

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY BOARD

Thursday, May 9, 2019 – 5:00 PM
Vincent E. Griego Chambers, Basement Level
City/County Government Center – One Civic Plaza NW
Albuquerque, New Mexico

Members Present:

Chantal M. Galloway, Chair
Joanne Fine, Vice-Chair
Dr. William Kass
Chelsea Van Deventer
Leonard Waites

Members Absent:

Valerie St. John

Others Present

Paul Skotchdopole, CPOA
Katrina Sigala, CPOA
Tina Gooch, Atty
Julian Moya, City Council
Cdr. Mark Velarde, APD
Lt. Nicholas Sanders, APD
Lindsay Van Meter, Asst. City Atty
Chris Sylvan, CPC
Amanda Bustos, CPOA

Meeting Minutes

PO Box 1293

I. Welcome and call to order. Chair Galloway called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:04 p.m.

Albuquerque

II. Pledge of Allegiance. Chair Galloway led the meeting in the Pledge of Allegiance.

NM 87103

III. Mission Statement. Chair Galloway read the Civilian Police Oversight Agency Board's mission statement.

IV. Approval of the Agenda.

www.cabq.gov

a) Motion. Motion was made by Member Waites to approve the agenda as written. Member Kass seconded the motion. The motion was carried by the following vote:

For: 4 – Galloway, Fine, Kass, Waites

V. Public Comments.

1. Tony Pirard
2. Silvio Dell'Angela

- VI. Review and Approval of Minutes.** For more information about minutes from prior CPOA Board meetings, please visit our website here:
<http://www.cabq.gov/cpoa/police-oversight-board/pob-agenda-meeting-minutes>

a) Approval of the Minutes from April 11, 2019

1. Copies of the draft minutes from the April 11, 2019 Civilian Police Oversight Agency Board meeting were distributed to each member in their packets.
2. **Motion.** A motion was made by Vice-Chair Fine to approve the minutes as written. Member Kass second the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

VII. Reports from City Staff

- a) APD – Commander Mark Velarde with Internal Affairs-Professional Standards gave the following report for APD:**

1. **Statistical Data.** Commander Velarde read the Statistical Data for the month of April 2019. A document titled *Police Oversight Board, APD Internal Affairs: Statistical Data for the Month of April 2019* was distributed to the CPOA Board members. (see attached)
2. **Crimes Against Children’s Unit.** Lt. Nicholas Sanders gave a presentation and provided updates on CACU.

- b) City Council Representative – Julian Moya presented his report.**

1. City Council has formally introduced the CPOA 2017 Annual Report and is being referred to the Finance and Government Operations Committee and will be heard at the June 10, 2019 meeting.

- c) Mayor’s Office-**

1. There was no one from the Mayor’s Office present to give a report.

- d) City Attorney-**

1. **City Attorney – Lindsay Van Meter** presented her report.

- e) Community Policing Council**

1. **CPC Representative.** Chris Sylvan presented his report.

- f) Albuquerque Police Officer’s Association**

1. There was no one from APOA present to give a report.

g) Civilian Police Oversight Agency

- 1. Assistant Lead Investigator.** Paul Skotchdopole presented his report.
- 2. Motion.** Motion by Chair Galloway to amend the agenda by placing item VIII- Reports from Subcommittee Section b-Policy and Procedure and part 2. 275-18 POB recommendations related to use of overtime and place under agenda item IX Discussion. Second by Member Van Deventer. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

- 3. Motion.** A second motion by Chair Galloway to take a 10 minute break. Member Van Deventer second the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

****10 minute break began at 6:03pm and the meeting reconvened at 6:13pm****

VIII. Reports from Subcommittees

a) Community Outreach Subcommittee – Chantal Galloway -

1. Met April 23, 2019 at 1:00pm
2. Vice-Chair Fine was re-elected as Community Outreach Subcommittee Chair.
3. Next meeting May 28, 2019 at 1:00pm

b) Policy and Procedure Review Subcommittee – Chelsea Van Deventer–

1. Met May 2, 2019 at 12:30pm.
- 2. Motion.** Motion by Vice-Chair Fine that the board approve both letters to the Chief on SOP 1-80 Prisoner Transport and 1-88 Sex Crimes Unit. Chair Galloway second the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

3. Next meeting June 6, 2019 at 12:30pm

b) Case Review Subcommittee – Valerie St. John –

1. Met April 23, 2019 at 11:30am
2. Member St. John was re-elected as Case Review Subcommittee Chair.
3. Next meeting May 28, 2019 at 11:30pm

c) Personnel Subcommittee – Chantal Galloway -

1. Met April 26, 2019 at 9:30am
2. Next meeting May 24, 2019 at 9:30am

IX. Discussion

a) Non-Concurrence letter for CPC 275-18

1. The Board discussed the Chief's Non-Concurrence letter.
2. **Motion.** Motion by Vice-Chair Fine that Member Van Deventer and Mr. Skotchdopole work on drafting a letter to include compliments of the items the Chief concurred with in the investigation and ask to be included on the actions being made moving forward. Second by Chair Galloway. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

- X. Consent Agenda Cases:** The CPOA's findings in each case listed on the consent agenda are reviewed and approved by the POB. The findings become part of the officer's file, if applicable. Copies of the full findings letters to the citizens are located at <http://www.cabq.gov/cpoa/findings-letters/civilian-complaints-pob-findings>.

a) Administratively Closed Cases

219-18	255-18	011-19	012-19	015-19
027-19	029-19	030-19	035-19	076-19
077-19	079-19	080-19	081-19	082-19
083-19	086-19	087-19	088-19	090-19
091-19	092-19	093-19	095-19	096-19
097-19				

b) Exonerated

230-17

1. **Motion.** Member Van Deventer motioned to approve all consent agenda cases presented. Vice-Chair Fine seconded the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

XI. Non-Consent Agenda.

a) Administratively Closed Case

071-19

- 1. Motion.** Motion by Member Waites to accept the Administratively Closed case with the changes to the findings letter suggested by the board. Second by Chair Galloway. The motion was carried by the following vote:

Against: 5 – Galloway, Fine, Kass, Van Deventer, Waites

XII. Request for Appeal

a) Public Comment for Request of Appeal

1. Silvio Dell'Angela

2. Tony Pirard

b) 244-18

- 1. Motion.** Motion by Chair Galloway that the board deny the request for appeal on CPC 244-18 as presented. Vice-Chair Fine second the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

c) 212-18

- 1. Motion.** Motion by Vice-Chair Fine that the board deny the request for appeal on CPC 212-18 as presented. Member Van Deventer second the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

XIII. Serious Use of Force/Officer Involved Shooting Cases.

- a) There was no Serious Use of Force/Officer Involved Shooting Cases to present.**

XIV. POB's Review of Garrity Materials.

- a) There was no Garrity Materials to present.**

XV. Meeting with Counsel re: Pending Litigation or Personnel issues:

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

- a) Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978. Section 10-15-1(H)(7);**

- b) Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**

XVI. Other Business. None

XVII. Adjournment – A motion was made by Vice-Chair Fine to adjourn the meeting. Member Van Deventer second the motion. The motion was carried by the following vote:

For: 5 – Galloway, Fine, Kass, Van Deventer, Waites

The meeting adjourned at 7:24pm

DRAFT

Next Regularly scheduled POB meeting will be on June 13, 2019 at 5:00 p.m. in the Vincent E. Griego Chambers.

Attachments

POLICE OVERSIGHT BOARD

PUBLIC COMMENT SIGN IN

DATE: 5/9/19

NAME (PLEASE PRINT)

1. Tony Piraro

2. Silvio Dell'Angela

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Silvio Dell'Angela

From: Silvio Dell'Angela <dellansi@comcast.net>
Sent: Thursday, May 9, 2019 1:40 PM
To: 'lwaites.pob@cabq.gov'; 'cgalloway.pob@cabq.gov'; 'jfine.POB@cabq.gov'; 'wkass.pob@cabq.gov'; 'vstjohn.pob@cabq.gov'
Cc: 'Bramlett, Kenneth E.'; 'John.Anderson@usdoj.gov'; 'Elizabeth Martínez'; 'D'Val Westphal'; 'dherrera@abqjournal.com'; 'Duhigg, Katy'; 'Geier, Mike'; 'Paul (CRT)'; 'raul.torrez@da2nd.state.nm.us'; 'HBalderas@nmag.gov'
Subject: THE TRUTH TOLD BY THE EYE AND MORE LIES BY THE ABQ URINAL'S EDITORIAL BOARD TODAY
Attachments: 5-3-2019 EYE ON ABQ-Keller, APD and more.docx; 4-26-19 Geier on Sanchez and his cops.docx; 4-30-18 EYE on Keller's brothel.docx; 8-30-2018 APD detective Tamas Nadas e-mail on Ken Sanchez's request.docx

TO: POB members and many

MY BACKGROUND

After retiring here at KAFB in 1983 after serving 22 years as an USAF officer-one in Vietnam where I saw too many lives taken, I served for nine years as President of a District 8 Neighborhood Association President caring for 525 homes.

After my good neighbor Chris Hinz was murdered by Schultz's repeat killer cop Anthony Sedler and his partner Eric Brown on June 10, 2010 both of whom were never punished and months later another neighbor-a Navy SEAL with PTSD who just returned from Iraq would also have been murdered by APD had I not intervened, I stepped away from that President's job and dedicated myself to working with others to reform APD.

This included helping Jewel Hall President of the MLK Jr. Memorial Center to bring the DOJ here. I have been threatened by Chief Schultz and Chief Eden's deputy Chief Bob Huntsman.

I often volunteered to serve on the former POC and also on the POB but was always rejected as APD deemed me too much of a threat to the status quo where both were kept toothless as you six are now. After Geier overruled you and kept Drobik in APD, you should have resigned in protest but you never did.

Like the old POC, you too are not allowed to do any oversight-only there to rubberstamp what Harness and his real boss-Chief Geier does

TONIGHT'S POB MEETING ON CHRISTIAN ARIAS SANCHEZ

I look forward to addressing you this evening regarding APD's blatant cover-up at Chief Geier's direction of the criminal actions of Councilor Ken Sanchez's stepson last June 13 and Ken and his wife and other stepson-APD cop Steve Arias. It was leaked to me last July by an honest APD cop who are among the many here disgusted with their corrupt leadership that begins with the Mayor.

After CPOA's corrupt Director Ed Harness claimed to me last November that it would take him five months to investigate the Sanchez crime and cover-up, this investigation was never done last month. All of the likely incriminating information in the few pages given me were redacted.

Even before you make a decision on my CPC, Geier already said that he supports the corrupt Harness' opinion that nobody in his APD or any in the Sanchez family did anything wrong. See letter to me attached.

I don't know how many of the documents sent you that I obtained last year from the clerk or took the time to review the three incriminating APD evidence.com recordings but I'll play the one of the telephone call between Detective Tamas Nadas and Ken

Sanchez's wife. See attached August 30 e-mail from Nadas exposing the lies that both Ken Sanchez and his wife told to Harness' investigator denying any request by Ken was made to meet privately with Nadas.

Geier once again-as he did with Drobik and his supervisor Lt. McElroy, is giving all six of you the middle finger.

DROBIK

See the attached 5-3-2019 posting by the Eye on Albuquerque <https://eyeonalbuquerque.blogspot.com/> with reader comments and earlier April postings on Drobik, his corrupt APD Chief Geier, his minions like Sgt Hilger in APD and City leaders. The equally damning 4-30 Eye posting is also attached. Geier is viewed as just another corrupt Ray Schultz.

Honest cops who provided inputs to the Eye cited Drobik's criminal misconduct that includes him even being paid for screwing around with a former KOB TV anchor and also discusses Geier's disgraceful record as Rio Rancho Police Department Chief before he was called back by Keller and made permanent Chief in a rigged selection process.

THE COMPLICIT ABQ URINAL

Yet today's ABQ Journal's/Urinal's editorial chooses to praise the corrupt Geier, Drobik and the latest disgraceful Ginger reform progress report on APD likely written with the help of Mayor Keller's likely racist scumbag hire Damon Martinez. <https://www.abqjournal.com/1313139/civilian-police-board-clocks-in-vital-overtime-reforms.html>.

The Urinal assumes we readers are too stupid to see through its lies. The investigation of Drobik's crime/fraud in 2018 was not initiated by the CPOA just this year as the editorial says but instead started last October by the office of the IG based on a series of ABQReport blog postings.

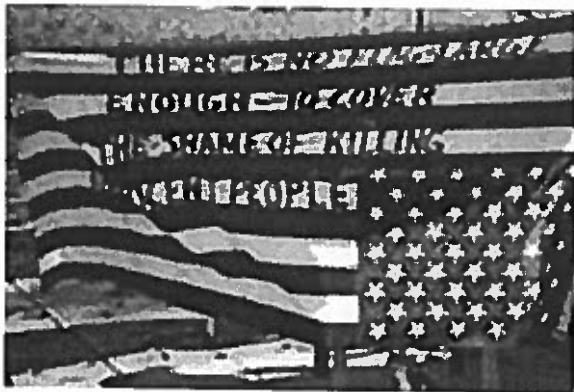
When the new IG Ken Bramlett finally arrived, Mayor Keller-likely fearing an honest investigation by the IG with recommendations for criminal charges against Drobik and his co-conspirators in APD that would include Chief Geier, Bramlett likely was told that if wanted to keep his job, he should make up some phony excuse to transfer it over to Ed Harness. As expected, Ken obeyed.

A HELLHOLE OF CORRUPTION AND LACK OF ACCOUNTABILITY

As I and the Eye said using even more descriptive terms, APD is a Hellhole under Geier and Keller. Do you six even care? Will you all finally say enough is enough and resign in protest?

Regards

Silvio



Barraza, Nyvia

From: Nadas, Tamas
Sent: Thursday, August 30, 2018 3:56 PM
To: Roberts, Diane A
Cc: Barraza, Nyvia
Subject: Re: IPRA REQUEST - NR # 18-4944 - Case # 18-0063592

Good Afternoon,

In response to your request, unfortunately, I do not have that conversation recorded when I spoke with Christian's mother initially, and she told me that Councilman Ken Sanchez wanted to talk to me in his office the next day. When I spoke with her that time, I told her that I would have to ask my Sgt's advise on this and will call her back. I told Sgt. Hilger immediately that I did not record that conversation. He said "it's ok". Additionally, right after the conversation, I advised Sgt. Hilger about what Christian's mother had told me about Mr. Sanchez wanting me to go to his office the next day to talk about this case. After telling Sgt. Hilger this, he told me to tell her I cannot meet with Mr. Ken Sanchez.

I called Christian's mother back, and at this point, I recorded the conversation and told her that while I appreciated the invite but I have to deny that request, and cannot go to Councilman Sanchez's office to talk about the case. To the best of my recollection, Christian's mother understood this decision over the phone.

Furthermore when I wrote my original report on this matter, Sgt. Hilger advised me to delete a paragraph from my original report because he said it would just piss off the chain of command if I left it there. I deleted that paragraph and sent the report in without it. However, I kept a copy of the original report with the deleted paragraph in it. The same day, mysteriously, the case was taken away from me by Sgt. Hilger. I never spoke to Councilman Sanchez and I don't have any other material but for my original draft report.

Respectfully,

T. Nadas #5499
Albuquerque Police Department
Phone: (505) 934-4377
Email: tnadas@cabq.gov

On Aug 30, 2018, at 12:00, Roberts, Diane A <daroberts@cabq.gov> wrote:

Good Morning Detective Nadas,

The IPRA Unit in Records has the below request and needs information from you. I located the lapel video of your outgoing calls however, the call needed would have been an incoming call. Can you please advise if you have any record of the phone call for Item 1 (highlighted) in the below request? Please advise whom it was that you spoke to or if the correspondence was in some other format, such as email or text?

Thank you for your time and assistance with this request.

POLICE OVERSIGHT BOARD
INTERNAL AFFAIRS
STATISTICAL DATA FOR THE MONTH OF APRIL 2019

APD 911 Communications Center

Dispatched calls for Service for APRIL 2019:

41,498. (decrease from MARCH (618)
x

INTERNAL CASES FOR THE MONTH OF APRIL 2019

Total Internal Cases Completed the Month of APRIL:

Comprised of:

- 3-Internal Affairs Investigations
- 0-Area Command Investigated case

Internal Cases Administratively Closed: 0

Internal Cases Mediated: 0.

Discipline imposed for Internal Cases APRIL 2019

1: LETTER OF REPRIMAND UOF REQUIREMENTS
3: VERBAL REPRIMAND RULES OF CONDUCT/UOF REQUIREMENTS/RULES OF CONDUCT
1: SUSPENSION/8 HOURS MISSED COURT

EIRS FOR APRIL 2019: 16 alerts distributed

Pending IA Cases for the Month of APRIL 2019: 22

IA/IAC Cases opened in the month of APRIL 2019: 8

Civilian Police Oversight Agency
Edward Harness, Esq., Executive Director

Civilian Police Oversight Agency Board
Chantal M. Galloway, Chair
Joanne Fine, Vice Chair
Leonard Waites, Valerie St. John, Dr. William Kass, Chelsea N. Van Deventer

May 9, 2019

Michael Geier, Chief of Police
City of Albuquerque
Albuquerque Police Department
400 Roma NW
Albuquerque, NM 87102

Re: SOP 1-80 *Prisoner Transport Unit*

Dear APD,

The Civilian Police Oversight Agency Board is in receipt of SOP 1-80 *Prisoner Transport Unit* which came to us after being approved by the Policies and Procedures Review Board on April 17, 2019.

As a general rule, the Board is committed to providing feedback, commentary, and recommendations on all policies implicated by the Court Approved Settlement Agreement (CASA). At times, the Board may also provide feedback, commentary, and recommendations on policies that are not implicated by the CASA but that are of particular interest to the Board, the community, or the mission of advancing constitutional policing.

We note that SOP 1-80 *Prisoner Transport Unit* is not an SOP that pertains to the CASA.

The Civilian Police Oversight Board makes no recommendations on SOP 1-80 *Prisoner Transport Unit*.

Sincerely,

Civilian Police Oversight Agency Board

CC: City, Council President Klarissa J. Pena
Mayor, Tim Keller
City Attorney, Esteban A. Aguilar Jr.
James Ginger Ph.D.
United States Attorney, John C. Anderson
City Clerk, Katy Duhigg
APD, Commander Michelle Campbell

Civilian Police Oversight Agency
Edward Harness, Esq., Executive Director

Civilian Police Oversight Agency Board
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May 9, 2019

Michael Geier, Chief of Police
City of Albuquerque
Albuquerque Police Department
400 Roma NW
Albuquerque, NM 87102

Re: SOP 1-88 *Sex Crimes Unit*

Dear APD,

The Civilian Police Oversight Agency Board is in receipt of SOP 1-88 *Sex Crimes Unit* which came to us after being approved by the Policies and Procedures Review Board on April 17, 2019.

As a general rule, the Board is committed to providing feedback, commentary, and recommendations on all policies implicated by the Court Approved Settlement Agreement (CASA). At times, the Board may also provide feedback, commentary, and recommendations on policies that are not implicated by the CASA but that are of particular interest to the Board, the community, or the mission of advancing constitutional policing.

We note that SOP 1-88 *Sex Crimes Unit* is not an SOP that pertains to the CASA.

The Civilian Police Oversight Board makes no recommendations on SOP 1-88 *Sex Crimes Unit*.

Sincerely,

Civilian Police Oversight Agency Board

CC: City, Council President Klarissa J. Pena
Mayor, Tim Keller
City Attorney, Esteban A. Aguilar Jr.
James Ginger Ph.D.
United States Attorney, John C. Anderson
City Clerk, Katy Duhigg
APD, Commander Michelle Campbell

POLICE OVERSIGHT BOARD

PUBLIC COMMENT SIGN IN FOR REVIEW OF APPEALS

DATE: 5/9/19

NAME (PLEASE PRINT)

1. SIMIO DEW AMZAHM ✓

2. TONY PIRARD

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