

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,	)	
	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Town of Colorado City, Arizona, et al.,	)	No. 3:12-cv-8123-HRH
	)	(Prescott Division)
Defendants.	)	
_____	)	

O R D E R

Court Monitor and Police Consultant Reporting

The court is in receipt of the semi-annual reports of the Court Monitor and Police Consultant.<sup>1</sup> The court very much appreciates the Court Monitor's efforts to provide the court with an unusually comprehensive report because we are at the halfway point of the term of the court's injunction.

The court addresses first the November 1, 2022, report of the Police Consultant.

Hiring and retention of CCMO officers continues to pose a problem. Although it appears that relationships between the CCMO and other law enforcement agencies continues to improve, and as important as those relationships are to the overall effectiveness of the CCMO, relationships with other law enforcement agencies are, in the court's view, unlikely to be of much help in fostering recruitment and retention of officers. The court understands that recruitment and retention is a national (not a local) problem. Especially

---

<sup>1</sup>Docket Nos. 1211 and 1211-1.

since the Police Consultant advises that the cities are seeing a growth in population, it is the court's perception that something financial must be undertaken to enhance recruitment and retention. The court again solicits the Police Consultant's thoughts on what might be done to improve the recruitment and retention situation.

The Police Consultant reports that there has been "significant improvement" in the policies and procedures area. The court encourages the Police Consultant to continue working with the CCMO to improve policy scores.

The Police Consultant also reports that a new body camera system has been purchased and that training in the new system has been completed. This sounds like an excellent advance in the ability to supervise services and improve report writing – which "continues to be a challenge" in some areas. Inasmuch as a new report system is in place and training has been scheduled for later this month, the court looks forward to continuing improvement in officer reporting.

Overall, the Police Consultant reports that deputies and civilian staff continue to "enhance services provided to the community." Keep up the good work.

The court now turns to the November 1, 2022, report of the Court Monitor.

Again, the court thanks the Court Monitor for his efforts in providing a more comprehensive, updated report regarding compliance with requirements of the injunction and judgment entered in this case.

The Court Monitor reports that the cities are currently in compliance with the Policing Act requirements. However, the Court Monitor reports that, as already discussed above, report writing continues to be a challenge and this subject will be addressed in an upcoming training session.

The communities are in compliance with the Fair Housing Act requirements of the court's injunction and judgment. The cities are also in compliance with the requirement concerning building department policies and procedures.

The cities are in compliance with the applicable water service regulations, and culinary water impact fees are in a revision process. The court looks forward to an updated report on this important subject in the Court Monitor's next semi-annual report.

With respect to websites and public notice to the communities, the Court Monitor reports that both communities have revised and updated their websites, which are "significantly improved" but "need to be improved" further. The Court Monitor reports that the communities are currently out of compliance with some aspects of public notice requirements – in particular, in the period from May 2021 through October 2022, contact information for both communities is deficient, as is the publication of minutes by both communities. The court encourages the Court Monitor to make compliance with website and public notice requirements a priority during the current reporting period.

The Court Monitor reports that the communities are in compliance with the mandatory education and training requirements of the court's injunction and judgment.

Concerning his oversight responsibilities, the Court Monitor self-reports as regards building application audits and his ability to access the cities' on-line building permit and inspection program. The Court Monitor recommends that, in the interest of transparency, these audits should be expanded to include zoning and land use processes and approvals. The court endorses and approves that recommendation.

Finally, on the subject of public involvement and future monitoring, the Court Monitor has provided the court with a community status update and a monitor status update. Both of these reports are informative. It appears that the Colorado City Council

may have as many as four new members and that Colorado City will have a new mayor. The court encourages the Court Monitor to work with newly-elected officials of Colorado City to assure their understanding of the purposes of the court's injunction and judgment. Moreover, the Court Monitor will please impress upon the newly-elected officials the substantial progress that has already been made, as well as what remains to be done.

Finally, the Court Monitor reports that a successful public open-house was held as well as a stakeholder engagement meeting in July. The court views these efforts as extremely important to enhancing transparency within the communities and acceptance of the cultural changes that have come about as a result of the court's injunction and judgment. The court understands and hopes that these two initiatives will, at some point, be self-sustaining, community initiated, meetings in the nature of an informal community council.

The court looks forward to receiving the Court Monitor's and Police Consultant's **May 1, 2023**, updated reports.

DATED at Anchorage, Alaska, this 3rd day of November, 2022.

/s/ H. Russel Holland  
United States District Judge