

**POLICE OVERSIGHT BOARD  
CASE REVIEW SUBCOMMITTEE**

**Friday, March 3, 2017 at 10:00 a.m.  
Plaza del Sol Building, 600 2nd Street NW  
3<sup>rd</sup> Floor, Planning Small Conference Room**

**Members Present**

Leonard Waites, Chair  
Joanne Fine

**Members Absent**

Dr. Carlotta Garcia

**Others Present**

Edward Harness, Exec. Director  
Michelle Contreras  
Jim Larson

**Meeting Minutes**

**I. Welcome and call to order**

Case Review Subcommittee Chair Leonard Waites called to order the regular meeting of the Case Review Subcommittee at 10:04 a.m.

**II. Approval of the Agenda**

Copies of the Agenda were distributed. A motion was made by Subcommittee Member Fine to approve the agenda. Subcommittee Chair Waites seconded the motion. The motion was carried by the following vote:

**For -2: Fine, Waites**

**III. Review and Approval of the Minutes from the February 6, 2017 Case Review Subcommittee Meeting.**

A motion was made by Subcommittee Member Fine to approve the minutes from the February 6, 2017 Case Review Subcommittee meeting.

Subcommittee Chair Waites seconded the motion. The motion was carried by the following vote:

**For - 2: Fine, Waites**

**IV. Public Comments:** Jim Larson gave a summary to the Case Review

Subcommittee meeting regarding the CPOA's semi and annual reports. Mr. Larson suggested that the CPOA should consider doing only drafting one in-depth annual report instead of drafting both a semi-annual report and an annual report.

V. **CPOA Report – Edward Harness, Executive Director.** Director Harness gave the following report:

a) **Force Review Board:**

1. Director Harness attended the Force Review Board (FRB) meeting in which they only got through half the randomly selected on a quarterly use of force cases by APD (no Serious Use of Force or Officer-Involved Shooting cases).
2. **Action item:** Director Harness will provide a summary of the cases heard at the FRB at the POB meetings during his report.

b) **OIS I-169-15.** Discussed this Officer-Involved shooting case is ready for the POB to hear.

c) **OIS 1-172-15.** Discussed that this case is ready to be reviewed. However, this case is not a priority because the officer is now is retired. Can be reviewed and presented in April unless other OIS cases that take precedence

d) **Meeting with District Attorney Raul Torrez** – Director Harness has a meeting with District Attorney Raul Torrez on March 16, 2017 to discuss several issues such as Officer-Involved shootings.

VI. **Review of Cases:** The Subcommittee members agreed with the CPOA’s findings of the following Citizen Police Complaints (CPCs) and to add them to the consent agenda for the next POB meeting scheduled on February 9, 2017.

a) **Administratively Closed Cases**

094-16

A motion was made by Subcommittee Member Fine to accept all the *administratively closed* cases as written. Subcommittee Chair Waites seconded the motion. The motion was carried by the following vote:

For: 2 – Fine, Waites

b) **Cases investigated**

152-16            153-16            169-16

A motion was made by Subcommittee Member Fine to approve *Cases investigated* as written. Subcommittee Chair Waites seconded the motion.

The motion was carried by the following vote:

For: 2 – Fine, Waites

c) **CIRT Cases.** None.

**VII. Review of Appeals**

The Subcommittee will bring its recommendations for the following appeal requests to the full Board for their approval. For more information on the appeal process, please go to our website located here:

<http://www.cabq.gov/cpoa/appeal-process>

The Ordinance states that consideration for an appeal is based on the following criteria:

1. The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
  2. The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
  3. The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
  4. The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.
- a) **CPC 084-15** –A motion was made by Subcommittee Member Fine to delay the appeal until we know the answer whether or not the two witnesses is needed to be interviewed, why and if they were interviewed, and if they weren't, why not. [sic] This appeal was tabled. There was no second to the motion and the motion was not carried for a vote.
- b) **CPC 132-16** – A motion was made by Subcommittee Chair Waites to send a clarification letter to the citizen. Subcommittee member Fine seconded the motion. The motion was carried by the following vote:  
For: 2 – Fine, Waites

**VIII. Other business. None.**

**IX. Next Meeting.** The next meeting of the Case Review Subcommittee will be meeting be set for Tuesday, April 4, 2017 at 10:00 a.m.

**X. Adjournment.** Subcommittee Member Fine made a motion to adjourn the meeting. Subcommittee Chair Waites seconded the motion. The motion was carried by the following vote:  
For 2 – Fine, Waites

Meeting adjourned at 11:35 a.m.

APPROVED:

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Leonard Waites, Chair  
Case Review Subcommittee

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Date

CC: Julian Moya, City Council Staff  
Natalie Howard, City Clerk  
Isaac Benton, City Council President

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