

**Police Oversight Task Force
August 20, 2013
5:30 p.m.**

Summary Minutes

Members present:

Hans Erickson
Ralph Arellanes
Nancy Koenigsberg
Edmund Perea
Frances Armijo
Andrew Lipman
Craig Loy
Alan Wagman
Julia Kennedy
Fabrizio Bertolletti

Council staff present:

Jon Zaman
Chris Melendrez
Jessica Gonzales
Julian Moya
Crystal Ortega
Mandi Hinojos

Members excused:

Peter Simonson (Steve Allen attended on his behalf as a non-voting member.)

Others present:

Brad Winter, City Councilor, District 4
Dr. Bruce Perlman, Director, School of Public Administration, UNM

1. Call meeting to order – Jon Zaman

Mr. Zaman called the Task Force meeting to order at 5:35 p.m.

2. Welcoming Remarks – City Councilors Winter and Garduño

Councilor Winter thanked the members for serving on the Task Force, and added the goal of the ordinance is to have an oversight process that is fair, balanced, and provides transparency to the public.

3. Selection of Chair and Vice Chair.

After a series of votes, Andrew Lipman was appointed Chair by a vote of 6 to 5.

For: Arellanes, Erickson, Koenigsberg, Lipman, Simonson, and Wagman
(Mr. Simonson voted via teleconference)

Against: Armijo, Bertoletti, Kennedy, Loy, and Perea

Hans Erickson was appointed Vice Chair by a vote of 5 to 4.

For: Armijo, Bertoletti, Erickson, Kennedy, and Loy

Against: Arellanes, Koenigsberg, Perea, and Wagman

Excused: Simonson

Recused: Lipman

4. Public Comment:

Art Tannenbaum addressed the Task Force regarding the POC needing to have a good relationship with the community and law enforcement, along with required training. He added the POC should be fair and independent.

Silvio Dell 'Angela addressed the Task Force regarding the current POC not providing accountability and transparency.

Dr. Harold Bailey, Ph.D. addressed the Task Force regarding not having Africans, Asians, and Native Americans represented on the Task Force.

Kenneth Ellis addressed the Task Force regarding having Police accountability.

Andres Valdez addressed the Task Force regarding the selection process of the Task Force members.

Karen Café addressed the Task Force regarding not having a youth advocate represented on the Task Force, and required training for members on the POC.

Chair Lipman stated the process of the Task Force will be fair and balanced, and encouraged the public to attend and participate in all the meetings. He added the goal of the Task Force is to build a better community.

5. Task Force Responsibility – Jon Zaman

Mr. Zaman reported the Task Force is to review the history and evolution of the existing police oversight system by reviewing the results and recommendations of:

1997 Walker/Luna study

2006 MGT study

2011 MGT study

The UNM School of Public Administration is currently preparing summaries of and a presentation on all of these reports for the Task Force. It may also be possible to bring in MGT or the original authors of the Walker/Luna report for a presentation and questions and answers.

The Task Force will need to develop a thorough understanding of the existing police oversight system and best practices and oversight models from other cities. Per R-13-143, the Task Force is to receive briefings and presentations from subject matter experts, which might include presentations by:

Members of the existing Police Oversight Commission

The City's existing Independent Review Officer

National experts in the field of police oversight, including specialists from the National League of Cities or the Municipal League

Other subject matter experts suggested by the Task Force

The Task Force will need to hold at least three Town Hall meetings, and, as suggested by the UNM School of Public Administration, a virtual meeting, to hear comments or suggestions for improving the oversight process from members of the public.

The Task Force will need to provide the City Council with its recommendations for improving the police oversight process by the end of December 2013.

And finally, the Task Force will hold its meetings in compliance with the State Open Meetings Act. Mr. Melendrez, the City Council's staff attorney, gave a brief presentation on the Open Meetings Act and its application to the Task Force.

6. Open Meetings Act Resolution – R-1-2013 - Chris Melendrez

Mr. Melendrez reported the Police Oversight Task Force is subject to the State Open Meetings Act, commonly referred to as OMA. A copy of the Open Meetings Act was provided and he encouraged the Task Force to review it and contact him with any questions. He added that the Attorney General has an OMA guide available on its website which is very helpful to understanding the law.

OMA is a state law often referred to as a “sunshine law,” which generally requires that public business be conducted in public view. He noted there are some exceptions for when a meeting may be closed to the public but none apply to this task force.

All of the meetings of a quorum of the Task Force will be considered public meetings and the public is encouraged to attend and listen. Task Force members should avoid discussing Task Force business with a quorum of members outside of these public meetings, whether you are all gathered in the same place or emailing or calling one another on the same matters.

OMA requires that all public meetings be published, and that any agendas also be provided at least 72 hours in advance. It also requires this Task Force to adopt an open meetings resolution that describes the type of “reasonable” notice it intends to provide for its meetings.

An open meetings resolution was provided to the Task Force by Council Staff for adoption.

The OMA resolution proposed that the Task Force’s public forums be noticed to the public as far in advance as possible, but no less than ten days in advance. It also proposed that the Task Force’s regular meetings be noticed at least ten days in advance. As previously noted, any meeting agendas would need to be made available to the public at least 72 hours in advance.

Pursuant to OMA, minutes of these meetings will be taken in the form of an audio recording, and these can be transcribed if necessary. Both the recordings and any transcriptions are public records subject to inspection. The Task Force would need to act to approve the draft minutes at its next meeting. The minutes are public records even in their draft form.

Mr. Bertolletti asked about a rolling quorum. Mr. Melendrez gave an example of how a rolling quorum may occur through phone communications among task force members and stated it is a violation of OMA.

Motion by Mr. Arellanes to approve R-1-2013, seconded by Ms. Armijo. The motion carried unanimously.

7. UNM’s School of Public Administration (SPA) – Bruce Perlman

Dr. Perlman reported the School of Public Administration will provide staff assistance to the City Council and the Task Force with regards to general public

policy research, program evaluation, synopsis and summary to important documents, and drafting of the final report.

Mr. Lipman and Mr. Perea asked Council Staff to prepare a draft mission statement of the Task Force. Mr. Zaman responded that he would work with the Chairman in doing so and present it at the next Task Force meeting.

8. Schedule three public forums – Jessica Gonzales and Julian Moya

After some discussion regarding the availability of Task Force members, Mr. Lipman announced the following public forums:

- Tuesday, September 3, 2013, at 5:30 p.m. at the North Valley Senior Center
- Tuesday, September 17, 2013 at 5:30 p.m. at the West Mesa Community Center
- Thursday, October 17, 2013, location to be determined
- Scheduling a fourth public forum on a Wednesday at a quadrant not represented
- Scheduling a virtual town hall meeting.

Mr. Bertolletti asked for the media and neighborhood associations to be given notice of the public forums. Ms. Gonzales responded that notification was given to the media through a press release and notice was given to the neighborhood associations by the City Council Policy Analysts.

Ms. Koenigsberg asked about the virtual town hall meeting. Dr. Perlman responded the virtual town hall meeting would be conducted through teleconference and a discussion board. Mr. Lipman asked for a description of the discussion board. Dr. Perlman responded he would work on that.

9. Schedule next meeting.

Mr. Lipman asked if the final report of the Task Force could be extended. Mr. Zaman responded the extension of the final report requires City Council approval, but it would be possible.

Mr. Lipman announced the next meeting of the Task Force on Tuesday, September 10, 2013 at 5:30 to 7:00 p.m. in the Council Committee Room with the following items to be on the agenda:

- Report on virtual meeting
- Mission statement sample
- Other resources to review
- Public input beyond public forms
- Website Update

Mr. Zaman reported a Task Force website is being created to include agendas, materials and biographies of the Task Force members.

There was no other business discussed. The meeting adjourned at 7:30 p.m.

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