

# 2023 Denver Municipal Candidate Questionnaire on Public Safety & Policing



## GUY PADGETT

*The candidate's responses to each question are in italics and are written word for word. No edits were made to spelling or sentence structure per 501(c)3 guidelines.*

**The seat you are running for:** *Denver City Council District 7*



### Public Safety:

**Denver Taskforce for Reimagining Police and Public Safety's Definition of Public Safety:** Public safety ensures that all community members decide how to organize a social environment that provides the freedom to live and thrive with the protection and support of social, physical, mental, and economic well-being. Safety is not a function of armed paramilitary forces with a proven track record of racism and violence. Public safety prevents, reduces, and heals harm.

**1) Do you agree with the above definition of public safety? If not, how would you define public safety?**

*Yes*

*COVID-19 highlighted the need for investments in the system of safety and health. People in Colorado prisons were seven times more likely to contract COVID-19. Black people in Denver are more likely to be incarcerated than white people in Denver. Black people across Colorado represented a disparate amount of COVID-19 deaths.*

**2) What is your vision for public health and safety in Denver? What, in your opinion, are the factors that are preventing Denver from achieving your vision of public safety?**

*Public safety is the biggest issue facing Denver right now. We must get our police force back up to authorized strength; at the same time, more emphasis must be placed on training our officers, especially in regards to the use of force and cultural competency. Additionally, the Office of the Independent Monitor should be strengthened, and its findings made more broadly available to Denver residents, as must its mediation services.*

*We must invest more money in civilian public safety programs such as STAR Teams and the Civilian Crash Investigation teams. We must also consult the HRCPC Commissions and other community bodies when formulating public safety policy. Lastly, we should be considering ways in which streetscape design -- everything from ground-floor entries to apartments, HALO cameras, and automated traffic enforcement -- help to increase safety on Denver's streets.*

**3) In your words, what is the connection between public health initiatives and public safety initiatives?**

*Numerous public health initiatives have profound impacts on public safety. Historic efforts to remove lead from paint and gasoline changed the future potential of an entire generation. Treating gun violence as a public health issue would reap profound benefits for public safety, as did the effort to treat drunk driving as a health crisis. Caring for people's well being prevents criminal and anti-social behavior and keeps people safe.*

**4) Are you familiar with the Denver Reimagining Police and Public Safety Taskforce's work over the last two years and the resulting 112 recommendations?**

Yes

**5) What behaviors or activities are currently criminalized in Denver that you view as outdated and harmful?**

*The city council's recent decision to decriminalize jaywalking was a heartening and welcoming acknowledgment that our criminal statutes should be reserved for behaviors with significant public safety implications. More such review of our municipal codes would likewise improve the efficiency of law-enforcement and avoid entrapping residents in the criminal justice system. Decriminalizing certain traffic offenses that do not directly bear on traffic safety is one such example. Taking a caring and holistic response to sex workers -- especially those entrapped in abusive situations -- is another. I ultimately believe the law should not make a mockery of itself by punishing people over petty situations in ways that impede their ability to survive.*

## **Police Accountability and Reform**

Lawsuits regarding Denver Police officers' behavior have cost the City and County of Denver almost \$17 million in 2022 – a significant rise in the last five years and the third-highest figure since 2010. Denver taxpayers are currently responsible for settlements when a law enforcement officer's behavior is deemed inappropriate.

**6) Would you support the City in moving away from being self-insured to possibly pooling insurance with other municipalities, thereby decreasing the taxpayer's burden to pay for the settlements? Why or why not?**

*My lived experience in pooling insurance between municipalities is that the largest entity in the pool has the least to gain. That said, I would be very open to exploring the implications, benefits, and drawbacks to such a strategy. Especially if it turns out an insurance pool would have a beneficial effect for first, Denver's residents, and second, the region's cities and towns. I hope it would go without saying that the single most efficient solution to this challenge is training our police so that we see a marked decrease in such lawsuits and settlements.*

**7) What role should body cams play in prosecution, absolvment, and accountability in officer-involved shootings?**

Body cameras are transforming law enforcement in everyplace they are implemented. They are providing sorely needed transparency to the public about how it being policed. Barring some banal failure of the technology itself, body cam video should be among the most accurate and comprehensive evidence available about any officer interaction with the public. Appropriate privacy protections should be ensured for innocent persons captured in such recordings; however, professional standards around the security of evidence should be common practice for our law enforcement agencies.

## **Housing/ Homelessness**

Covid-19 has disrupted Denverites' access to basic needs, including employment, housing, and access to substance use and mental health treatment. Throughout the pandemic, shelter use in Denver has increased by 54%, while unemployment rates rose from 2.8% to 7.1%. During the pandemic, sweeps of homeless encampments reached an all-time high. According to reporting by the Denver Post, hundreds of thousands of tax dollars were spent in 2020 on these repetitive, unhoused sweeps. Additionally, people experiencing unsheltered homelessness are 10% times more likely to have contact with police than people living in shelters. A recent Urban Institute analysis of Denver Police Department data found that arrests were disproportionately for offenses associated with unsheltered homelessness among this SIB target population of 2,181 in 2018.

## **8) How do you plan to address displacement and gentrification while balancing Denver's need for growth and more affordable housing?**

*Growth and development are the natural consequences of families and businesses turning their hard work into greater prosperity and financial security. Managing that growth to complement rather than overwhelm the surrounding community is one of the great responsibilities of local government. That said, as with all things, runaway growth can upend the balance of the community's livability and long-term sustainability.*

*We must ensure that Denver maintains a solid zoning and land-use management system that can channel growth in ways that complement our neighborhoods and enterprises. I support density where it fits alongside existing land uses or transit hubs. Transit oriented development, for example, is an effective way to leverage infrastructure that already exists, concentrating high-density residential infill in areas that can support it. Likewise, liberalizing the potential for ADUs can add density to -- and income for the residents of -- single-family neighborhoods without altering their basic character and without overtaxing existing infrastructure. Adaptive reuse, likewise, can be used to revitalize or add depth to already developed areas.*

*Denver's inclusionary housing ordinance provided a start to guide the development of workforce and affordable housing. I suspect we do not have the right percentage requirements nor the correct tools in that ordinance to make it truly effective. As we watch how the results of this ordinance unfold, we must keep an eye open to see what can be adjusted to achieve its full potential.*

*Overall, my philosophy is that government should serve to enhance the opportunity for residents and property owners to adapt to changing needs in ways that improve the value of their homes and their everyday comfort.*

## **9) What is City Council's role in addressing homelessness? What tools do you believe will be effective in addressing homelessness in Denver?**

*One the one hand, Denver is actually spending considerable amounts of time, talent and money providing services to intervene in homelessness. Additionally, our community benefits from a further influx of resources from the nonprofit sector. On the other, homelessness has continued to grow, not only from pandemic-related impacts and declining housing affordability, but also from systemic failures to graduate people up from emergency, to temporary, to permanent housing.*

*I believe that Denver should reimagine its existing shelter model. Done in an orderly manner, this will prevent people from becoming trapped in a daily cycle of seeking lodging while dodging the health and safety risks that plague our shelter system and deter participation in our programs. Denver also faces the consequences of the federal ban on Medicaid funds supporting in-patient mental health care for the severely mentally ill, which burdens our service providers, public safety professionals, and neighbors with problems beyond their means to solve. Denver should use its clout to advocate for funding to address this substantial segment of the unhoused population in order to humanely address these individuals' needs.*

Furthermore, without increased focus on mental health care, substance abuse treatment, and job and life skills training, we will never be able to truly address this public crisis.

This is a multi-faceted challenge, affecting a multi-faceted population. It deserves a multi-faceted approach.

**10) Many of the Taskforce Recommendations are aimed at stopping the criminalization of homelessness and poverty(i.e., addressing “crimes of existence”) and reducing contact between the community and armed law enforcement officers. If elected/reelected, will you support and work to implement these recommendations? Why or why not?**

*Reducing unnecessary contacts between law enforcement and civilians is a proven strategy for preventing tragic outcomes that are all too prevalent in our policing culture. Taskforce recommendations on decriminalization/deprioritization of nuisance-level and petty offenses are well-placed and I would support legislative action to implement them. Some offenses would likely draw differing opinions from members of the public as to whether they are, at least in some cases, more than a needless law enforcement priority -- public intoxication, for instance, can pose dangers both to the intoxicated party and to others nearby. But a careful, open review and debate of which offenses are primarily charged only in a discriminatory or harassing manner would be a welcome public process worthy of the Council's time and attention.*

## **Behavioral Health and Substance Use**

Colorado is 47th in the nation for access to mental health services. One out of every three men and four out of every five women imprisoned in Colorado have moderate to critical mental health needs. As of March 2022, 12.7% of Coloradans who died in police encounters this year suffered from mental illness. Denver drug overdose deaths surged for the second straight year. Deaths related to opioids surged by 308% between 2019 and 2021, according to city data. Recent evidence from cohort and modeling studies suggests that Safe-Use-Sites are associated with lower overdose mortality (88 fewer overdose deaths per 100 000 person-years [PYs]), 67% fewer ambulance calls for treating overdoses, and a decrease in HIV infections.

With a 12-1 vote, the council approved a framework for creating a government-sanctioned supervised drug use site in the city. The only condition was that the state legislature had to pass a law clearing the way for a supervised-use facility. Nearly four years later, the Colorado General Assembly has not cleared that path.

**11) If elected or reelected to the City Council, will you support policies that increase access to long-term treatment, limit drug arrests, and implement evidence-based harm reduction services, such as safe consumption spaces? What methods would you employ?**

*Broader access to mental health and substance treatment programs will be essential to improving public safety, combating homelessness, and refocusing police attention away from petty misdemeanors and on to violent crimes. I am wary of safe consumption spaces, which are not currently allowed under Colorado statutes. Barring any legislative action, our effort would be better placed on gaining voluntary participation in treatment. This can be accomplished by investing more funds in dignified housing solutions that require participation in personal betterment --- this be a low bar, as simple as requiring residents to help stock a food pantry. Once they are a part of the system, and gain trust in that system, they will be far more likely to take up and succeed at recovery. This is a proven model that is already used by organizations here in Denver.*

A study conducted in 2020 on the STAR pilot 911 response program in Denver found that mental health specialists responded to calls involving trespassing and other nonviolent events and found a 34% drop in reported crimes during the six-month trial. The study by Stanford scholars also showed that the direct costs of the alternative 911 approach were four times lower than police-only responses.

**12) What do you think is the role of STAR and other community-based programs, including LEAD (Law Enforcement Assisted Diversion) programs? How do you envision funding them?**

*I believe civilian public safety personnel have a key role in Denver. The STAR teams have more than proved their worth, and we should plan to double the number of teams on the streets for each of the next three years. Likewise, programs like LEAD and the Civilian Crash Investigation Teams further reduce needless police interaction with the residents of Denver. Funding for these programs can and should come primarily from the City's general budget, but can also be found in federal and state level grants. But if in the end still more funding is requiring, I suggest that we come to the people of Denver with a comprehensive, long term plan that lays out what additional funding would be needed, including a tax, if that is necessary.*

## Community Oversight

Since the release of the Task Force Recommendations, The Citizen Oversight Board (COB) was granted the ability to appoint, by and with the consent of the City Council, the Independent Monitor, who serves at the pleasure of the Board. The Independent Monitor was a position that the Denver Mayor previously appointed. The COB was additionally granted regular access to public safety department leaders and confidential records. Although this change is a big step forward, there is still a call for increased citizen oversight over Denver Police and ensuring that DPD operates with accountability and transparency. The COB oversees the independent monitor who receives and processes complaints about DPD, the Denver Sheriffs Department (DSD), and sworn personnel. The COB also monitors investigations into officer-involved shootings and in-custody deaths and publicly reports on findings.

### **13) Will you support giving the COB and the Office of the Independent Monitor subpoena power to pursue these investigations? Why or why not?**

*A short and sweet answer: Yes.*

### **14) In your view, what is the role of citizen oversight of DPD and DSD? How will you improve this process or be vocal and supportive regarding improvements that could and need to be made to our accountability structures?**

*Civilian oversight of DPD and DSD is essential. First, the OIG and COB should be empowered to investigate police activity and widely publicize their findings to the public. Additionally, more people should be encouraged to use their mediation services when they feel they are the victim of overzealous policing. Next, the mayor's HRCP commissions should be granted a formal role in reviewing conditions at the county jail, improving existing policies, and suggesting new ways in which our sheriffs and police officers interact with the public.*

## Gender-Based Violence

Denver has experienced an increase in the reporting of sex crimes over the last three years. The prosecution rate for these cases in DA McCann's office is roughly 44%, meaning the DA chooses to prosecute 44% of sex crimes cases referred to her by the DPD. The other 56% are not prosecuted for various reasons, such as the victim's wishes, a perceived lack of evidence, and a belief that a jury will not convict. The following policy questions are related to sexual and domestic violence.

At least one of your answers should include a specific policy change or initiative that would specifically reduce violence-related trauma experienced in the LGBTQ, disabled, and Black and Brown communities. In Colorado, "restorative justice" is only offered for victims of sexual violence when the perpetrator has already been incarcerated.

**15) Would you support a statewide policy or local pilot that created an optional restorative justice model for victims of sexual assault or domestic violence through diversion (i.e., without using incarceration)? Please explain why or why not.**

*I can only support restorative justice in the case of non-violent crimes. An "optional" restorative justice model assumes equal footing between the perpetrator and the victim. This cannot exist in a sexual or domestic assault situation.*

**16) Generally speaking, do you believe DPD has sufficient enforcement resources to reduce sexual and domestic violence in our communities? Briefly explain why or why not and what type of funding changes you would propose if any.**

*I do not believe that DPD has sufficient enforcement resources to reduce sexual and domestic violence because enforcement is a tool ill-suited to prevention. Prevention is best delivered through social and behavioral channels that are not within the core competencies of police agencies, broadly speaking. Instead, we should focus prevention efforts in mental health treatment, and early education including teaching tolerance and acceptance in our schools for sexual and gender minorities. Finally, DPD has demonstrated recent progress in raising the profile of bias-motivated crimes in a manner that may not yet be achieving prevention but has shown promise in increasing police cultural competency with victim communities and encouraging victims to come forward.*

**17) Please briefly outline any initiatives, if any, you believe the city should take to reduce sexual violence and domestic assault without the use of incarceration.**

*Programs that reduce financial strain on families, provide adequate shelter, nutrition and health care for the needy, and improve cultural competency amongst providers are all proven methods to abate sexual and family violence. Raising the standard of living for our residents is by far our best hope to improve the safety of all our residents.*