

# CITY OF ALBUQUERQUE



## POLICE OVERSIGHT BOARD PERSONNEL SUBCOMMITTEE

Friday, July 24, 2015 – 1:30 p.m.  
Plaza Del Sol, 600 2<sup>nd</sup> St. NW  
Basement, Hearing Room 160

### Members Present

Beth Mohr (Chair)  
Joanne Fine  
Eric Cruz

### Others Present

Robin S. Hammer  
Michelle Contreras  
Paul Skotchdopole  
Chris Davidson  
Erin O'Neil  
Samantha Hults, Asst. City Attorney  
Al Green, Human Resources  
Leonard Waites

## AMENDED MINUTES

I. **Welcome and Call to Order:** Beth Mohr called the meeting to order at 2:40 p.m.

A. The following documents were distributed at the meeting:

1. Document titled: *CPOA Executive Director Search – Candidate Attributes*. See attachment "A."
2. Document titled: *Suggested standards for Oversight Executives: Directors, Auditors, and Monitors*. See attachment "B."
3. Document titled: *Questionnaire for CPOA Director Search*. See attachment "C."

II. **Approval of the Agenda:** Copies of the Agenda were distributed. Subcommittee member Fine moved to approve the agenda. Subcommittee member Cruz seconded the motion. Approved.

For: Mohr, Fine, Cruz

III. **Approval of Minutes & Prior Minutes.** Member Cruz moved to approve. Member Fine seconded the motion. Approved.

For: Mohr, Fine, Cruz

IV. **Public Comments:** None.

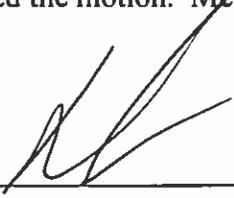
V. **Discussion of Executive Director Search & Hiring Process.** The subcommittee discussed the search and hiring process for an Executive Director for the CPOA and the timeline.

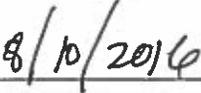
A. Mr. Alan Green discussed the hiring process for an Executive Director for the CPOA and the applicants, including the City of Albuquerque's Veterans

Civilian Police Oversight Agency  
Police Oversight Board – Personnel Subcommittee  
July 24, 2015  
Page 1

Program. A review of applicants was conducted to determine who is a veteran.

- B. The Board reviewed all the applicants. The Board used suggested standards as a guide, which included but not limited to, management experience, legal background, job stability, etc. These applicants were then sorted into three categories: (1) Yes, (2) Maybe, and (3) No.
- C. The Board discussed inviting all the seven (7) "yes" candidates to the next meeting, which is scheduled for Wednesday, August 29, 2015. Should three (3) or more of the "yes" candidates decline and/or not provide their writing assignment, an invitation to the three (3) "maybe" candidates will be extended.
- D. A motion by Ms. Joanne Fine was made as follows: I move that if three (3) or more of the seven (7) yeses, cannot attend the interview on the 29th, that we invite the three (3) maybes. Chair Mohr made a suggestion to amend the motion as follows: In addition to Member Fine's motion, is that the group we read aloud was yes, no and maybe as we read them. Member Fine agreed to amend the motion with Chair Mohr's suggestion. **Approved.**  
**For: 3 - Mohr, Fine, Cruz**
- E. In regards to reference checks for the three (3) final candidates, questions to ask were discussed and decided.
- F. On TV interview questions were reviewed, discussed and decided. The candidates will be asked six (6) questions during their "on tv" interview.
- VI. **Discussion of CPOA Office Personnel Issue.** Work was done last Thursday (August 16, 2015) by Ms. Hammer. No need for a special executive session.
- VII. **Other Business.** Members discussed that since this is a permanent board, there is a need for the subcommittee to meet on an ongoing basis.
- VIII. **Next Meeting date:** July 31, 2015 at 1:00 p.m.
- IX. **Adjournment:** Member Fine moved to adjourn the meeting. Member Cruz seconded the motion. Meeting adjourned at 3:18 p.m.

  
\_\_\_\_\_  
Approved by:  
Beth Mohr, Chair  
Personnel Subcommittee

  
\_\_\_\_\_  
Date

CC: Julian Moya, City Council Staff  
Natalie Y. Howard, City Clerk  
Dan Lewis, City Council President

**CPOA Executive Director Search - Candidate Attributes**  
*Adapted from NACOLE'S SUGGESTED STANDARDS FOR OVERSIGHT EXECUTIVES: Directors, Auditors, and Monitors*

Experience Category	YES	MAYBE	NO
Management	Proven manager with experience turning-around problem or struggling agencies	Experienced manager	Minimal or no experience, or experienced but unsuccessful
Leadership	Creative, innovative and outgoing leader with recognized judgment, objectivity and integrity with proven success	Strong leader, less dynamic, or with more limited experience	Weak leader; judgment and objectivity questioned, or results unsuccessful
Legal - Civil Rights	Significant experience, or experience with complex civil rights issues	Some experience, or non-complex civil rights case experience	Minimal or no experience, or experienced but unsuccessful
Legal - Criminal Law	Experience as judge, prosecutor, public defender or law enforcement	Some criminal law experience	Minimal or no experience, or experienced but unsuccessful
Legal - Employment Law	Extensive experience, or experience with complex employment law	Some experience, or non-complex employment case experience	Minimal or no experience, or experienced but unsuccessful
Legal -Other relevant experience	Extensive other legal experience that translates well to civilian oversight	Some other legal experience that translates well to civilian oversight	Minimal or no experience, or experienced but unsuccessful
Board (public, non-profit, etc.)	Extensive board experience, non-profit, public bodies, government, publically traded company boards, etc.	Some board experience	Minimal or no experience, or experienced but unsuccessful
Government/Political	Proven government manager or experienced in politically sensitive governmental position	Some governmental experience or some experience in politically sensitive positions	Minimal or no experience, or experienced but unsuccessful
Investigative	Extensive experience conducting or supervising complex criminal, civil or administrative investigations	Some experience, or non-complex criminal, civil or administrative investigations	Minimal or no experience, or experienced but unsuccessful
Dispute Resolution	Extensive dispute resolution experience	Some dispute resolution experience	Minimal or no experience, or experienced but unsuccessful
DO/Monitor/Civilian Oversight	Extensive successful experience with consent decree or other court ordered monitoring process	No experience or minimal experience	Unsuccessful experience with consent decree or other court ordered monitoring process
Job Stability	Track record of successful long-term employment relationships (4-5 years each position); minimal lateral moves.	Series of 1-3 year employment terms; or several lateral moves from one agency or employer to another without additional responsibility.	Multiple short-term positions, minimal or no record of success at any one place. One or more terminations, disciplinary issues, asked to leave or left under unhappy circumstances. Unexplained gaps in employment

**Attachment "A"**

**CPOA Executive Director Search - Candidate Attributes**  
 Adopted from NACOLE'S SUGGESTED STANDARDS FOR OVERSIGHT EXECUTIVES: Directors, Auditors, and Monitors

Experience Category	YES	MAYBE	NO
Written Communication - Content	Answers to writing assignment show depth of understanding of civilian oversight and complex issues. Well-written and thoughtful writing assignment	Neutral - Person applied on July 17th and was not able to complete their writing assignment in time for the meeting	Writing assignment demonstrates lack of understanding to complex issues. Inappropriate answers to questions, spelling or grammar errors, failed to answer questions
Building Bridges	Track record of bringing people together under difficult circumstances for successful resolutions of complex problems	Neutral - no additional positive or negative issues, or unknown	Track record of being divisive, causing rifts or divides between people, groups or stakeholders
Community Involvement and/or Community Service Maturity	Community involvement and/or community service High level of resiliency and the ability not to personalize adversity, mature, takes responsibility for solving problems	Neutral - no additional positive or negative issues, or unknown Neutral - no additional positive or negative issues, or unknown	Community involvement inappropriate or unsuccessful Personalizes adversity, becomes non-communicative or withdrawn, immature, refuses to take responsibility for actions, blames others
Communication	Exceptional communication skills; ability to communicate with a variety of stakeholders. Communication is effective, timely, clear, complete and concise.	Neutral - no additional positive or negative issues, or unknown	Poor communication skills; communication is inadequate, fosters confusion or misunderstandings.
Community Relations	Strong passion for community relations and outreach with the ability to build strong, yet independent working relationships with a wide array of constituents and community representatives, experience successfully working with diverse communities	Neutral - no additional positive or negative issues, or unknown	Dislikes community outreach, inexperienced or ineffective in working with various stakeholders and diverse community members. Pedantic, talks down to or negatively about various groups.

**Attachment "A"**

**SUGGESTED STANDARDS FOR OVERSIGHT EXECUTIVES: Directors,  
Auditors, and Monitors**

**1. QUALIFICATIONS FOR CIVILIAN OVERSIGHT EXECUTIVES**

**1. EDUCATION**

1. A Bachelor of Arts/Science or an equivalent degree. Master's degree, Juris Doctorate, or PhD is highly desirable.

**2. EXPERIENCE**

1. At least four (4) years of experience in the field of public or private administration or in the practice of law.
2. Prior managerial or supervisory experience.

**3. REQUIRED KNOWLEDGE, SKILLS & ABILITIES**

1. Creative, innovative and outgoing leader with recognized judgment, objectivity and integrity with a commitment to achieving solutions and results
2. Strong passion for community relations and outreach with the ability to build strong, yet independent working relationships with a wide array of constituents and community representatives particularly, experience working with multicultural/ethnic communities
3. Ability to bridge community and institutional concerns around fairness and justice issues and knowledge of social problems, community attitudes, organization and subcultures
4. Work effectively within the framework of governmental and judicial structures
5. Exceptional analytical, verbal and written communication skills
6. The ability to manage people
7. Knowledge of organization and management practices and methods, including goal setting, program development and implementation, employee supervision, personnel management, employee relations, team building, budget development and financial management
8. High level of resiliency and the ability not to personalize adversity
9. The ability to interact and operate effectively with various stakeholders, e.g., elected and appointed officials, law enforcement officers and administrators, community groups, and others
10. The ability to work independently, fairly and objectively
11. Effective facilitation, negotiation and diplomacy skills
12. A willingness to make a long- term commitment to the organization
13. Knowledge of general legal principals and statutory law including knowledge of employer-employee hearing and administrative procedures
14. Knowledge of principles, practice and procedures related to conducting investigations and administrative hearings including rules of evidence and due process
15. Knowledge of police administration and organization, and the rules, laws and regulations thereof

**Attachment "B"**

1. Per the ordinance, the POB supervises the Executive Director, and the Executive Director supervises the CPOA staff, yet the CPOA Office is the support staff to the POB. How would you propose to ensure that POB members have adequate staff support, while dealing with staff concerns that they are being supervised by the POB?
2. The CPOA office currently has a backlog of investigations which are past the 90 day time frame allowed for completion. What is your plan for resolving that backlog using the current staff?
3. Would you make recommendations for discipline prior to the Investigation's completion?
4. What burden of proof would you apply to investigations of officer shootings?
5. Although you are a lawyer, which is a requirement for this job, the Board as its own independent legal counsel. How do you see yourself interacting with the Board's Counsel, and under what circumstances would you think it appropriate for you to provide legal advice to the Board.
6. Where is the balance point between public safety and personal rights, how do you attain it, teach it, and maintain it.
7. How do you get the public to understand and appreciate a night in the life of a patrol officer?
8. The POB is currently required to go on 2 ride-alongs with APD officers every six months, but there is no such requirement for the Executive Director or CPOA Staff. Do you think that the Executive Director and/or CPOA Staff should also go on ride-alongs? Why or why not?
9. Please explain your understanding of the 1989 US Supreme Court decision of *Graham vs. Connor* and how your understanding of this Supreme Court decision will influence you and the decisions you make as CPOA Executive Director.
10. How would you support officers in their work, implement procedures to stop police abuse and compliment the orderly and efficient operation of the police department?
11. Within the past two years, there have been several sustained complaints where the officer was not able to be disciplined, due wholly to the lack of timely investigation of the complaint by the CPOA office. All complaints should be completed within the 90 day time limit, but at this point there is a backlog. Until that backlog is resolved and all complaints are completed on time, what is your plan for triage or prioritization of complaints to ensure the most serious, or those most likely to involve discipline, are completed within the 90 day time frame?

## **Attachment "C"**

12. What experience as an employee most impacted the way you manage others?
13. By ordinance, the CPOA is charged with dedicating a majority (more than 50%) of its time to identifying and addressing systemic problems within the APD (versus adjudicating individual complaints). Can you describe your experience organizing this kind of research and policy analysis? What is your vision for carrying out this critical function of the CPOA?
14. Please describe your experience with community outreach. Which groups would you prioritize for outreach, and why?
15. Like most civilian police oversight bodies around the country, Albuquerque's CPOA does not have the authority to mandate discipline for officers who are found to have violated policy and/or civil rights. Do you think this is a shortcoming of the CPOA model? Why or why not?
16. Can you describe your experience working under the direction of a board of directors or analogous body of individuals? What are some of the strategies you would use to ensure a constructive and collaborative working relationship between yourself and the POB?
17. How would you measure the success of the CPOA? How would you determine whether or not the CPOA was achieving its goal of effective police oversight? How would you measure the success of the POB?
18. APD officers generally cannot be disciplined unless their actions violate APD policy. Many members of the public feel that many APD policies allow and even direct inappropriate officer actions – a position supported by the Department of Justice. How will you deal with the tension between these two positions when they arise in the context of an individual civilian complaint against an officer?
19. What do you see as the most important task of the CPOA? What is the most important task for the POB?
20. The Department of Justice in its April 10, 2014 report heavily criticized APD policies which allowed officers to shoot at motor vehicles, and the settlement agreement in the lawsuit mandated that the policy be changed. Yet over a year later, when an APD officer shot at a moving SUV in a residential parking lot with passengers, including a five-year-old child, in the SUV, Chief Eden not only announced that the policy had not yet been changed, he appeared to justify the officer's actions. How will you deal with this kind of institutional resistance to change?

## **Attachment "C"**

21. Officers frequently have recollections of events that differ from the images depicted on their lapel cameras. Some police departments mandate that the officer must write their report or give their statement prior to viewing their own camera footage, others allow officers to decide which to do first. When an officer's statement differs from the video depiction, how do you judge whether or not the officer is being untruthful, is mistaken or simply has a different perspective from that of the camera?
22. Will you deal differently with officers whose violations of policy may be the result of improper past training than with officers who violate policy after proper training? If so, how? If not, why not?
23. Of those people who are paying attention to police oversight issues, some portion have come to mistrust the office you are seeking. The Department of Justice was heavily critical of the people who have filled the position in the past. How will you deal with those who mistrust of anyone in the job? How does your past experience or personal character indicate an ability to handle this type of situation?
24. What is your strategy for public outreach?
25. As an applicant for our CPOA Director position, you've obviously experienced many interactions with police officers over the years. Please describe one such personal positive and one negative. Be as specific as possible; please avoid "glittering generalities".
26. Have you reviewed the DOJ Settlement Agreement/Consent Decree? The Police Oversight Ordinance? The DOJ Findings Letter? Based on what you see in those documents, what do you expect to be some of the primary challenges for the ED?
27. How can the CPOA effectively engage with the community? What's the ED's role in facilitating that engagement?
28. The ED also will have to regularly interact with the Mayor, City Council, DOJ Monitor, individual complainants, APD brass, the APOA, and individual officers. How do you plan to handle these different relationships?
29. Under the Police Oversight Ordinance, the POB is charged with devoting more than 50% of its time to analyzing data to provide suggestions for how APD broadly can improve its performance. The CPOA staff will need to facilitate this by pulling together the necessary data. What data do you think will be valuable to that process? How do you think it can be effectively collected/tracked over time?

## Attachment "C"