



DENVER SHERIFF DEPARTMENT LODGE 27 **FRATERNAL ORDER OF POLICE**

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Denver Lodge 27 FOP Files Federal Lawsuit against City of Denver!

October 30, 2018

Brothers and Sisters,

On October 15th the Executive Board of Lodge 27 FOP filed a lawsuit against the City and County of Denver in the United States District Court because the city has violated your rights under the First Amendment of the US Constitution.

As you know the city administration changed the Career Service Authority rules last year in a deliberate attempt to deprive Denver Deputy Sheriffs of a fair process to appeal a disciplinary action through the Career Service Authority (CSA) Appeals system. This was done by creating a new rule (Rule 20) that only pertained to Denver Deputy Sheriffs. This new rule discriminates against Deputy Sheriffs by making them the only class of employees in the CSA system that are not allowed a *de novo* review hearing. Simply stated this means that Deputy Sheriffs are required to prove their innocence when they are appealing any disciplinary action through the CSA process. In disciplinary appeal cases that involve all other classes of employees in the CSA it is the city that has the burden of proving the discipline was warranted.

The FOP has always been a vigorous advocate for the rights of our members, and FOP members enjoy a strong Legal Defense Plan that provides a member with attorney representation (unlimited coverage at no cost to the member) in disciplinary cases and the CSA Appeal system. In fact, the FOP had provided legal representation in **71** of the **73** CSA Appeal hearings filed in the previous 3 years prior to the city administration adopting this new rule. Clearly the city adopted this new rule in response to the FOP's stalwart representation of its members in the CSA appeals system. The other CSA employees are not organized and represented by a labor organization under a Collective Bargaining Agreement like Deputy Sheriffs are, and they do not enjoy a strong legal defense plan. The city adopted Rule 20 in retaliation for Deputy Sheriffs exercising their rights to organize and be represented.

Another aspect of the lawsuit deals with the city's refusal to properly adhere to their obligation under the Collective Bargaining Agreement regarding payroll dues deduction. It is no secret that the city administration opposes having the citizens of Denver elect the Sheriff the way it is done everywhere else in Colorado. Because they oppose it, the city administration has refused to deduct the proper dues amount in the hopes that this will prevent the grassroots effort for an initiated charter amendment to make the Sheriff an elected position instead of a mayoral appointee. This lawsuit was filed because they are trying to "bust" our union, so they can violate your rights without having to fight the FOP, but we will never stop fighting and this fight has just gone to whole new level!

Executive Board, Denver Sheriffs Lodge 27 FOP

A Proud Tradition in Law Enforcement