

Colorado Department of Revenue

Specialized Business Group

Date: January 28, 2026

To: Michael Phibbs, Specialized Business Group Senior Director

From: Carolyn Berry, Office of Professional Standards Manager

Subject: 2025 Office of Professional Standards Annual Report

SUMMARY

In May 2019, the Office of Professional Standards was established within the Specialized Business Group Senior Director's Office. The 2025 reporting cycle marks the seventh year of comprehensive tracking and recording of investigations by the Office of Professional Standards for all four Specialized Business Group divisions (SBG) (Auto Industry, Division of Gaming, Liquor Enforcement Division, and Division of Racing Events), the Marijuana Enforcement Division (MED), the Motor Vehicle Investigation Unit (MVIU), the Lottery Division, and the Criminal Tax Enforcement Unit. The Firearms Dealer Division (FDD) within LED started enforcement work on July 1, 2025. Each investigation assigned to the Office of Professional Standards is meticulously tracked and may involve multiple administrative charges, ensuring a thorough process.

In 2023, the Office of Professional Standards tracked and assigned all complaints assigned to the office. However, the Office of Professional Standards did not investigate all complaints involving personnel with the Lottery, MVIU, MED, SBG, or the Criminal Tax Enforcement Unit. Supervisors, internal audit, and human resources handled some investigations. In 2019, a standard operating procedure was created and implemented to outline complaint categories.

As of August 2024, the Office of Professional Standards transitioned to a new process. We no longer make recommendations to the appointing authority on the investigation findings. Instead, we provide a list of policies for the appointing authority to consider when making a final case determination. This change was implemented to ensure the investigation process is fair and impartial and to reassure all parties involved.

One complaint filed in 2025 is still open and expected to be closed, with a finding(s) in early 2026. The information regarding this complaint is not provided in the charge disposition or complaint source totals.

The 2024 allegation that was not completed before the start of 2025 has been included in this year's charge disposition and complaint source totals.

FINDINGS DEFINITIONS

In accordance with the Office of Professional Standards, standard operating procedure, the findings are defined as follows:

Exonerated: The allegation is factual and did occur; however, the member acted lawfully and properly within the Department's policy and the scope of acceptable conduct.

No Finding: The primary UOF review provides a chain of command findings with a determination on whether or not the actions were within Policy or not within policy.

Not Sustained: There is insufficient evidence to prove or disprove the allegation occurred.

Sustained: The allegation is found to be factual and substantiated by competent evidence.

Unfounded: The allegation is not supported by facts, or is determined to be a false allegation.

Closed: Defined as, Investigation of the allegation was terminated. The reason for closing the case file will be stated. This finding type is not currently included or defined in Lexipol policy and will not be applied to open or future investigations.

DOR SBG 2025 COMPLAINT/ADMINISTRATIVE CHARGE DISPOSITIONS

| Allegation | Finding | Count |
|--|----------------|--------------|
| Policy Violation | | |
| Dishonesty | Sustained | 1 |
| DOR Code of Conduct | Sustained | 1 |
| DOR Code of Conduct (2024 case) | Sustained | 1 |
| DOR Code of Conduct | Not Sustained | 1 |
| Falsification of Records | Not Sustained | 1 |
| Misrepresentation of Information (2024 case) | Sustained | 1 |
| Neglect of Duty | Sustained | 1 |
| Total number of sustained findings | | 5 |

| Complaint source | Count |
|-------------------------|--------------|
| Internal complainant | 1 |
| Citizen/Licensee | 2 |

2025 Use-of-Force Reports Annual Analysis

Since May 2019, the Office of Professional Standards (OPS) has been the departmental repository for all use-of-force and show-of-force reports. OPS reviews reports generated by department employees who have reported a use-of-force or show-of-force incident, ensuring a transparent and informative reporting process.

SBG has implemented a tracking system for all use-of-force and show-of-force incidents. A Show-of-force occurs when a firearm or intermediate weapon is displayed as a means to compel compliance or control from a subject. A Use-of-force is the application of a physical technique or tactic, less lethal device, or weapons system to compel compliance, control, or to overcome resistance from an unwilling subject. All reports are entered into the BlueTeam web application by the sworn peace officer who initiated the incident and approved by the chain of command.

2025 Use-of-Force and Show-of-Force Totals

| | |
|------------------------|---|
| Use-of-Force | 5 |
| Show-of-Force | 1 |
| Excessive Use-of-Force | 0 |

2025 Use-of-Force Details

The five (5) use-of-force incidents were determined to be within policy.

The following synopses are based on the reports and evidence provided in the case file. It is intended as a basic accounting of the situation and is not an analysis of the evidence or a report or examination of the incident.

UOF 2025-001 – Use-of-Force – Gaming

Two gaming investigators responded to a dispatch from the Cripple Creek Police Department regarding an intoxicated male who was armed with a shotgun in the area. They were there to provide assistance if needed. The police department subsequently arrested the suspect, who attempted to escape and resisted efforts by the officers to take control. The two gaming investigators helped contain the suspect, one of whom used appropriate arrest control techniques. The suspect was successfully contained, and no injuries were reported. The incident was found to be in compliance with department policy.

UOF 2025-002- Use-of-Force – Gaming

A gaming investigator was patrolling Cripple Creek near the casino district when they heard a dispatch from the Cripple Creek Police Department regarding a suspicious person. This individual had trespassed earlier in the evening and had acted aggressively toward both casino

staff and law enforcement. When the police arrived, the suspect attacked the investigators. Appropriate arrest control techniques were employed to take the suspect into custody. The suspect was then transported to a local hospital via ambulance for abrasions and lacerations and was medically cleared. Injuries were also sustained by gaming investigators during the incident, with one gaming investigator receiving hospital treatment for a head injury. The incident was determined to be in compliance with department policy.

UOF 2025-004 - Use-of-Force - Gaming

Gaming investigators were sent to a casino in Cripple Creek to assist the Cripple Creek Police Department with a domestic disturbance. The police department, along with the gaming investigators, took a suspect into custody. The gaming investigators used appropriate arrest control techniques to secure the suspect, and no injuries were reported. The incident was found to be in compliance with departmental policy.

UOF 2025-005 - Use of Force - Gaming

A gaming investigator was sent to a casino in Black Hawk to address a suspect who had previously been banned from the property. While the investigator was preparing to make an arrest, the suspect advanced toward the investigator and a casino security supervisor. The investigator was injured while trying to restrain the suspect, who then fled the scene and was later apprehended by the Black Hawk Police Department.

During the incident, the gaming investigator employed appropriate arrest control techniques to secure the suspect. The investigator was subsequently taken to the hospital, while the suspect reported no injuries. It was determined that the incident complied with department policy.

UOF 2025-006 - Use of Force - Gaming

Gaming investigators were dispatched to a casino in Cripple Creek to assist the Cripple Creek Police Department with a disorderly patron who was damaging property. Police located the suspect, who was confrontational and non-compliant when the CCPD Officer attempted to detain him. A gaming investigator then displayed his Saber O.C. gel toward the suspect, although it was not discharged. Appropriate, department-approved arrest control techniques were employed throughout the incident. The detained individual claimed he was having a heart attack. An ambulance responded to the scene, and EMTs cleared the detainee. The police department ultimately released the individual with no criminal charges. The incident was found to be in compliance with department policy.

2025 Show-of-Force Details

The one (1) show-of-force incidents were determined to be within policy.

The following synopses are based on the reports and evidence provided in the case file. It is intended as a basic accounting of the situation and is not an analysis of the evidence or a report or examination of the incident.

UOF 2025-003 – Show-of-Force incident – Gaming

A gaming investigator assisted the Gilpin County Sheriff's Office in apprehending two suspects. While stopped to refuel his department vehicle, the investigator noticed a deputy from the Gilpin County Sheriff's Office attempting to take the suspects into custody. The deputy, who was alone, had drawn their service weapon to gain compliance from the suspects. The gaming investigator also drew his department-issued service weapon and issued loud commands to encourage compliance. As a result, both suspects were taken into custody without further issues. The incident was found to be in accordance with department policy.

Training unit and use-of-force review board changes

In 2023, the Senior Director's Office of the Specialized Business Group (SBG) established a training unit. This unit comprises an office for professional standards and a training manager; a peace officer training manager; one full-time internal affairs investigator; a training specialist; and two positions focused on use-of-force, armorer, and investigator training. The unit is also expanding to include a records manager.

All Department of Revenue (DOR) POST-certified peace officers must adhere to Colorado POST Rule 28, which requires a minimum of 24 hours of training each year. This training must be tracked and entered into the POST training portal, and these responsibilities fall to the training unit. In 2024, the training unit successfully completed its first in-service training and low-light qualification rounds. Together, these programs and additional online training totaled 71 hours per officer.

In 2025, we adjusted the in-service training schedule to 24 hours in the first half of the year, followed by an additional 16 hours of low-light scenario training in the second half of the year. Moreover, additional online training during the mid-year included legal and legislative updates from the Colorado District Attorney's Council, as well as other courses to meet the requirements outlined in §24-31-315. This training model aims to provide consistent training across all DOR divisions for POST-certified peace officers.

The Active Bystandership for Law Enforcement (ABLE) program was introduced in March 2024, with 137 sworn members completing the training. The ABLE curriculum continued in 2025 with two-hour updates during in-service sessions and an eight-hour class for new employees, training nine new officers.

Looking ahead to 2026, the training unit plans to develop supervisor-level courses focused on use-of-force review procedures and the internal affairs process. The force review course aims to ensure that detailed, objective reviews are conducted at the chain-of-command level, while the internal affairs course seeks to promote understanding and consistency in the agency-wide complaint process.

The Use-of-Force Review Board has been in operation since January 1, 2022. It has reviewed all use-of-force and show-of-force incidents from 2023, 2024, and 2025, and it has been asked

to provide input on policy and training recommendations. The board frequently suggests report-writing classes for all DOR POST-certified members and better identification procedures. To address the board's recommendations for better identification, uniforms were implemented across all Gaming field offices on July 1, 2025. Additionally, all investigators in the Division of Gaming were issued Axon body-worn cameras and Tasers effective October 15, 2025. The deployment of Tasers for the Black Hawk office is scheduled for early 2026.

In 2026, the reporting requirements for use-of-force and show-of-force incidents will change, requiring each investigator to submit their own Blue Team report instead of a single collective report. This change aims to ensure reviews are conducted based on each officer's individual actions, and that policy decisions are made accordingly. Although the number of reports is expected to increase due to this new requirement, the actual number of use-of-force and show-of-force incidents is not expected to rise.

Comparisons from 2021-2025

| | 2021 | 2022 | 2023 | 2024 | 2025 |
|---|------|------|------|------|---------------------------------------|
| Number of investigations per year | 2 | 5 | 7 | 2 | 4 (included 2024 case closed in 2025) |
| Number of sustained allegations per year | 8 | 9 | 10 | 1 | 5 |
| Number of employees who resigned in lieu of termination | 1 | 0 | 0 | 0 | 0 |
| Number of use-of-force incidents | 5 | 8 | 2 | 3 | 5 |
| Number of show-of-force incidents | 5 | 5 | 2 | 1 | 1 |
| Excessive use-of-force incidents | 0 | 0 | 0 | 0 | 0 |