



THE HONORABLE

*Rafael G. Espinoza*  
COUNCILMAN DISTRICT 1

*City and County of Denver*  
CITY COUNCIL

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Dear Mayor Hancock:

I am very concerned that I and the members of Denver City Council were advised to vote for a 2016 settlement agreement related to the sexual harassment of Denver Police Det. Leslie Branch-Wise and the termination of Wayne McDonald which omitted the extent of the harassment Branch-Wise was subject to, and the apparent obfuscation and incomplete information conveyed at that time. At the behest of our attorney, David Broadwell, who was interim City Attorney because of the controversial actions of Scott Martinez, on your behalf, we voted to approve a settlement agreement, that I now believe – based on the recent revelations of your own harassing behavior in this matter – was ill-advised. As a representative and fiduciary of my constituents and the taxpayers of Denver I am very troubled that this matter was handled as it was by the City Attorney and you.

In light of your admission, I believe it is important that you address concerns about the circumstances surrounding the settlement:

- Did you and/or City Attorney knowingly obscure your own harassing behavior related to relations with Ms. Branch-Wise at the time of the termination of Mr. McDonald and subsequent settlement agreement;
- Was the settlement agreement with Mr. McDonald designed to keep him from publicly revealing your own harassing behavior toward Ms. Branch-Wise;
- Was the settlement agreement designed to limit the exposure of harassing behavior by you to other city employees or others?

Sexual Harassment in the workplace – or anywhere else – is unacceptable and it is clear to me that your behavior related to Ms. Branch-Wise was indeed sexual harassment coming from the most powerful individual in the City. The citizens of Denver deserve no less than answers to these questions and a full and complete accounting of your behavior and the true context of the settlement agreements in relation to your actions.

While a briefing in Executive Session to members of City Council, by the current City Attorney has been offered it, does nothing – because it will be in secret, and the City Attorney is taking unusual steps to ensure opacity– to provide the citizens with a full and accurate accounting of what occurred related to the sexual harassment of Det. Branch-Wise; the circumstances and reasons for her \$75k settlement; and the termination of Mr. McDonald. Frankly I am less than confident that what will be presented will vary in any appreciable way from the less than forthcoming briefing we received when we were asked to approve the settlement. Moreover, more questions have arisen since the revelation of the content of your text messages including whether other individuals may have been involved in or the target of harassing behavior.

Your constituents, the citizens of Denver, deserve to be confident that what you have averred, related to issues of sexual harassment, is indeed true, if there is nothing to these concerns state that clearly and unequivocally, otherwise a full public accounting is in order, rather than place members of Council, whom are without official recourse, in the firing line for your behavior.

To remove the cloud forming over your administration, it is in the best interests of the citizens of Denver that you direct the current City Attorney to commission an independent investigation by an outside party, selected by Council, to delve into this matter and provide a full accounting. This should be done with all due speed to ensure that voters have clarity the conduct of the person occupying the most powerful office in Denver, before they are asked to consider whom should occupy that seat.

Sincerely,

Rafael Espinoza  
City Councilman, District 1.