



**CITY AND COUNTY OF DENVER**  
**DEPARTMENT OF SAFETY**  
**FIRE • POLICE • SHERIFF**  
**9-1-1 • COMMUNITY CORRECTIONS**  
**CRIME PREVENTION & CONTROL • SAFE CITY**

**Denver 911**

**Emergency Communications**  
950 N. Josephine St.  
Denver, CO 80206  
Phone: (720) 913-2000  
Fax: (720) 913-2020

May 15, 2012

Juan Rodriguez  


Dear Mr. Rodriguez:

This is notification that you are dismissed effective May 15, 2012 for engaging in misconduct that violates the following CSA Rules and the Policies of Denver 911:

Career Service Rule 16-60 Discipline and Dismissal

The following may be cause for the discipline or dismissal of a Career Service employee:

- A. Neglect of duty.**
- B. Carelessness in performance of duties and responsibilities.**
- K. Failing to meet established standards of performance including either qualitative or quantitative standards.**

**Performance Enhancement Plan Report (PEPR)**  
**Emergency Communications Operator - Technical**

Performs full performance emergency and non-emergency telephone assistance to individuals who are calling Denver-911 for police, emergency medical services and fire. Provides emergency medical dispatch triage and instructions over the phone. Processes high volume of phone calls for police, fire and emergency paramedic departments under stressful and demanding emergency situations, using computerized telephone system. Determines medical nature of calls and immediately begins using Emergency Medical Dispatch method over the phone when warranted. Gathers information and rapidly and accurately enters it into Computer Aided Dispatch (CAD) system.

**Emergency Communications Operator — Operations**

Works independently to interview callers to accurately assess urgency of incidents and proper response required by fire, police and emergency medical services (EMS). Performs computer clearances and information search for police officers, district attorneys and detectives using computer systems, including National Crime Information Center system (NCIC), Colorado Crime Information Center system (CCIC), and City and County of Denver court files. Provides effective problem resolution to service related issues.

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**Emergency Communications Operator Quality Assurance Audit****Standard Evaluation Guidelines****Purpose**

- o Quality Assurance (QA) audits are performed to verify conformance to standards through review of the employee's individual job performance and ensures the citizens and internal customers are receiving the standard of excellence Denver 911 is recognized for in the public safety community. Through the collaboration of Training, Operations and Performance Management, Denver 911 has defined comprehensive procedures by which emergency services will be delivered consistently, efficiently and professionally to the customer. Audit forms provide objective and constructive feedback by recognizing excellent work as well as identifying opportunities for improvement in an effort to bring all employees to the same standard. Denver 911's expectation is that each employee is audited on a quarterly basis and receives an overall rating of Good to Excellent.
- o The Standard Evaluation Guidelines (SEG) are designed to support the Quality Assurance audit form by providing the evaluators and the employee with definitions, measurements and procedural guidelines for evaluating individual performance. In an effort to provide consistency in the ratings, evaluators participate in ongoing calibration sessions on an annual basis.

**Section 1 – Address Verification and Call Processing****2) Proper Phrasing:**

- o The phone system has an automated greeting, should it go down the operator will answer using the appropriate greeting:
  - o Emergency Call – "Denver 911, what is the address of your emergency?"
  - o Non-Emergency Calls – "Denver Police this is (First Name), how may I help you?"
- o To obtain the nature of the call it is necessary to use the phrase, "[Okay], tell me exactly what happened" to prompt the caller for the reason for the call. If the caller has already explained why they are calling, it is not necessary to use this phrase.

**3) Snapshot:**

- o Police Dispatchers will be dispatching first responders based upon the information in the snapshot therefore the operator's snapshot must appropriately reflect the basic nature of the call including and when available, timeframe, weapon, accident details and injury information.
- o The snapshot is generally the caller's response to "Tell Me Exactly What Happened" and may or may not contain, on initial utterance, any weapon, timeframe, or injury information. If safety and timeframe information is not included in the initial statement, the Operator will immediately ask the applicable questions and document those details in the comments of the incident.

**4) Nature Code - The operator chose or generated through ProQA the most appropriate nature code that best fit the priority of dispatch needed.**

- o ECOs are in different agencies than the dispatchers and can no longer raise priorities on pending calls. ECOs will instead **notify** on relevant information such as weapons or emergent circumstances that exist.
- o Time determinate questions if within 10 minutes will be an In-Progress incident and over 10 minutes will be a cold incident.

**5) Time to Queue: report changes in progress to incorporate incidents generated using ProQA.**

- o The standardized call processing should be followed as a rule and basic format. There will be situations where the order of questions will deviate from the standard due to the caller and the situation they are experiencing. Operators should be ready to accept any and all information as soon as the call is received at their position regardless of the order the information is received.
- o **Call Processing** (Phone Pick up to queue)
  - Outstanding = ≤40 seconds
  - Exceeds = 41 seconds– 54 seconds
  - Successful = 55 – 65 seconds
  - Below Expectations = 66 seconds – 84 seconds
  - Failing = > 84 seconds

- Any call which exceeds the standard time expectation may be researched for the use of good judgment and appropriate call processing.

## **Section 2 – Call Taking Procedures – Ongoing**

### **8) Call Guide Protocol:**

- o The Master Training Call Guide was followed to complete the call.
- o The applicable Nature Code Call Guide was followed to complete the call correctly.

### **9) Updating Information:**

- a) Operator promptly and continually updated the incident with information relevant to the incident.
  - o The operator documented all pertinent information into CAD including witness information and the CAD comments were accurate, concise and coherent regarding the specifics of the nature. The operator did not add unnecessary information to the incident convoluting the comments or quote callers use of profanity or slang in the comments.
  - o Opinion, discussions, or other detracting, non-pertinent statements are NOT to be added to the comments section of any CAD incident in any instance by Operators and Police Dispatchers.
- b) Operator immediately updated the incident with information affecting officer/citizen safety. (this is an auto-fail if missed)
- c) Operator provided appropriate instruction to the caller to maintain the caller's safety.
  - o UNDER no circumstances will an Operator authorize the cellular caller to violate traffic laws or continue to follow a suspect in any way in order to maintain contact with a moving suspect. Safety of the caller is the foremost concern.

### **10) Appropriate Resources**

- a) Police, EMS and Fire were added to the incident when appropriate such as duplicate calls or callbacks from the public by using the appropriate methodology. The Operator is responsible for ensuring the applicable agencies have been added to the incident.

## **Section 3 – Customer Service**

### **12) Professionalism (in part):**

- o All calls will be treated as an emergency. The operator is not to belittle callers for not having a proper understanding of what constitutes an "emergency".

### **13) Interview:**

- o The operator must take charge of the conversation, bearing in mind that the caller is under a lot of stress and may sound confused. The caller does not know what information is needed; it is the operator's responsibility to keep the conversation on the right track.
- o The operator efficiently managed the interview and effectively controlled the interview as necessary.
- o The operator provided appropriate instruction to the caller to maintain the caller's safety.

### **14) Listening and Comprehension Skills:**

- o The operator was actively listening at the onset and throughout the call.
- o The caller did not have to repeat opening information.
- o The operator captured all pertinent details in order to assist the caller.

### **15) Additional Support**

- o The operator advised the caller of what they can do and provided options. The operator did not act as a "gatekeeper"; making a decision at the time of the call to not send police, fire or EMS, rather than creating an incident that allows the appropriate first responder to make the decision.

## **Section 5 – Additional Procedures**

### **19) EMD Protocol**

- a) The Operator assessed the telephone call for a medical component and initiated EMD protocol.

## **L. Failure to observe written department or agency regulations, policies or rules.**

### **911 Ops Master Incident Guide requirements**

- **WHERE = ADDRESS:** Location, obtain location specifics; apartment, suite, room number.
  - For in-progress situations (i.e. Domestic IP-JO, Shootings, Assaults, etc), the Operator will continue to use the location the incident is occurring in the Address field with the complainant's address being entered in the comments section of the incident.
- **WHAT = SNAPSHOT & NATURE CODE:** What occurred or is occurring at the time of the call; be as specific as possible.
- **WHEN:** Determine the time frame, is the situation in progress, just occurred (within 10 minutes), cold report etc.
- **WHO:** Suspect information both person and vehicle
  - **Person**– number of, descriptions, current location, mode and direction of travel, i.e. on foot, vehicle.
  - **Vehicle** - If a vehicle is involved in the situation, vehicle description, License plate, direction of travel if applicable.
- **WEAPONS:** Is or was a WEAPON involved? Note: Even ordinary objects are considered weapons if the party is using them as weapons.
- **INJURIES:** Was the complainant or anyone else injured during the incident? Do they need medical attention?
  - Anytime the caller's ability to decline is in question, the Operator will EMD the call and send an ambulance.

**STANDARDIZED CALL PROCESSING REQUIRED ON ALL CALLS FOR SERVICE:**

- The Operator is expected to obtain the necessary information from the caller in order to process the call effectively, accurately and expeditiously. Accuracy and thoroughness will not be sacrificed for speed.
- The Operator will use the phrase, **"Okay, tell me exactly what happened."** to understand the reason for the call and obtain the snapshot. This phrase is to be used for all calls and is not specific to just medical calls.
- **SNAPSHOTS:** On all incidents created for service the Operator will create a snapshot to include a brief synopsis of the situation being reported by the caller. The snapshot will appropriately reflect the basic nature of the call including timeframe, weapon, accident details and injury information when available. The snapshot will justify the use of the nature code chosen and may or may not include the actual nature code itself. A snapshot will be entered into the comments prior to the incident entering the dispatch queue.
- There may be times when the Operator is unable to get all the required information into the snapshot due to the flow of the call, timeframe, etc. When this occurs, the Operator will get the information as soon as possible. If the information that was not obtained in the snapshot is related to injury or weapon information, the Operator will notify the information. See Times to Notify section below for the full list.
- The Operator will then continue conducting the interview as quickly as possible; adding the required information to the comments field in a concise, complete and comprehensive format.
- If in-progress and applicable, utilize the "SAVE" function regularly, making use of short entries for timely updates for the dispatcher.
- **TIME TO QUEUE:** The standardized call processing should be followed as a rule and basic format. There will be situations where the order of questions will deviate from the standard due to the caller and the situation they are experiencing. Operators should be ready to accept any and all information as soon as the call is received at their position regardless of the order the information is received. Any call which exceeds the standard time expectation may be researched for the use of good judgment and appropriate call processing.
- The Operator is expected to have the incident to dispatch in 60 seconds or less.

**IMPORTANT:**

- Maintain a sense of urgency, while getting the most thorough and complete information as quickly as possible.

- Do NOT hold the caller hostage for pieces of information. Accept the information provided by the caller.
- Tell the caller what we can do for them and NOT what we cannot do for them.

- It is the Operators' responsibility to document any information that may be relevant in the call. The following information must be documented as to whether it applies, doesn't apply, unknown if applies or if it possibly applies.
- Injuries, Weapons, Alcohol, Drugs, Mental Health and suspect information.
- UNDER no circumstances will an Operator authorize the cellular caller to violate traffic laws or continue to follow a suspect in any way in order to maintain contact with a moving suspect. Safety of the caller is the foremost concern.

### 911 Ops Assault Series Incident Guide

#### DEFINITIONS:

**Assault:** A person or group of people with the intent to cause serious bodily injury to another person or with intent to cause bodily injury to another person, with or without the use of a deadly weapon.

- **Assault:** report of an assault that is not in-progress or did not just occur and the information would not support immediate suspect apprehension.
- **Assault In-Progress:** is occurring now or just occurred with or without the use of a weapon.

#### PROCEDURES:

- Create a CAD incident by completing the required fields and information contained in the 911 Ops Master Incident Guide.
- What occurred or is occurring at the time of the call; be as specific as possible in order to determine what type of call you are processing.
- The Operator will obtain any necessary scene safety information and should the incident involve or require the addition of Fire and EMS the Operator will obtain the scene safety as outlined in the Critical Incident Call Management Multi-Agency Reference Guide.
- If there are injuries, the Operator will update the nature code to PQA Medical Response in the 911Ops incident to add EMS and Fire to the incident. Once this information has been obtained the Operator will EMD the incident.
  - For details regarding appending incidents and updating nature codes, refer to the Police Master Guide and the EMD Master Reference Guide.
  - The operator MUST manage the call quickly and efficiently gathering scene safety information, such as suspect and weapon information before changing the nature code to PQA Medical Responses and EMD'ing the call.
  - Once the nature code is changed and Fire and EMS are added ProQA should be immediately launched in order to provide details of the medical situation for the responding units.

### 911 Ops Criminal Mischief Series Incident Guide

**DEFINITION:** Any person who damages the property of a person; or more than one person (in the course of one criminal episode).

#### Medical Priority Dispatch System (MPDS)

##### Patient Refusal Over the Phone

##### Policy

With a few exceptions, first party callers can refuse an EMS response over the phone. Parents can refuse an EMS response for their minor children over the phone. Second or Third party callers cannot refuse for a patient.

##### Procedure

- First party (the patient themselves) callers can refuse EMS response whether on the initial call or on callback.
  - Exceptions
    - The patient seems to have altered mentation.

#### END Master Incident Guide Procedure

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**Police Incidents with Medical Components:**

When processing a police incident with a medical component, the Operator will complete the verification process; obtain a snapshot and nature code the incident using the most appropriate police code. Immediately after nature coding the incident, the Operator will obtain any remaining scene safety questions that are required for the selected nature of the call.

**Important:**

- Each call received is to be processed efficiently using expert decision-making, based on objectives that must be determined on each case. Adherence to the standard of care and practice ensures optimal performance and outcomes.

**Denver 911 Policy and Procedure Manual**

**202.00 Telephone Protocol**

**202.01 Telephone Protocol - General**

(1) [in part] All calls will be treated as an emergency.

(5) The agent must take charge of the conversation, bearing in mind that the caller is under a lot of stress and may sound confused. The caller does not know what information is needed; it is the agent's responsibility to keep the conversation on the right track.

**Z. Conduct prejudicial to the good order and effectiveness of the department or agency, or conduct that brings disrepute on or compromises the integrity of the City.**

The following is a summary, but not an exhaustive description, of the alleged misconduct upon which discipline is being contemplated:

You have been employed with Denver 911 Communications Center as an Emergency Communications Operator (ECO) since October 18, 2010, working a variety of shifts. You are currently scheduled to work 2230 – 0630 hours, with regular days off on Sundays and Mondays.

On Sunday, April 1, 2012, at 0412 hours at Position 101, you answered a 911 call placed by a male caller who had been involved in a road rage altercation with the occupants of another vehicle near the intersection of 10<sup>th</sup> Avenue and Sheridan Boulevard in Denver, Colorado. The male caller, who was not alone in the vehicle, indicated that his vehicle had been damaged and that he had been injured during the incident. At the time of the call, the caller was outside of the Denver city boundaries by just over a half a mile, and needed an officer to respond to the incident that had just occurred. The male caller indicated several times that he was injured, in shock and did not want to be driving. You did not attend to his medical condition or properly assess the severity of the incident. Instead of advising the caller to pull over so that police from Denver and an ambulance from Jefferson County could be dispatched, you directed the caller to return to the city. The male caller then, reluctantly, drove back within Denver city limits, parked his vehicle with hazard lights on, at 29<sup>th</sup> and Sheridan, and waited for officers to arrive. While the caller and the passengers in his car waited, per your instructions, the other vehicle involved in the prior altercation passed through the intersection, saw the caller's vehicle and opened fire, shooting and killing the caller's brother.

As a result of the homicide, an investigation was conducted and your interview with the caller was audited for compliance and adherence to the center's policy and procedures as they relate to police and medical calls for service. A transcript of the almost 15-minute telephone call follows, and demonstrates an extensive delay in processing this call to queue, the failure to address the caller's injury and the safety of others, allowing the caller to refuse medical triage, an incorrect assessment and coding of the incident and overall failure to adhere to policy and procedure, resulting in a tragic ending.

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The transcription is derived from the recorded audio of the telephone call and is verbatim with the exception of the unintelligible portions of the interview that could not be translated into the written word.

04:12:41 Call Answered

Automated Pre-recorded greeting played: Denver 911, what is the address of your emergency?

04:12:45 (4 seconds have elapsed)

Caller #1: Um, the address?

Operator Rodriguez: Yea what's the address?

Caller #1: Um ... what, yea ... the address ... 5992. Somebody just like busted my vehicle man, like...

04:12:59 (18 seconds have elapsed)

[At this point the incident would be coded as a Criminal Mischief In-Progress or Just Occurred indicating there is damage to the vehicle only]

Operator Rodriguez: Okay well I need to know where you are at. Where are you?

04:13:01 (20 seconds have elapsed)

Caller #1: Um I was just on Sheridan.

Operator Rodriguez: Okay do you know the address or intersection where you are at?

Caller #1: I was just on Sheridan, 10<sup>th</sup> and Sheridan, and the guys just like sped off.

04:13:10 (29 seconds have elapsed)

[The Operator has a valid location, a synopsis of what has occurred and a nature code which satisfies the requirement to send the incident to the dispatcher queue.]

04:13:11 (30 seconds have elapsed)

[The Operator enters 10<sup>th</sup>/SHER in the address field of the ECT but does not geo-verify or use the information to create an incident for dispatch. Had the Operator geo-verified the location, a duplicate call screen would have opened for the incident at 10<sup>th</sup>/Sheridan, DPD-12-0132757, Shots Heard / Fired, where a clerk at a convenience store was and who had witnessed the incident with officers dispatched for a report. This should have prompted you to Append to the existing incident or ask for clarification. Officers were dispatched at 0410 hours and on scene at 10<sup>th</sup> / Sheridan at 0412.]

Address		W 10th Ave / N Sheridan Blvd		City		Denver	
Bldg:		Apt:		License Plate Information	Plate	State	
Location Specific:						Cross St:	
Caller Phone - ANI/ALI:	303-881-6029					District:	PD Office 1
Nature Code:	Shots Heard / Fired					Section:	Dist 1 Sector 2
Priority:	P2 Urgent					Predict:	P123
						Call Taken By: 4/1/2012 4:09:38 AM	
<div>Additional Information   Assignments   Activities   Call Backs   Comments/Notes   Edit Log   Times   Transport Info   User Data</div>							
Date	Time	Initial	Comment				
4/1/2012	04:09:38	SYS	WPH1 Cell Tower Address: 5351 W 6th Ave - NE [Shared]				
4/1/2012	04:10:23	MAL	Multi-Agency 911 Ops Incident #: 911-12-0111332				
4/1/2012	04:10:31	MAL	103. UNK DIR (Sheridan)				
4/1/2012	04:10:40	MAL	103. ALSO HEARD CARS SQUEALING (Shared)				
4/1/2012	04:10:54	MAL	103. >>>>> CALLER NAME: TERRI BALOGH (Shared)				
4/1/2012	04:10:58	MAL	103. >>>>> CALLER CONTACT - NO <<<<< Call Taking Complete (Shared)				
4/1/2012	04:11:02	CLP	Officer Advised				
4/1/2012	04:11:03	MAL	[Shared]				
4/1/2012	04:11:03	MAL	[911 Ops] has closed their incident [911-12-0111332]				
4/1/2012	04:13:46	CLP	Cell Back TO THE COMP				
4/1/2012	04:14:25	CLP	COMP IS AT 5100 W 10TH AVE				
4/1/2012	05:35:54	CLP	Incident Re-opened. REOPENED TO LINK TO ANOTHER CALL				
4/1/2012	05:36:00	CLP	Incident linked to [Police] (DPD-12-0132761)				

Operator Rodriguez: Okay where are you at right now?

Caller #1: Right now I'm on uh; I'm just trying to go home right now. I am just trying to recover because I got hit with a bunch of shards.

04:13:19 (38 seconds have elapsed)

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[At this point the incident becomes an Assault In-Progress or Just Occurred, due to the injury to the caller]

Operator Rodriguez: Okay well I need to have an officer go to take a report. Are you going to wait there?

Caller #1: Yea

Operator Rodriguez: Okay tell me where you are going to stop so I can send an officer out.

Caller #1: Okay, I am going to stop at uh ... 29<sup>th</sup> and um, and Depew.

04:13:33 (52 seconds have elapsed)

*[Depew is four blocks outside of the city boundary]*

*[The Operator enters 29<sup>th</sup>/HARL in the address field of the ECT but does not geo-verify or use the information to create an incident for dispatch. Harlan Street is 8 blocks out of the city.]*

Operator Rodriguez: What is it?

Caller #1: 29<sup>th</sup> and Harlan, 29<sup>th</sup> and Harlan.

04:13:37 (56 seconds have elapsed)

Operator Rodriguez: 29<sup>th</sup> and Harlan? <yeah> Okay is that outside of Denver? <huh?> Is that outside of Denver? Is that going to be in Lakewood?

Caller #1: It's in, it's in Lakewood.

Operator Rodriguez: Okay did this happen in Denver or Lakewood do you know?

Caller #1: It happened on Sheridan man.

Operator Rodriguez: On Sheridan ... what part of Sheridan though? 10<sup>th</sup> and Sheridan?

Caller #1: 10<sup>th</sup> and Sheridan.

Operator Rodriguez: Was it on the east or west side of Sheridan? <um> Cause that's right the border between Denver and Lakewood. Do you know ...?

Caller #1: It happened right there on Sheridan ...

Operator Rodriguez: Yea but do you know <10<sup>th</sup> and Sheridan > yea do you know what side it was on?

Caller #1: I was going up um; I was going up ... what is it um ...?

Operator Rodriguez: Were you going northbound?

Caller #1: Yeah I was going northbound <okay>... on Sheridan.

Operator Rodriguez: If you, if you were going northbound it has to be here in Denver so we need you to be inside of Denver so we can send an officer out.

04:14:19 (1:38 has elapsed)

Caller #1: Well this is the...

Operator Rodriguez: Cause 29<sup>th</sup> and Harlan is in Lakewood but we need you to be in Denver so we can send an officer out.

Caller #1: Well I just pulled in at my brother's house right here so ...

04:14:33 (1:52 has elapsed)

Operator Rodriguez: Well what's his address there?

Caller #1: It's um ... it's um 5992 W 29<sup>th</sup> Avenue

04:14:43 (2:02 has elapsed)

04:14:44 (2:03 has elapsed)

*[The Operator enters 5992 W 29th in the address field of the ECT and geo-verifies the address to a valid address in the CAD and which indicates it is in the city of Wheat Ridge, Jefferson County. The address is 0.6 miles or 7.5 blocks out of the city. The Operator still does not create an incident for dispatch despite geo-verifying the address, having a snapshot and ability to code the call as an Assault In Progress or Just Occurred (Assault IP-JO.)]*



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Caller #1: Um, phone number is um 720<uh huh> 494-1993.

Operator Rodriguez: Okay is that 720-474-1993?

Caller #1: Yea

[At 3:38 into the phone call the caller's phone number is obtained and then you verbally verify the number back to the caller which does not follow the verification policy and which should have occurred after the location was obtained.]

Operator Rodriguez: Okay and tell me what happened.

[At 3:48 into the phone call you state, "Okay, tell me what happened" which is used at the onset of a conversation in order to obtain a snapshot. The phrase in calls such as this type of calls also allows the Operator to learn exactly what happened when a caller such as this one is injured, stressed and disoriented.]

Caller #1: We're just driving along uh and just trying to come to my brother's house <uh huh> and this red Jeep ... while he pulled up next to us and then we passed him at the ... at a red light <okay> and they threw a bottle right through my windshield, like through the back one <okay> it shattered it, it shattered it and came and hit me on my right hand on my right side <okay> and my face.

04:16:56 (4:15 has elapsed)

[The caller again indicates he is injured and that this is not just damage to his vehicle. A call for service or CAD incident has still not been created and sent to queue for dispatch.]

Operator Rodriguez: Did you see a license plate by any chance?

Caller #1: Um, they, they threw like several bottles through em <okay> and then I tried to catch up to them to try and get the bottle, I mean to try and get the license plate <uh huh> um I got uh they was just, they were going through lights um heading north.

Operator Rodriguez: They were northbound?

Caller #1: Yea on Sheridan <okay> it was a red, it was a red Jeep. I um caught uh it was um 936 <936> um W <uh huh> U and I didn't catch the last one cause they was just, they were trying to just escape and they were throwing ... what were (to someone in the car) <it was like 9 ...> not bottles, they were throwing uh, no not bottles they were throwing ... uh I forget what those are called, they were throwing ... oh my God ... I'm in shock! I'm in shock, I am bleeding ... they were throwing, they were just ...

04:18:04 (5:23 has elapsed)

[The caller while driving attempts to provide you information and states twice that he is in shock and bleeding. You do not advise him to pull over nor do you offer medical assistance. A call for service or CAD incident for an Assault IP-JO has still not been created and sent to queue for dispatch.]

Operator Rodriguez: So they were throwing bottles or what were they throwing?

Caller #1: They were throwing bottles and they also threw like bottled rockets.

Operator Rodriguez: Bottle rockets?

Caller #1: Yea like uh if you go down uh ... what you call it ... from uh from 29<sup>th</sup>, <uh huh> and you go down uh southbound <okay> you'll find some stuff on the road <okay> that they were throwing. And right now I am just crossing uh I'm crossing Sheridan right now heading um eastbound.

Operator Rodriguez: You are eastbound on what?

Caller #1: On Sheridan and 29<sup>th</sup>.

Operator Rodriguez: Okay just stop somewhere right there. Tell me where you stop. <um> Tell me what corner you're gonna stop at.

Caller #1: Alright I am just going to stop somewhere, I'm just gonna stop right here on 29<sup>th</sup> and Sheridan.

Operator Rodriguez: 29<sup>th</sup> and Sheridan?

Caller #1: Yea

Operator Rodriguez: Are you on the east side of it though?

Caller #1: Yea

04:19:00 (6:19 has elapsed)

[The Operator enters SHER/29<sup>th</sup> Ave in the address field of the ECT but does not geo-verify the location in CAD.]

04:19:11 (6:30 has elapsed)

[The Operator enters SHER/29<sup>th</sup> in the address field of the ECT but does not geo-verify the location in CAD.]

04:19:16 (6:35 has elapsed)

[The Operator enters 29<sup>th</sup> /SHER in the address field of the ECT but does not geo-verify the location in CAD.]

Operator Rodriguez: You're on the east side?

Caller #1: Yea

Operator Rodriguez: Okay. What kind of vehicle are you in?

Caller #1: I'm driving um a white Dodge Charger.

Operator Rodriguez: Okay ... <heavy breathing or gasping> Do you need an ambulance out there?

04:19:17 (6:36 has elapsed)  
Caller #1: Um, I didn't even see ... I might yea.  
04:19:20 (6:39 has elapsed)  
04:19:24 (6:43 has elapsed)  
*[The City and County fields on the ECT are changed to Denver]*  
Operator Rodriguez: So you need an ambulance?  
Caller #1: Um I don't know I think blood on my shirt ... no, no that's not blood it's my, it's my energy drink.  
Operator Rodriguez: Okay, so you don't need an ambulance then?  
Caller #1: No  
Operator Rodriguez: Okay stay on the phone with me alright? <Alright>  
04:19:36 (6:55 has elapsed)  
Caller #1: This is also a rental so I mean, man those ... for no reason at all ... those beer bottles 40s <uh huh> they just like big ol 40s like man they f... why man?  
04:19:56 (7:15 has elapsed)  
*[The snapshot or first line of comments was added with the following information, "red jeep threw several bottles at RP's vehicle."]*  
04:20:00 (7:19 has elapsed)  
*[The incident enters the police dispatch queue as a Criminal Mischief In Progress / Just Occurred with the location of W 29<sup>th</sup> Ave / N Sheridan Blvd.]*  
Operator Rodriguez: How long ago was this?  
Caller #1: This was just, just as soon as I called you, like maybe like one minute after I called you. <okay>  
04:20:04 (7:23 has elapsed)  
*[With the extended time that it took to get the incident to queue this incident occurred minimally nine to ten minutes prior to this point of the conversation.]*  
Operator Rodriguez: You said you are in what kind of vehicle?  
Caller #1: A white Charger, Dodge Charger.  
04:20:09 (7:28 has elapsed)  
*[This is the second time you have asked this important piece of information. Had you had the incident in queue the information would have been entered the first time it was asked and then provided by the caller.]*  
Operator Rodriguez: What's your name?  
Caller #1: Ran Paul  
Operator Rodriguez: What is it?  
Caller #1: Ran, R-a-n first name,  
Operator Rodriguez: Paul?  
Caller #1: Last name P-a-l.  
Operator Rodriguez: Who else is with you?  
Caller #1: Um, my brother, my cousin and uh my friend.  
Operator Rodriguez: Okay, was anyone else injured? Do they need the ambulance?  
Caller #1(to others in the car): Are you guys injured? Anybody injured? No I don't think they need the ambulance.  

---

Operator Rodriguez: No ... and again you said it was a red Jeep and it was going northbound, license plate 936 <uh huh> W like William <yep> and U like Union and you didn't catch the last part?  
Caller #1: I didn't catch the last part but it was, it was just speeding like... and um they also, I believe they also had weapons. They, they had a gun.  
04:21:09 (8:23 has elapsed)  
Operator Rodriguez: They had a gun! <yeah> Okay what color <they were armed> was the gun?  
Operator Rodriguez: What color was the gun?  
Caller #1: I was trying, I was trying to follow them like try and do my best to get the license plate but ...  
Operator Rodriguez: Yeah that's okay <yea> what color was the gun? Describe the gun for me.  
Caller #1: Um it was um it was black.  
Operator Rodriguez: It was a black handgun? Was it a rifle, shotgun?  
Caller #1: Um it was a handgun.  
Operator Rodriguez: Okay. Do you know them at all?  
Caller #1: No, I ... I ... I don't know. I don't even know why they would do this to ... I don't know them.  
Operator Rodriguez: Okay. Describe them for me. Can you tell what race they were?  
Caller #1: They were um Mexican, Hispanic.  
Operator Rodriguez: About how many of them?

Caller #1: Um there were four of em (to someone in the car) Right? Four of em, five?

Operator Rodriguez: Can you make any of them out, like describe them for me, what they were wearing on anything?

Caller #1: Um one of them was wearing um red cause um, cause as soon as they threw that <uh huh> I thought uh I tried to uh, I turned on to what you call it to 10<sup>th</sup> and Sheridan I turned right I mean not yea to right on 10<sup>th</sup> <okay> and um just to try and recover from what was going on and uh they hopped out of the car and started throwing more stuff <okay> started throwing more beer bottles and one of them pulled out a rifle, a gun, a weapon <uh huh> and um my brother told me let's go, let's go, let's go, let's go, <can you tell...> they've got a gun.

Operator Rodriguez: Can you tell if they were drunk or on drugs?

Caller #1: I believe they were drunk because they were throwing beer bottles, 40s and everything.

Operator Rodriguez: Okay, Alright. What about you guys? Were you guys doing any drugs or alcohol tonight?

Caller #1: No sir.

Operator Rodriguez: No, alright. I just need you to wait right there off of 29<sup>th</sup> and Sheridan, right? You're on the east side?

Caller #1: Yep

Operator Rodriguez: Okay just wait right there for officers okay? Turn your hazard lights on so they can find you.

Caller #2: <unintelligible>

Operator Rodriguez: Okay

Caller #2: Hello yea this is his friend um are you guys going to come help us or check out what is going on?

Operator Rodriguez: Yea we are going to send an officer I am just getting information from Ran. Can you put him back on?

Caller #2: Yea do you know where we are at we are just on 29<sup>th</sup> and uh ... just over here, like .... My friend he is talking to Ran he is kind of in shock because of ... <Yea I know> it just kind of happened quick like we didn't do nothing ...

Operator Rodriguez: Yea I need to talk to him so I can get more info though okay?

Caller #2: Alright.

Operator Rodriguez: We've got the call up.

04:23:19 (10:38 has elapsed)

[An ambulance is not sent and Emergency Medical Dispatch (EMD) is not started for Caller #2's brother who is in shock.]

Caller #2: Alright, hey Ran ...

Caller #1: Hello.

Operator Rodriguez: Yes we are going to send an officer out I just need you to wait there okay?

Caller #1: Yea we are waiting

Operator Rodriguez: Go ahead and turn your hazard lights on so they can see you easier. Okay?

Caller #1: They're on.

Operator Rodriguez: Okay <the vehicle is on> if you see them come back I need you to call us right away at 911 Okay? But we are going to have an officer go out there just ....

Caller #1: Hey they are back, they're back ... <they're back> they're back, they're back, [gunshots are fired], they're back ....

04:23:56 (11:13 has elapsed)

Operator Rodriguez: Okay can you get away from ...

Caller #1: They're back, they're back they're shooting <screaming> .... My brother's down, my brother's down, he's down ...

Operator Rodriguez: Can you get away ....

Caller #1: Come on hurry please help us!

Operator Rodriguez: I need you to get away. Can you ...

Caller #1: Help us ... my brother's down .... <sobbing and unintelligible> He got shot, he got shot

Operator Rodriguez: What's going on?!

Caller #1: <unintelligible screaming and crying>

04:24:29 (11:46 has elapsed)

Operator Rodriguez: What's going on?

Caller #1: <unintelligible screaming and crying>

Operator Rodriguez: Ran, talk to me <unintelligible screaming and crying> talk to me.

Caller #3: Hello? <talk to me> Hey my, our friend just got shot can you come to Sheridan and 29<sup>th</sup>? <okay> Ethan (?) got shot.

Operator Rodriguez: Where are you guys?

Caller #3: Sheridan and 29<sup>th</sup>, Sheridan and 29<sup>th</sup>

Operator Rodriguez: Okay, who got shot?

Caller #3: Our ... my brother, my brothe ... our friend ... <unintelligible> can you bring an ambulance?

Operator Rodriguez: Okay we are going to get help out there. Okay? Are they still there?

Caller #3: Yea we are still there please just help us.

Operator Rodriguez: Okay is that red Jeep still there?

Caller #3: Yea ... no it just took off ... <unintelligible> ...shooter.

Operator Rodriguez: Which way were they going?

Caller #3: He went towards east on 29<sup>th</sup> Avenue ... this guy just laid down I think he is about to die ... please can you just, can you just come help and bring ambulance?

Operator Rodriguez: Okay, we are going to help you okay, hold on <crying> who was shot, who was shot? <crying> Who was shot?

Caller #3: Ran's brother got shot.

Operator Rodriguez: Okay I am going to ask you some questions so we can get some help out there okay?

Caller #3: Officer .... <Unintelligible>

Operator Rodriguez: We've got the call up, okay listen to me, listen to me. <Do you want us to drive there> what's going on?

Caller #3(to some on scene): Put him in the car man, man put him in the car and go to the hospital.

Operator Rodriguez: I need you to <crying> listen to me. We've got help coming okay? Are you with him?

Caller #3: No ... <unintelligible>

Operator Rodriguez: How old is he? How old is he?

Caller #3: He's like 22 or 25.

Operator Rodriguez: He's 25 years old? <Unintelligible> listen, listen is he awake?

Caller #3: <unintelligible> his eyes are open.

Operator Rodriguez: Listen is he awake?

Caller #3: Can you guys like call the cops man .... He got shot right now?

Operator Rodriguez: Okay we've got the call up is he awake? <He got shot> Listen to me ...

Caller #3: You going to call the cops?

Operator Rodriguez: Is he awake? <He got shot> I need you to listen to me okay we are going to help your friend out.

Caller #3: He's right here!

Operator Rodriguez: Is he awake?

Caller #3: I don't know if he's awake.

Operator Rodriguez: Are you with him? <No ... unintelligible> Okay is he awake?

Caller #3: Sir, sir please

Operator Rodriguez: Listen to me I am going to get the ambulance out there, okay? Can you answer the questions for me?

Caller #3: Is he alright man? The cops are coming and an ambulance.

Operator Rodriguez: Is he breathing?

Caller #3: Is he breathing man? Hey ... Ran is he breathing? Is he breathing? <Unintelligible> ... where are the cops at man?

Operator Rodriguez: Are you there is he breathing?

Caller #3: Nah, I don't know ... the officers are here.

Operator Rodriguez: Okay, I need to get the help ... I need to get the ambulance out there <officers are here> I need to get the ambulance out there okay.

Caller #3: Our friend just got shot man ... is the ambulance ... <unintelligible>.

Operator Rodriguez: Is the attacker still .... Listen, listen ...

Caller #3: Yes there's an officer here.

Operator Rodriguez: The officer's there?

Caller #3: ... there ...

Operator Rodriguez: Okay we've got help coming out okay?

Caller #3: Alright please

Operator Rodriguez: Alright.

Caller #3: Thank you so much

Operator Rodriguez: Talk to them.

Caller #1: Alright.

04:26:26 (14:45 has elapsed by the conclusion of the telephone call)

[The caller and all parties on scene are in hysteria and despite being told that the victim was the caller's brother you repeatedly asked who was shot and did not manage to gain control of the call for the remainder of the call. You started EMD and did not make it through Case Entry questions before officers were on scene.]

Computer Aided Dispatch (CAD) Incident timestamps summary for incident handled by Operator J. Rodriguez

Action or Status	Time Stamp	Elapsed Time
Call Received and answered by Operator Juan Rodriguez at Position 101	04:12:41	
Operator enters 10 <sup>th</sup> / Sheridan but does not geo-code or use the location	04:13:11	00:00:30
Operator learns of injury to caller <i>(audio only not documented in CAD)</i>	04:13:19	00:00:38
Operator enters 29 <sup>th</sup> / Harlan but does not geo-code or use the location	04:13:35	00:00:54
Incident geo-verified with 5992 W 29 <sup>th</sup> Ave, Edgewater, CO	04:14:44	00:02:03
<i>Operator learns caller is in shock and does not want to drive (audio only)</i>	04:15:19	00:02:38
Incident geo-verified with W 29 <sup>th</sup> Ave / N Sheridan Blvd <i>(caller in Denver)</i>	04:19:51	00:07:10
First comments entered	04:19:56	00:07:15
Incident sent to dispatch queue as a Criminal Mischief 1P-JO	04:20:00	00:07:19
Caller states gun was flourished by suspect at 10 <sup>th</sup> / Sheridan	04:21:21	00:08:40
→ Shooting occurs at 29 <sup>th</sup> / Sheridan by occupants in Red Jeep	04:24:15	00:11:34
→ First police unit assigned*	04:25:08	00:12:27
→ Operator triages the shooting with ProQA and completes the process	04:27:53	00:15:12
Ambulance dispatched	04:28:19	00:15:38
First police unit on scene at 29 <sup>th</sup> / Sheridan	04:28:42	00:16:01
Ambulance arrived at 29 <sup>th</sup> / Sheridan	04:34:05	00:21:24
*Ofcr advises the Inc is related to the Shots Fired at 10 <sup>th</sup> /Sheridan & starts to 29 <sup>th</sup> / Sheridan		

The audit and assessment of your performance on this telephone call and CAD incident resulted in a Poor rating on the quality assurance, generating an overwhelming concern for your failure to decipher a situation, demonstrate a sense of urgency and make appropriate decisions for the caller's, public's and first responders' safety. Your failure to address the medical concerns of your caller in your quest to make sure the caller was in Denver is unacceptable by any standard. In the first 30 seconds of the conversation, the caller told you that his vehicle was damaged at 10<sup>th</sup> and Sheridan, which, by policy, was sufficient to send the call to queue, while you continued to gather more information. In the next 30 seconds, the caller advised you he had been injured, indicating an assault and elevating the urgency of the call. Knowing that was now a person crime with injuries, you should have instructed the caller to pull over or remain parked, and sent him both police and medical assistance to 5992 W 29<sup>th</sup> Ave. Officers will and regularly respond outside of the city limits on crimes such as assaults and specific situations involving people with injuries that impact their ability to drive, require hospitalization and/or are fearful of returning to a potentially volatile or dangerous scene. You waited more than seven minutes to create a CAD incident, despite having valid locations; when you did finally create an incident, you failed to document the injury information and nature code the incident as a person crime, thereby preventing the dispatcher, officer or supervisors an opportunity to make an informed assessment of the situation.

During the first seven minutes of the call, the caller stated six separate times that he was injured, in shock, didn't want to drive and needed to recover. You acknowledged each time that you understood, yet did not ask the caller to pull over, send him an ambulance and triage the call per the EMD protocol policy. You showed a blatant disregard for the caller's health in your quest to have the caller return to Denver city limits, when he was actually parked at one point only seven and a half blocks outside the city limits. You wasted crucial minutes and compromised public safety by instructing the caller to return to the city. It was only after the caller told you that he was at 29<sup>th</sup> and Sheridan and on the east side of the intersection that you created an incident for dispatch; all the while discounting any injuries to the occupants of the caller's vehicle by your failure to enter comments in the CAD incident relating to the assault and injury. Once inside city boundaries, you began to engage the caller about

his medical needs by asking if he needed an ambulance, despite that policy dictates that a person cannot refuse an ambulance when there is possible altered mentation presented, such as was exhibited by the caller in this case when he stated to you that he was in shock. The caller should have been triaged and an ambulance sent.

Specifically, the quality assurance audit review indicates your deficiencies in the following areas:

- Proper Phrasing – you did not use the phrase of “Okay, tell me exactly what happened” until almost four minutes into the call.
- Nature Code – the incident was not appropriately coded based on the initial interview.
- Time to Queue – Your actual time = 00:07:19, Goal time = 55 – 65 seconds.
- Updating information – you did not promptly and continually update the incident with relevant information
- Updating information – you did not provide appropriate instruction to maintain the caller’s safety.
- Interview – You did not manage the interview to get the required information and you did not provide appropriate and accurate direction / instruction to the complainant; using good judgment and reasoning skills.
- Listening and Comprehension Skills – the caller had to unnecessarily repeat information to you on a frequent basis and you did not display active listening skills.
- EMD Protocol – you did not assess the call for a medical component and initiate the EMD protocol and EMD processing time when finally launched was 00:02:16 with a goal of 47 seconds.

This call concluded with the shooting death of the caller’s brother, who was in the vehicle with the caller and other family members. The subsequent, intense media interest focused on the fact that you required the caller to return to the city, indicating that officers could not respond outside of the city. However, in cases such as this, officers can respond to an incident outside city limits in the fresh pursuit of a crime with an incapacitated driver. However, in this case, the police were not afforded the opportunity to assess and respond, because of your failure to adhere to established policy and your inability to comprehend the true criminal and medical nature of the call.

On February 29 2012 you received a Verbal Reprimand for your handling of another homicide call on February 2012, Incident [REDACTED], at [REDACTED]. The deficiencies in your performance during that call are similar to the deficiencies in your performance in the instant call. The earlier incident involved a juvenile male who called 911 because he thought he had killed his mother’s boyfriend. You requested an exact address or intersection at the onset of the call, with both the [REDACTED] caller and his mother in the background being able to only able provide an intersection and name for the complex. Not satisfied with that information being provided, you asked for an exact address, with the caller stating he would have to put on his shoes to go outside and look. Less than 30 seconds into the conversation, you had enough address information with the intersections provided to complete the address verification. Instead, without full knowledge of the caller’s situation, you had the caller put on his shoes, walk out to the street and look at street signs to verify the intersection address. During which time, the caller stated he was “in a really, really stressed situation” and “my mind is racing really fast if you want to know what I just did?” You did not acknowledge the [REDACTED] male caller’s statements nor demonstrate any urgency to process that information. Within 60 seconds there was enough information available for you to send the call to queue, yet it took you over five minutes to process the call.

Eventually you asked the caller what happened and he stated that his mom’s boyfriend became aggressive and pushed her on the floor. The caller further stated, “I choked him out and I think I killed him ... I think he is deceased.” Without acknowledging the criminality of the statement you embarked on the medical triage aspect of the interview by repeatedly asking the caller if he was with the victim, if the victim was breathing and if the caller could get back to apartment, despite hearing the background noise of passing cars because the caller was outside the unit trying to get the address you required to process the incident for dispatch. At one point the caller said in response to if he could get back to the victim, “... I have to hop the fence because I am locked out.” At this point, the caller put the phone down, jumped the fence and then came back on the line on the other side of the fence, at which time you immediately asked him, “Can you get closer to him?” You started to have the caller, who admittedly choked out the victim, perform CPR. When you asked the caller to check for anything in the victim’s mouth, the caller told you, “No, I told you I choked him out!” At no point during the conversation did you actively listen to what the caller had to say or appear to understand that a homicide had occurred and scene safety was paramount. You repeatedly harangued the caller with questions and appeared to have no appreciation for the caller’s environment and his efforts to assist you with processing the call.

Rodriguez 00100

CONFIDENTIAL

Subject To Protective Order

In your handling of this incident, you failed to address scene safety and the integrity of a crime scene; instead, you focused, after much delay, on the medical aspect of the situation, discounting the fact that you were speaking with a possible crime suspect. When processing the incident, you created a snapshot that stated, "RP choked out mother boyfriend"; however the statement made by the caller was that there was a domestic incident between the caller's mother and her boyfriend; that there was alcohol involved; and that the boyfriend became aggressive and pushed his mother down, at which point the caller stated, "I choked him out and I don't know for how long, but I think I killed him!" Scene safety takes precedence by providing first responders clear and safe access to the patient or victim, prior to providing any medical assistance. You should have advised the caller to wait outside by the gate and asked for a clothing description and obtained the caller's name. Allowing the caller to return to the apartment could have resulted in further violence or loss of evidence.

Your handling of this call demonstrates an inability to discern, based on your caller's comments, what type of situation you were dealing with when processing the call. In this case, in your attempt to get an exact location, you failed to demonstrate any urgency in finding out what had happened, and in the process, dismissed the confession you were provided and failed to recognize the potential consequences of sending the caller back into the crime scene.

**Previous Discipline:**

02.29.12 - Verbal Reprimand issued regarding Incident [REDACTED] on 02. [REDACTED] 12 for the omission of several scene safety aspects and lack of acceptance of the location information being provided.

**Previous Conference Note Entries Include:**

03.04.12 - Supervisor Gina Romero reviewed 2021 1Q QA audits earning a 95% for an Outstanding rating.

11.10.11 - Supervisor Gina Romero reviewed 2011 4Q QA audits earning a 100% for an Outstanding rating.

08.19.11 - Supervisor Gina Romero reviewed 2011 3Q QA audits earning a 77.5% for a Successful rating.

07.24.11 - Supervisor Jason Davis received a call from a [REDACTED] to commend Juan for his handling of incident DPD-11-0325828; an assault in progress call in which the victim was fleeing his attackers and hiding in the backyard of an unknown address. [REDACTED] stated that Juan did a phenomenal job working with him to determine his location, and reassured him on multiple occasions that officers were enroute and attempting to locate him. [REDACTED] was very happy that Juan remained on the line with him until he was able to be located, and stated that Juan's tone and demeanor were very comforting during this highly stressful situation. [REDACTED] stated that Juan seemed genuinely concerned for his welfare, and was impressed that he was asked multiple times if he was injured or in need of medical attention. [REDACTED] further stated that he has had a less than positive experience with 911 and DPD in the past, but that he was very happy with the service he received tonight from both the responding officers and 911. [REDACTED] final statement was, "I just wanted to let you guys know that you have some fantastic people working for you. Thank you."

06.18.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 3.4 (Good) or 85% for an Exceeds Expectations rating. Juan was advised about working on his Call Processing times that he needs to focus on getting the caller to the point of the problem so he can then nature code the incident and send it to queue within the 55-65 goal time. Juan advised me that on lower priority calls he gets caught up with the caller who rattles on. I'm suggesting to Juan that once the caller gets off track that he uses "Okay, tell me exactly what happened" which should get the caller to the point.

05.25.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 4.0 (Excellent) or 100% for an Outstanding rating.

05.08.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 3.2 (Good) or 80% for a Successful rating.



- 04.25.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 3.0 (Good) or 75% for a ~~Successful rating. For this session Juan is having issues in Call Processing and advising the caller of maintaining their safety.~~ Examples were provided on what to say to callers in regards to their safety. I also advised Juan that he will need to work on his Call Processing times.
- 04.10.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 4.0 (Excellent) or 100% for an Outstanding rating.
- 03.28.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 2.2 (Fair) or 55% for a Failing rating. Juan was advised to set up an order process during initial call taking by obtaining the address, verifying it, obtaining the phone #, verify it, state Okay, tell me exactly what happened then with the callers answer this would be the snapshot, nature code it or launch ProQA and the incident should be in queue in the Successful range. Juan is performing better with his call to queue times as only one audit was out of the Successful range. A fight call was discussed about always making sure to advise the caller to remain safe by staying inside and away from the situation.
- 03.10.11 - Supervisor Gina Romero reviewed recurrent QA audits earning a score of 2.8 (Fair) or 70% for a Below Expectations rating. Issues were verification of address and phone number.
- 02.01.11 - Training Manager Kim Carroll counseled you on attendance, punctuality and the developing pattern observed in the classroom.

**Pre-Disciplinary Meeting:**

I conducted a pre-disciplinary meeting with you on Monday, May 7, 2012 at 09:00 in my office. Also present at the meeting were Operations Manager Shelly Lesnansky and Manager of Safety Human Resources Representative Rebecca Pizzulo.

At that time of the pre-disciplinary meeting you appeared without representation after having been advised you could be represented.

The purpose of the pre-disciplinary meeting was to provide you the opportunity to correct any errors in the pre-disciplinary letter, to allow you to tell your side of the story and to present any mitigating information as to why disciplinary action should not be taken.

I asked you if you had read the CSA Rule 16-60 on *Discipline and Dismissal* and you stated that you had.

I asked you if you had received a copy of the pre-disciplinary document dated April 25, 2012. You stated that you had received it on April 26, 2012.

I asked you if you had read the pre-disciplinary document and you stated:

"I have. I have it with me."

I asked you if the document was accurate and you made the following statements:

"I'm going to be honest with you, it is accurate. It is accurate. I'm not trying to pass the blame on to anyone, I never have. I have accepted all responsibility. I feel horrible for what happened. But yeah, I can't blame it on anyone else."

"I should have just gotten officers out there. I'm not going to blame anyone. It is accurate, it's what happened."

"It's hard for me to say why didn't I put up the call as 10<sup>th</sup> and Sheridan and just append the call; officers were out there already. Append the call. Give updates on where they were just have them sit back there until officers got out there."

There was an existing incident under investigation by the Denver Police Department at 10<sup>th</sup> and Sheridan during the time of this telephone call. I asked you whether or not you noticed that in-progress call in CAD.

"I did not see that ... I typed in 10<sup>th</sup> and Sheridan but I didn't actually hit 'Enter', which I don't know why."

"If I would have typed in 10<sup>th</sup> and Sheridan and tabbed off of it, I would have seen the 'Shots Fired' call, you know, read through really quick and because they told me they were throwing bottle rockets at them, I would have appended the call, my comment WOULD have been along the lines of 'On the phone with involved party, comments to follow'."

"I just got too focused on them being outside of Denver. That's where I got stuck. That's why it took so long to get help out to them."

"Again, if I would have put in 10<sup>th</sup> and Sheridan, I would have appended and said I am on the phone with the involved party, if they needed an ambulance, get the ambulance out there to them. And then just have them wait where they were because officers were already at the 10<sup>th</sup> and Sheridan call. I have done it before."

"The letter is accurate, I'm accepting responsibility."

"It's just hard for me to tell you why I just didn't have them stop there, stop where they were and then send officers out to them. Maybe have Jefferson County send an ambulance to them."

I asked you whether or not you heard the caller tell you that he was in shock, that he was covered with shards of glass? You responded:

"Yes, I did."

I asked you if you heard the caller tell you that he did not want to drive in his diminished capacity. You responded:

"Yeah, he told me."

I asked you what you were thinking when the caller was describing his medical condition:

"I just wanted to get help out to him. I know he said he didn't want to drive but my focus was ok, I need to know where you're at, where you're going to come back to so I can get officers to you, so I can get help out to you. So my thought was to figure out where he's at right away and we could get help out to him."

"It's accurate that he says he in shock."

"I know that I should have put the call up regardless and have dispatchers or officers decide if they were going to go out there or not. I just told him that we couldn't do it and he needs to be back in Denver so we can help him."

I asked you if you know how to enter a call for service outside the City and County of Denver? You responded:

"Yeah, you just type in whatever address he gives you and you tab off it will show whatever county or city they are in. Dispatchers will see the call, depending on who is closer. I mean, basically, they see the call."

"I have put calls like that up before."

"If I would have typed in 10<sup>th</sup> and Sheridan and then tabbed off from there, I would have seen the 'Shots Heard / Shots Fired', append it to that call, stated that I was on the phone with involved party, (typed in) comments to follow, asked where are you? Tell me exactly where you're at."

"Like I said I would have typed into the comments okay, 'on the phone with the party, comments to follow'. That's what I would have typed."

"There was no reason to have him come back into Denver."

I asked you if you had any other comments and you stated:

"I admit full responsibility for this; I've never passed it on to anyone else. It's even hard for me to say that I'll learn from what happened today. Hopefully it never happens again, but if it does I just know that we can send officers outside of Denver and that's where I got stuck. So, put the call up wherever it is and have the dispatcher decide or guide me from there. Again, I can check with supervisors or check with co-workers. It's something I have done before."

"I just got stuck on them being outside of Denver."

**Conclusion:**

Mr. Rodriguez, after reviewing the pre-disciplinary document and the information you provided at the pre-disciplinary meeting, I have come to the conclusion that you failed to follow procedures despite knowing and previously demonstrating the relevant procedures. You described in sufficient detail how to enter out-of-jurisdiction calls for service and that have done so in the recent past yet you chose to not do so in this situation and were unable to explain why. Additionally, you demonstrated complete disregard for the injuries caused by the assailants and you withheld medical assistance from a caller who repeatedly asked for medical aid.

You offered no compelling information to persuade me to take any action other than to dismiss you from employment, especially in light of the fact that you have previously been disciplined for similar conduct.

**Appeal Process:**

You may appeal this discipline in accordance with Career Service Rule 19, Appeals. You may also initiate dispute resolution pursuant to Career Service Rule 18, Dispute Resolution. Please note, however, that pursuit of dispute resolution will not toll the time limitation for filing an appeal.

Sincerely,



Carl Simpson  
Director, Denver 911


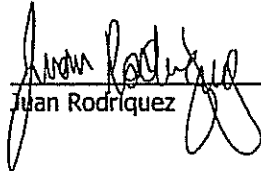
cc: Career Service Authority, Records Management Division  
Agency file  
Manager Lesnansky  
Safety Human Resources

**CERTIFICATE OF SERVICE**

I hereby certify that I hand delivered a true and correct copy of the NOTICE OF DISCIPLINARY ACTION on the 15<sup>th</sup> day of May 2012, to:

Juan Rodriguez



	<u>May 15, 2012</u>
Carl Simpson	Date
Director, Denver 911	
	<u>May 15, 2012</u>
Juan Rodriguez	Date
My signature does not mean that I agree with the content of this letter. It means only that I have received a copy of this letter.	