



City of Loveland

April 18, 2022

## Loveland Police Department Update

Since 2021, the Loveland Police Department (LPD) and the City of Loveland have been working to address needs and concerns stemming from the *Garner v. City of Loveland* case that originated in April 2021. The case has been settled, and the City and LPD continue to work towards improvements and progress. Here is an update on LPD progress efforts to-date.

**Working groups created to drive implementation plan process following comprehensive third-party assessment of the police department:** The City hired independent consultant Jensen Hughes to complete a comprehensive independent assessment of the LPD. Jensen Hughes presented their findings and recommendations at the January 11, 2022 City Council Study Session. Jensen Hughes identified 13 key findings and 42 recommendations covering five main areas – operational practices; supervision, leadership, and professionalism; processes and protocols for complaints against LPD personnel; community engagement; and citizen advice and oversight. The recommendations are the result of the firm's review of the LPD's processes, policies, and procedures as well as interviews with LPD staff, stakeholders within the City, and through two community engagement sessions.

Following the assessment, LPD has formed five working groups comprised of key City and LPD staff as well as community members to incorporate the assessment's recommendations into a workable implementation plan. More details on the outcome of this effort are expected in the next few months.

### Training, technology and process/program enhancements for mental health, de-escalation and crisis intervention:

- Expanding Mental Health Co-Responder Program: The LPD currently has two co-responder mental health partners from SummitStone who work with patrol officers. As part of the 2022 budget, City Council authorized funding to hire two more co-responders, doubling this program through LPD in 2022 and in future years. LPD has already hired one of the two approved co-responders and is working through the hiring process with SummitStone to fill the fourth position. In addition, a 0.5 FTE equivalent peer and administrative support position was approved and hired through SummitStone to support all co-responders.
- Mental health and de-escalation training: The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) requires the LPD to complete mental illness/impairment training each year.
  - All LPD officers completed the Approaching Alzheimer's – First Responder Training in 2021. This training is available through the Alzheimer's Association and helps first responders prepare to respond to common calls involving persons with Alzheimer's and dementia. The LPD is requiring all new hires to complete this training as part of the officer on-boarding process.
  - In February 2022, all officers completed the five-hour training course, Interacting with People with Disabilities for Law Enforcement, which was instructed by an expert in the field. This training focused on a variety of areas involving disabilities ranging from the Americans with Disabilities Act, reasonable accommodations, T-A-L-K Tactics (Take it slow; Ask simple questions; Limit reality checks; Keep eye contact), and reviewed case studies of incidents that have occurred across the nation. This required



mental illness/impairment training is held on an annual basis to ensure that all newly-hired LPD officers complete it.

- The LPD is incorporating enhanced de-escalation training into its internal Defensive Tactics trainings which occur twice annually. Officers took a Defensive Tactics training in March 2022, which included scenarios where officers are required to evaluate a person's behavior, communicate/de-escalate, and determine the best outcome without force. The LPD continues to seek additional training on this topic as needed.
- Department investing in new technology for de-escalation training: In May 2022, the LPD will begin training and implementing new Axon Taser technology, the Taser 7, throughout the department. The new Taser 7 is the latest technology from Axon and the most effective Taser weapon created. The advanced technology creates greater confidence in the weapon's use in the field with improved and enhanced connection features which improves its overall effectiveness, providing officers greater ability to de-escalate conflict and situations. This will be the first Axon technology to be rolled out across the department. Additional technology will be arriving soon, including an upgrade to LPD's current body worn camera fleet and new virtual reality training technology.
- Crisis Intervention Training: LPD officers have undergone extensive Crisis Intervention Training over the past 15 years, and approximately 80% of officers are CIT certified. LPD will continue to send officers to CIT classes offered throughout the region to stay up to date on their training. In February 2022, an officer attended training to become a CIT coach, bringing the CIT training model inside the walls of the LPD. This officer will assist with future CIT training sessions for LPD officers. In May 2022, LPD will be hosting an onsite CIT training class and will be sending four officers (this is the maximum number of officers the LPD can send to the hosted training per CIT organizers).

**Updated and improved use-of-force review process:** The LPD has been working to make several improvements to its Blue Team review process on use-of-force incidents. The LPD now has faster response times, having shifted from a 30-day review process to a 14-day review process to ensure expediency of review and information release for any use-of-force incidents. In addition, as early as January 2021, the City of Loveland Attorney's Office and the Human Resources Department (HR) began reviewing Blue Team use-of-force incidents dating back to 2019 and they continue to be part of the review process for new incidents. HR has expanded its review from just use-of-force incidents to all incidents that are associated with Early Intervention Criteria, such as special reports, complaint investigations, city vehicle crashes, and pursuits. Two Assistant City Attorneys work within LPD headquarters to provide legal counseling and review use-of-force incidents as requested.

**Community engagement and proactive communication:** Following the independent assessment provided in January 2022, the LPD has formed five working groups comprised of key City and LPD staff as well as community members to incorporate the assessment's recommendations into a workable implementation plan. The first Loveland Listens event was held on March 30, 2022 through a session facilitated by the Loveland Public Library. Once the report is available, it will be posted to the LPD Accountability webpage ([lovgov.org/LPDAccountability](http://lovgov.org/LPDAccountability)) for the public. Future Loveland Listens events and other community engagement opportunities continue to be discussed and planned by LPD staff as part of LPD's strategic communication and community engagement process. The City and the LPD recognize the importance of community input. More details on the outcome of this effort are expected in the next few months.



**Conduct a third-party internal affairs investigation:** The City hired Hillard Heintze, a separate entity within the Jensen Hughes company, to undertake the Internal Affairs (IA) investigation related to LPD's arrest of Karen Garner. While the work of the Hillard Heintze team on the investigation and their corresponding report on the findings is finished, the report is not considered complete yet. Under Colorado law, the IA is not final until all appeals of serious discipline have been exhausted, including internal and state court appeal processes for public employees. This provision ensures that the due process rights of employees are protected and that the factual determinations are final. Once the appeal process has finished, the report will be released publicly as required by law.

**A review of the paid leave policy when criminal charges are filed:** The City's Human Resources Department has reviewed the City's Administrative Regulation on Conduct, Performance and Discipline for any necessary changes related to paid and unpaid leave due to discipline. To date, it has been determined that the existing policy appropriately addresses paid and unpaid leave actions for employees, as it provides the option to exercise discretion in some components of the policy for extenuating circumstances. Generally, an employee is placed on paid administrative leave first while due process occurs. If formal charges of unlawful conduct are filed by a prosecuting agency and the alleged unlawful conduct impacts the employee's ability to effectively perform his/her job, the employee is typically placed on unpaid administrative leave after notice is provided. The placement of an employee on unpaid leave during the pendency of the criminal prosecution still provides the right of an employee to appeal the administrative decision. If the concern is criminal and a concurrent Internal Affairs Investigation has been initiated by the Police Department, the Police Department's internal investigation is typically suspended until the completion of the criminal investigation conducted by an outside agency (i.e. District Attorney's Office or other law enforcement agency).

It is important to understand that, due to the unique circumstances of individual personnel matters, the application of policies and practices are based on multiple factors including the severity of the issue or allegation, quantum and quality of evidence to substantiate the allegation, disruption of any personnel investigation, ability to continue performing job duties, frequency and nature of the concern, risk to residents where there is public interaction, and potential liability to the City.