



**503.01 COMPLAINT AND DISCIPLINE PROCEDURES FOR SWORN OFFICERS**

**(18) EDUCATION BASED DEVELOPMENT:**

- a. Education Based Development (EBD) is an innovative alternative to traditional discipline. EBD addresses certain lower-level policy violations by offering officers optional behavior-focused education and training instead of imposing traditional disciplinary actions like oral or written reprimands. EBD is based on positively correcting behavior through the use of individualized education and training to improve employee performance.
  - b. Instead of solely relying on punishment, the mission of EBD is to provide employees who have engaged in low-level policy violations with the knowledge and skills they need by developing individualized remedial plans that emphasizes education, training, and other creative interventions to promote a more comprehensive and successful outcome.
  - c. Should EBD be determined appropriate for the policy violation, participation is entirely voluntary. If EBD is offered, the officer will have the opportunity to decide whether they want to participate or proceed with traditional discipline. If an officer accepts EBD, their administrative case will be deferred pending the completion of EBD. A requirement of EBD is that the officer must complete all conditions of the EBD Agreement within the specified time. If an officer fails to meet all the EBD conditions, the case will continue through the discipline process.
  - d. EBD will not be used for any use of force specifications, regardless of the specification or conduct category.
  - e. EBD Training Credit:  
Below is a guide to the maximum number of total training hours per category.
    1. Category A Presumptive (Oral Reprimand) - 4 hours of training.
    2. Category B Presumptive (Written Reprimand) - 10-hour decision making class and 4 hours of training (14 total hours).
    3. Category C Presumptive (2 Fined Days) - 10-hour decision making class and 8 hours of training (18 total hours). Additional fined days will be an additional 4 hours of training per fined day (3 fined days = 22 hours of training and 5 fined days = 30 hours of training).
  - f. The EBD process is as follows:
    1. The internal affairs intake and investigation will be reviewed, to determine if EBD is appropriate. The case will then be routed to the Office of the Independent Monitor (OIM).
    2. After the OIM has reviewed the investigation and given their EBD recommendation, a determination will be made by the Commander of the Accountability and Development Bureau if the case is approved for EBD. If EBD is not approved, the case will continue through the discipline process.
    3. If the case is approved for EBD, the Professional Development Unit, with the assistance of the Internal Affairs sergeant, will draft an EBD Agreement letter to be signed by the involved officer. The EBD Agreement will include the optional individualized education plan.
    4. No discipline will be included in the EBD Agreement.  
The EBD Agreement will consist of education/training requirements as set forth in the EBD Matrix (Appendix H to the Denver Police Department Discipline Handbook), as well as any individualized training or assignments.
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The subject officer will have three (3) business days (Monday through Friday, excluding holidays recognized by the City and County of Denver) to decide whether to participate and sign the EBD Agreement. If the subject officer does not sign the Agreement within three business days, the discipline process will proceed, and EBD will no longer be an option.

5. If the subject officer agrees to EBD, the signed EBD Agreement will be forwarded to the officer's commander/director and the Professional Development Unit (PDU) to coordinate the assignment of classes and the completion of necessary journal entries to document the EBD training.
  6. All training will be made available within 30 days of the EBD Agreement being signed. The expectation is that all EBD will be completed within 90 days of signing the EBD Agreement. Any extension of EBD beyond 90 days must be approved by the Commander of the Accountability and Development Bureau and will only be granted upon a finding of extenuating circumstances that prevented completion.
  7. Once the EBD training is completed, an EBD journal entry will be added to Workday and the Internal Affairs case by the subject officer's sergeant/supervisor. The internal affairs case will be routed back to PDU from the officer's assignment when the district/bureau commander/director has confirmed the EBD has been completed.
  8. Once received from the officer's assignment, PDU will route the completed case to the Commander of the Accountability and Development Bureau. The Commander will ensure the EBD Agreement has been fulfilled and will route the case to the Internal Affairs Unit detectives to close the case as EBD.
  9. If an officer fails to complete any part of the EBD Agreement or fails to meet the requirements of an approved extension, the case will continue through the discipline process.
- g. EBD training will be documented in an officer's IA Pro Resume and Workday Journal Entries for the purpose of progressive discipline. EBD courses and training will be counted towards annual CEP requirements for the year in which they are completed.
- h. Anytime an officer receives Category B or C presumptive EBD, an in-depth review of the officer's EIPro system will be completed by the officer's direct supervisor. The supervisor will document this review in a DPD 200 to their commander/director and the PDU. EBD does not prevent a commander/director from placing an officer on a Performance Development Plan-Corrective (PDP), if deemed necessary.
- i. Education Based Development Guide – See Appendix A:

**APPENDIX A:**

Violation	Discipline Category	EBD Option				
		EQ	TS	LD	PJ	HW
<b>Conduct Towards Others</b>						
RR – 114 Intimidation of Persons	E	<i>Not Eligible</i>				
RR – 122.1 Respect for Fellow Officer	B	EQ				
RR – 122.2 Abuse of Fellow Officers	C	<i>Not Eligible</i>				
RR – 123 Assault to Fellow Officer	E	<i>Not Eligible</i>				
RR – 140.1 Discourtesy	B	EQ			PJ	
RR – 140.2 Verbal Assault and Abuse of the Public	C-D	<i>Not Eligible</i>				
RR – 310 Mistreatment of Prisoners/Suspects	C	<i>Not Eligible</i>				
<b>Duties and Responsibilities</b>						
D&R 3.06 Duties and Responsibilities of All Officers	A-F	EQ		LD	PJ	
D&R 4.00 General Duties and Responsibilities of Supervisory Officers	A-F	EQ		LD	PJ	
D&R 6.04 Duties and Responsibilities of Patrol Officers-Incident Reporting-Investigations-Appropriate Action	A-F	EQ		LD	PJ	
D&R 9.00 Duties and Responsibilities of Detectives	A-F	EQ		LD	PJ	
D&R 10.40 Duties and Responsibilities of a Sergeant to Reviewing Reports and Data	A-F	EQ		LD	PJ	
D&R 11.00 Duties and Responsibilities of Lieutenants	A-F	EQ		LD	PJ	
D&R 13.00 Duties and Responsibilities of Commanders and Career Service Directors	A-F	EQ		LD	PJ	
RR – 127 Responsibilities to Serve Public	B	EQ		LD	PJ	
<b>Firearm Safety</b>						
OMS 120.01(3)(a)(1) Firearms Proficiency	SD		TS			
RR – 401 Display of Firearms	C		TS			
RR – 402 Careless Handling of Firearms or Less Lethal Weapons ( <i>excludes firearms</i> )	C-F		TS			
RR – 403 Restrictions on Auxiliary Weapons	C		TS			
RR – 809 Rough or Careless Handling of City, Departmental, or Outside Agency Property	B		TS			
<b>Force Related</b>						

**EQ:** Emotional Intelligence  
**TS:** Tactical Skills

**LD:** Leadership Development

**HW:** Health & Wellness  
**PJ:** Procedural Justice

*\*Note: Only A-C violations will be eligible, even if a particular violation can range from A-F.\**

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OMS 105 Use of Force Policy	A-F	Not Eligible			
RR - 305 Duty to Protect Prisoner	E	Not Eligible			
RR - 310 Mistreatment of Prisoners/Suspects	C	Not Eligible			
<b>General Behavior</b>					
RR - 105 Conduct Prejudicial	A-F	Not Eligible			
RR - 106 Immoral Conduct	D	Not Eligible			
RR - 128.1 Impartial Attitude	B	Not Eligible			
RR - 128.2 Impartial Attitude-Bias	D	Not Eligible			
RR - 132 Purchase of Forfeited Property	B	Not Eligible			
RR - 142 Soliciting Preferential Treatment	C-F	Not Eligible			
RR - 203 Accepting Gifts from Persons of Bad Character	E	Not Eligible			
RR - 204 Soliciting, Accepting Gifts, Gratuities	C	Not Eligible			
RR - 206 Soliciting Business	B	Not Eligible			
RR - 302 Personal Family Disputes	E	Not Eligible			
RR - 309.1 Suggesting Bondsmen or Attorneys	B	Not Eligible			
RR - 702 Using Police Position to Gain Political Office	C	Not Eligible			
RR - 703 Soliciting Money for Political Purposes	B	Not Eligible			
RR - 704 Soliciting for Promotion, Appointment	B	Not Eligible			
<b>Obedience to Laws, Regulations, and Orders</b>					
OMS 102.05 Use of NCIC and CCIC	A-F	Not Eligible			
OMS 114.01 Secondary Employment	A-F	EQ	LD	HW	
OMS 119.04 Body-Worn Camera Policy	SD	Not Eligible			
RR - 102.1 Duty to Obey Departmental Rules and Mayoral Executive Orders	A-F	EQ	LD	PJ	
RR - 105 Conduct Prejudicial	A-F	Not Eligible			
RR - 106.2 Sexual Misconduct	F	Not Eligible			
RR - 107 Always on Duty	C	EQ	LD	HW	
RR - 108.1 Plainclothes Officers - Identification	C	EQ		PJ	
RR - 108.2 Protecting Identity of Undercover Officers	B	EQ	LD	PJ	
RR - 109.1 Commission of an Offensive Act While Intoxicated	C	Not Eligible			

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RR – 109.2 Unfit for Duty	D	Not Eligible				
RR – 109.3 Drinking on Duty or While in Uniform	E-F	Not Eligible				
RR – 112.1 Misleading or Inaccurate Statement	D-E	Not Eligible				
RR – 112.2 Commission of a Deceptive Act	F	Not Eligible				
RR – 115.1 Conduct Prohibited by Law	A-F	Not Eligible				
RR – 115.2 Aggravated Conduct Prohibited by Law	F	Not Eligible				
RR – 116 Conspiracy to Commit Conduct Prohibited by Law or Aggravated Conduct Prohibited by Law	A-F	Not Eligible				
RR – 117 Disobedience of an Order	C-F	EQ	LD	PJ		
RR – 119 Sleeping on Duty	C	EQ		PJ	HW	
RR – 120 Appropriating Property	E-F	Not Eligible				
RR – 121 Off Duty in Uniform	A-F	EQ				
RR – 122.3 Insubordination	D	Not Eligible				
RR – 123 Assault to Fellow Officer	E	Not Eligible				
RR – 126 Amusement Places Restriction	B	EQ				
RR – 129 Giving Name and Badge Number	A	EQ		PJ		
RR – 130.1 Failure to Aid or Protect Fellow Officers – Unreasonable	D	Not Eligible				
RR – 132 Purchase of Forfeited Property	B	EQ				
RR – 137 Collective Bargaining Fair Share Fee	F	Not Eligible				
RR – 141.1 Prohibited Associations	D-F	Not Eligible				
RR – 205 Giving Testimonials, Seeking Publicity	A	EQ	LD			
RR – 303 Trivial Offenses	B	EQ	LD			
RR – 304 Traffic Enforcement When Not in Uniform	B	EQ	TS	LD	PJ	
RR – 307 Posting Bail	C	EQ				
RR – 308 Aiding an Escape	F	Not Eligible				
RR – 311.1 Compromising Criminal Cases	D	Not Eligible				
RR – 311.2 Interference with Prosecution	F	Not Eligible				
RR – 312.2 Interfering with Internal Investigation/Questioning	F	Not Eligible				
RR – 312.1 Interfering with Case Assigned to Other Officers	D	Not Eligible				
RR – 314 Providing Assistance Outside the City	A	EQ				

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RR – 501 Personal Appearance in Court	A	EQ					
RR – 601.1 Communication of Confidential Information, Generally	D	Not Eligible					
RR – 601.2 Communication of Confidential Information that Jeopardizes a Police Action	E-F	Not Eligible					
RR – 609 Altering Information of Official Documents	E	Not Eligible					
RR – 614 Publication of Articles	A	EQ					
RR – 616 Police Bulletin	A	EQ			PJ		
RR – 802 Uniform Restrictions While Off Duty	A	EQ					
RR – 803 Uniform Restrictions for Officers Under Suspension	F	Not Eligible					
RR – 804 Exercise of Authority While Under Suspension	F	Not Eligible					
RR – 806.1 Alteration of Badge Prohibited	B	EQ					
RR – 806.2 Use of Badge by Person Other than Officer	D	Not Eligible					
RR – 807 Loss or Damage to Badge	B	EQ					
RR – 808 Equipment and Property Restrictions in Use	B	EQ					
RR – 1001 Testifying in Civil Cases	A	EQ			PJ		
RR – 1002 Service of Civil Processes	A	EQ			PJ		
RR – 1003 Initiation of Civil Cases	A	EQ			PJ		
RR – 1004 Testifying for Defendant	C	EQ					
RR – 1101 Reporting Absence Prior to Roll Call	B	EQ				HW	
RR – 1102 Reporting to Duty	B-D	EQ				HW	
RR – 1103 Constructive Resignation	F	Not Eligible					
RR – 1107 Physical or Mental Examination	E-F	Not Eligible					
RR – 1108 Release of Medical Information	E	Not Eligible					
RR – 1117 Disobedience of an Order	C-F		TS			HW	PJ
RR – 1201 POST Certification Required	F	Not Eligible					
Operation of Vehicles							
OMS 204.01 Police Pursuits	A-F	Not Eligible					
OMS 112.01(3) General Operation of Department Vehicles	A-F		TS		PJ	HW	
RR – 809 Rough or Careless Handling of City, Department, or Outside Agency Property (Preventable Accident)	B		TS			HW	

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RR – 902 Department Vehicle Operation	B	EQ	TS			HW
Policy of Equality						
OMS 117.05 Department of Public Safety EEOC Policy	A-F	Not Eligible				
RR – 106.2 Sexual Misconduct	F	Not Eligible				
RR – 138 Discrimination, Harassment, Retaliation	C-F	Not Eligible				
Records and Mandatory Notifications						
OMS 109.01(2)(a) Records and Reports Must be Accurate	A-F	EQ	TS			HW
OMS 114.2 Reporting of Prohibited Associations	C					HW
OMS 203.00 Traffic Accident Investigation	A-F	EQ	TS			HW
RR – 605 Removal of Reports and Records	B					HW
RR – 606 Destruction of Reports and Records	E	Not Eligible				
RR – 607 Failure to Make, File, or Complete Official Reports	B	EQ	TS			HW
RR – 609 Altering Information on Official Documents	E	Not Eligible				
RR – 612 Answer to Official Communication	A	EQ	TS			
RR – 613 Unauthorized Use of Department Letterheads	B					HW
Safeguarding Property and Evidence						
OMS 106.00 Evidence and Personal Property	A-F	EQ	TS			HW
OMS 106.02(2) Prisoner Property	A-F	EQ	TS			HW
OMS 106.03 Evidence Handling Procedures	A-F	EQ	TS			HW
RR – 120 Appropriating Property	E-F	Not Eligible				
RR – 402 Careless Handling of Firearms and Less Lethal Weapons	C-F	EQ	TS			HW
RR – 603 Destruction of Evidence	D	Not Eligible				
RR – 809 Rough or Careless Handling of City, Departmental, or Outside Agency Property	B		TS			HW
Use of Alcohol, Drugs, or Narcotics						
RR – 109.1 Commission of an Offensive Act While Intoxicated	C	Not Eligible				
RR – 109.3 Drinking on Duty or While in Uniform	E-F	Not Eligible				
RR – 109.4 Under the Influence	F	Not Eligible				
RR – 111 Controlled Substances	F	Not Eligible				

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