


AURORA POLICE DEPARTMENT

DIRECTIVES MANUAL

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| 10.13 | Title: INDEMNIFICATION INVESTIGATION | |
|  | Approved By: Vanessa Wilson, Chief of Police | |
| | Effective: 01/24/2022 | Revised: |
| | Associated Policy: | |
| | References: C.R.S. § 13-21-131 (SB-217) | |
| Review: | | Duty Honor Integrity |
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10.13 INDEMNIFICATION INVESTIGATION

10.13.1 Purpose

This policy provides the indemnification investigation procedure for claims arising from C.R.S. § 13-21-131 (Senate Bill 20-217).

10.13.2 Policy

Upon receipt of a notice of claim or demand letter alleging claims arising out of C.R.S. § 13-21-131 naming individual peace officer(s) as defined by C.R.S. § 24-31-901(3) employed by the Aurora Police Department, the department, through the Chief of Police, will initiate an investigation as to whether the named officer(s) in the notice of claim or lawsuit acted in good faith (the “Good Faith Investigation”) prior to determining whether to indemnify the officer(s) in any related litigation. The investigation will be conducted by the Chief of Police or designee. If the Chief of Police is named as an individual in any notice of claim or lawsuit under this statute, the City Manager or Deputy City Manager shall direct how the claim will be investigated under this policy.

If a lawsuit is filed, and no notice of claim or demand letter was previously received, the Good Faith Investigation shall be commenced as soon as reasonably practicable upon becoming aware of the lawsuit. The Chief of Police may also initiate a Good Faith Investigation without receipt of a notice of claim and/or demand letter at their discretion.

The Good Faith Investigation will consider the relevant facts and circumstances of each individual officer’s conduct on a case-by-case basis.

For the purposes of this policy, acting in good faith is defined as acting under an objectively reasonable belief that the actions taken were lawful and consistent with applicable Aurora Police Department directives and training at the time the actions took place.

The Chief of Police will make a final determination as to whether the individual officer(s) acted in good faith for the purposes of C.R.S. § 13-21-131(4). In the event, the Chief of Police is named as an individual in any notice of claim or lawsuit alleging claims under C.R.S. § 13-21-131, the City Manager or designee shall make a final determination as to whether the Chief of Police acted in good faith.