 lawsuits, 50+ notices of claim.

# METHODOLOGY

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- The OIM reviewed:
  - Policies, procedures, reports, rosters, inventories, officer statements, CAD, and arrest records.
  - Hundreds of hours of BWC, HALO, and helicopter footage.
  - Radio communications.
- Interviewed dozens of officers and command staff, other Denver employees, and community members.
- Reviewed academic research and best practice literature on crowd control and less-lethal munitions.

# LESS LETHAL MUNITIONS USED

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- Less-lethal munitions used by the DPD at GFP:
  - Pepperball launchers
    - PAVA and inert rounds
  - 40mm launchers
  - OC Foggers
  - Gas and smoke grenades
  - Rubber-ball grenades
  - Noise flash diversionary devices (“flash bangs”)

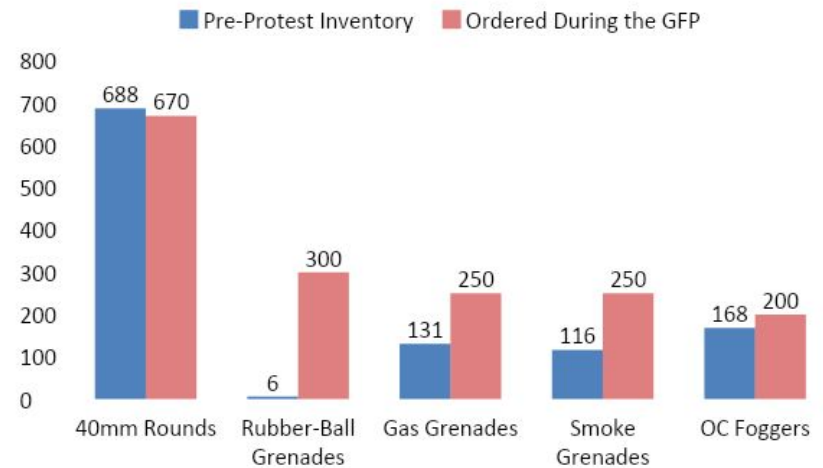
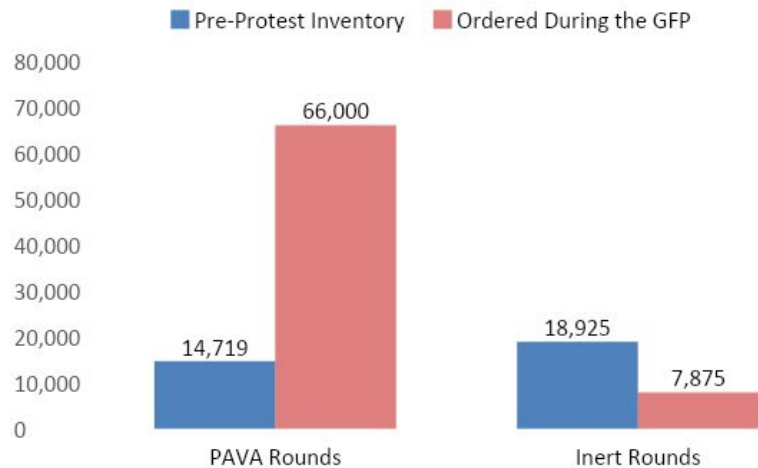
# INTERNAL CONTROLS ON USE OF FORCE

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- Mass-protests events are chaotic and difficult to manage.
- Internal controls help regulate the way force is used.
  - Tracking less-lethal munitions.
  - Creating officer rosters.
  - Requiring BWC to record uses of force.
  - Promptly preparing use of force reports.
  - Issuing and recording orders for crowd dispersal.
  - Only certified officers may deploy certain less-lethal.

# INTERNAL CONTROLS ON USE OF FORCE

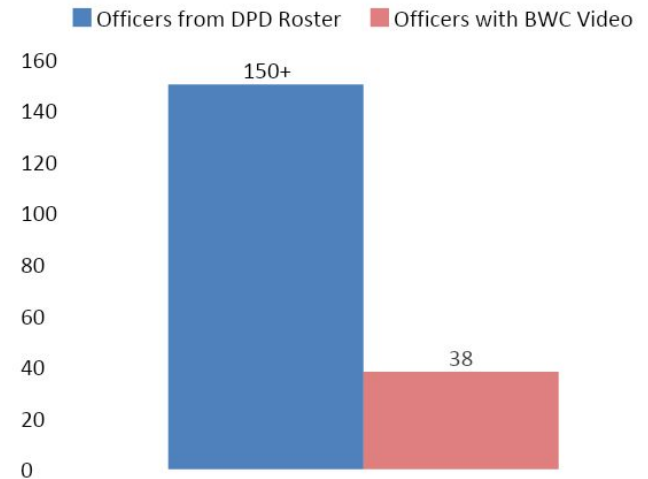
- Incomplete tracking of less-lethal munitions.
  - DPD ordered \$202,341.50 during the first five days.
  - Did not track how quickly officers used them.
  - Impossible to determine quantity used in total.





# INTERNAL CONTROLS ON USE OF FORCE

- BWC Issues
  - NO OIM access to Evidence.com.
    - Instead DPD sent links to download 1,218 videos (226 hrs. 23 mins.)
  - Many officers did not use BWC at all.
    - During the first five days just one officer roster. On June 1, of 150-200 officers on the roster, 38 recorded BWC.
    - There were 124 arrests that day and they should have been recorded.
    - Not all detectives, lieutenants, captains, commanders, and chiefs were required to wear BWCs.



# INTERNAL CONTROLS ON USE OF FORCE

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- Some UOF statements were written 2 weeks late.
  - Often vague, repetitive (sometimes verbatim), and unhelpful.
  - Officers expressed concerns about detailing events that far in the past.
- Inconsistent recording of crowd dispersal orders.
  - Policy requires recorded warnings.
  - Best practices: warn before using force.

# INTERNAL CONTROLS ON USE OF FORCE

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- Forceful crowd dispersals without orders.
  - Less-lethal used before any warning or order.
  - Not always due to exigent circumstances or violence.
- Lack of officer identification on riot gear.
  - IAB complaints dismissed due to inability to ID officers.
- Officers used less-lethal weapons they were not certified for.
  - Five officers explicitly stated that they received training at GFP.
  - Others reported use but were not on the Certified Officer List.

# USE OF FORCE

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- OIM referred extremely troubling UOF to IAB:
  - OC or pepperball at persons verbally objecting to police behavior and not engaged in physical resistance.
  - Pepperball or other projectiles impacting prohibited areas of the body (head, face, groin).
  - Continuing to deploy chemical, gas, impact, or explosive munitions after people were dispersing or leaving.
  - Throwing explosive devices at or extremely close to individuals, sometimes resulting in people being knocked to the ground or suffering apparent injury.
  - Deploying OC spray towards the drivers of vehicles or throwable munitions into lanes of traffic.

# POLICY DEFICIENCIES FOR LESS-LETHAL

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- No guidance for high-risk explosive devices.
  - DPD used rubber-ball grenades and noise flash diversionary devices (flash bangs).
    - Rubber-ball grenades
      - 180 rubber balls propelled 360 degrees for 50 feet.
      - Cannot target an individual and will hit bystanders.
      - Body of grenade can become shrapnel.
      - Research raises concerns for eyes, soft tissue, and potential lethality.
    - Flash bangs
      - Up to 4,900 degrees Fahrenheit, can cause fires and severe burns.

# POLICY DEFICIENCIES FOR LESS-LETHAL

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- Inappropriate standard for Direct Fire pepperball.
  - Pepperball can be used as both area saturation (chemical) and direct fire (impact).
    - Each use presents different risks to health and safety.
    - Chemical is irritant, impact can cause long-term damage.
- DPD policy does not differentiate.
  - Can be used both ways against “defensive resistance.”
  - Impact should only be used against “active aggression” or higher.

# MUTUAL AID

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- In total, 18 agencies aided the DPD.
  - Mostly tactical teams, such as SWAT.
- National standards call for comprehensive mutual aid agreements.
  - Establish ground rules.
  - Who can request aid under what circumstances.
  - Specify type of aid and command structure.
- DPD did not have relevant mutual aid agreements.
  - 8 provided: 6 agencies were not present, 2 were not relevant to GFP.

# MUTUAL AID

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- Responding agencies varied in level of aid.
  - Some very active, conducting their own arrests.
  - Others protected property, DFD, or access to the interstate.
  - Used less-lethal not approved under DPD policy.
    - Rubber-ball rounds.
    - Less-lethal shotguns.
    - Beanbag rounds.
  - Were not required to adhere to Denver use of force standards.
    - Different standards
      - DPD: “reasonable and necessary ... to safely accomplish a lawful purpose.”
      - Others: “reasonable,” or “reasonable and appropriate.”
  - Not all require intervention to prevent inappropriate force.



# ADDITIONAL ISSUES

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- OIM referred three issues for DPD's own review based on concerns raised during officer interviews:
  - Officers received little guidance from Operations Chief (the on-the-ground field commander).
  - The single radio channel used for all transmissions was overcrowded and inaccessible for communication with the Command Post.
  - Insufficient crowd control and field force operations training.

# QUESTIONS?

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## CONTACT INFORMATION:

### OFFICE OF THE INDEPENDENT MONITOR

101 W. COLFAX AVENUE, SUITE 100

DENVER, COLORADO 80202

PHONE: 720.913.3306

FAX: 720.913.3305

EMAIL: [OIM@DENVERGOV.ORG](mailto:OIM@DENVERGOV.ORG)

WEBSITE: [WWW.DENVERGOV.ORG/OIM](http://WWW.DENVERGOV.ORG/OIM)