Denver Police Department
Civil Liability Bureau
Training Update

November 4, 2013

This training update is provided by the Civil Liability Bureau staff to all members of the Denver Police Department. All Commanders, Supervisors, and FTO Coordinators should ensure that appropriate training is conducted on this topic. Thank you for your cooperation.

Denver CopWatch Volunteers

Denver CopWatch is an organization whose members will often observe and videotape police actions, to include recording officers' interactions with citizens as well as capturing footage of officers' badges and nameplates. CopWatch members typically wear yellow or orange vests with the words "CopWatch" printed clearly on the front and back. CopWatch members will usually ask officers for business cards at the scene after a contact or incident has been concluded.

Members of the public have the right to observe police officers so long as they do so in a way that does not interfere with the officers' ability to do their job. The public also has the right to record, videotape, photograph, and otherwise document officers and individuals contacted or detained by officers in public places. These rights include the right to record, videotape, photograph and otherwise document an officer's contact with juveniles in public places. Officers will respect citizens' rights to observe and shall refrain from detaining or arresting individuals who are only observing police actions in public areas.

Officers are required to give their name and badge number (or a business card containing that information) to any member of the public on request, unless such action is likely to jeopardize the successful completion of a police assignment. This information shall be provided to any individual making a request, regardless of whether they are members of CopWatch and regardless of whether the officer(s) or members of the public were actively involved in any incident. No retaliatory action shall be taken against any member of the community based on the request for identification. Any exercise of discretion by an officer with regard to a decision to arrest, cite, detain, search or question an individual must be made without regard to whether that individual has requested the identity or business card of an officer.

An officer should not confiscate any recording without the expressed approval of a supervisory officer. Generally, however; confiscation of such recordings is allowed only where the tape could be evidence in a criminal investigation or where confiscation is necessary to protect the integrity of an ongoing criminal investigation.

Procedures to be followed regarding CopWatch Contacts by DPD Personnel:

- ✓ A Supervisor will be contacted and shall respond whenever CopWatch volunteers arrive at the scene of a police action.
- ✓ Any concerns regarding CopWatch contacts must be documented and forwarded to the involved officers' commander who will contact CopWatch organizers.
- ✓ Document any instances where CopWatch volunteers create risk to officers or citizens during contact.
- ✓ Be aware that CopWatch volunteers may attempt to conduct additional "audit" activities such as videotaping activity at district stations, etc.
- ✓ Be aware that CopWatch volunteers often covertly video record police-citizen contacts.

As with any citizen, CopWatch volunteers must obey all laws and ordinances including the Denver Revised Municipal Code ordinances summarized below:

38-31 Interference with police authority: It shall be unlawful for any person to interfere with or hinder any police officer while such officer is discharging or apparently discharging their duties. Additionally, it shall be unlawful for any person to fail to obey a lawful order of a police officer if such failure interferes with or hinders such police officer in the discharge of his official duties.

38-86 Obstruction of streets or other public passageways: It shall be unlawful for any person to knowingly obstruct a highway, street, sidewalk, building entrance, etc. to which the public has access or any other place used for the passage of persons, vehicles, or conveyances, whether the obstruction arises from the person's acts alone or from the person's acts and the acts of others. It shall also be unlawful to disobey a reasonable request or order to move issued by an individual the person knows, or reasonably should know, to be a peace officer, a firefighter, or a person with authority to control the use of the premises, to prevent obstruction of a highway or passageway or to maintain public safety by dispersing those gathered in dangerous proximity to a fire, riot, or other hazard.

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