

**POLICE OVERSIGHT BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE**

**Monday, August 3, 2015 – 8:30 a.m.
Plaza Del Sol, 7th Floor Conference Room
600 2nd St. NW Albuquerque, New Mexico**

Members Present

Dr. Susanne Brown (Chair)
Dr. Moira Amado-McCoy

Members Absent

Beth Mohr
J. Scott Wilson

Others Present

Robin S. Hammer
Paul Skotchdopole
Diane McDermott
Mark Baker
Denise Thomas
(APD Quality Assurance)
Sean Gassner
(APD Quality Assurance)

Minutes

- I. Welcome and Call to Order:** The meeting did not have a quorum of members present so discussions occurred, but no actions taken, only suggestions.

Chair Susanne Brown called the meeting to order at 8:30 a.m.

Chair Susanne Brown was concerned about having representative(s) from APD attend all future meetings. Denise Thomas and Sean Gassner, both of APD were introduced and were in attendance of the meeting.

- II. a. Approval of Agenda.** There were no additions or changes to the agenda, and the discussion proceeded according to the written agenda order.

b. Approval of the Minutes. None

- III. Public Comments.** None.

- IV. Rules of our Committee**

Chair Brown asked about existing rules for the subcommittee. Ms. Hammer stated there are existing Rules, however Mr. Baker was in the process of drafting new rules. Chair Brown and Board Member Armado-McCoy agreed to table the issue while the Rules are being drafted

- V. Report on the process of APD Policy Committee – Chair Susanne Brown**
There was some discussion about the frequency of meetings and the urgency of completing the tasks. Chair Brown, Member Amado-McCoy and CPOA Investigator Paul Skotchdopole discussed the timelines APD has been working under to revise policies. There was some input from the Quality Assurance members. Chair Brown raised the issue of whether the Subcommittee could discuss matters and make decisions via email. Attorney Mark Baker advised that all business of the public and needed to be done in an open meeting.

There was discussion about prioritizing the policies. Chair Brown believed the policy regarding handling the mentally ill would be of public concern as was the policy dealing with force investigations. A discussion of the Mental Health Response Advisory Committee (MRAC) as mentioned in the DOJ settlement agreement was held. This group is already reviewing the response to the mentally ill policy. It would be beneficial to see if a POB member could be included in that group. The recommendation was for a POB Member to attend the MRAC meeting to develop a relationship. Chair Brown is also going to be attending APD's Policy and Procedures Review Board (PPRB) now with Mr. Skotchdopole.

Mr. Baker indicated that he was awaiting a response from the City Attorney how the POB can receive policies in advance of being published for discussion and input. Board Member Amado-McCoy pointed out the POB could review policies at any time since the POB cannot match the APD timeline for review.

- VI. Additional Training for subcommittee Re: Policy and Procedures.**
Board Member Amado-McCoy mentioned there were several stakeholders and she felt it was important to know the context of policies and what was being discussed in other units.

Mr. Baker suggested he would arrange for subject matter experts for particular policies when the POB was ready to discuss a particular policy.

Chair Brown discussed receiving training on how to dissect a policy, determine stakeholders, and develop the policy. Chair Brown suggested the board receive training from most likely the Health Department as an entity that has experience creating policies. Other agency possibilities were mentioned.

- VII. Review of Albuquerque Police Department Retaliation Policies Other Business & Committee Recommendations.**
Chair Brown mentioned the DOJ Settlement Agreement specifically mentioned the POB's involvement in the retaliation policy. The APD retaliation policy

has already been reviewed and approved by APD , but Chair Brown felt important pieces were missing. Chair Brown and Mr. Baker suggested they review the policy before it was approved by the DOJ Monitor if possible. Board member Amado-McCoy asked about input already done by Ms. Hammer and Commander Gonzalez. The inclusion of two sentences developed by Ms. Hammer and Commander Gonzalez as well as additional language from other departments' policies on retaliation that are under DOJ reviews were the main issues. The general sense was that more was needed in the retaliation policy.

VIII. Specific policies mentioned in the Settlement Agreement for POB input – Chair Susanne Brown.

Chair Brown asked about the tracking of statistics such as mentally ill and homelessness as mentioned in paragraph 175 of the DOJ settlement. Ms. Hammer stated the database tracked this information. Ms. Hammer believed the complaint forms were changed in November or for sure in January to track this additional information.

Chair Brown asked about paragraph 176 of the DOJ Settlement Agreement that talked about a numbering system. Ms. Hammer informed this already existed and that the CPOA assigned the numbers.

Chair Brown asked about paragraph 192 and if the language was already being used. Ms. Hammer confirmed that it was being used.

Chair Brown asked about paragraphs 196 and 197. These paragraphs talked about the CIRT and FIT teams. Mr. Skotchdopole explained the CIRT responded to all major incidents, which included officer-involved shootings. There was discussion of having two POB members be included in this team. This approval would have to come from the Chief. CIRT's role is primarily for training. Very few of the serious Use-of-Force incidents will be in IA, as they now fall under CIRT. FIT is responsible for the criminal investigation aspect of uses of force. CIRT is in place and has been trained. FIT will probably be activated in September.

The Policy and Procedures Review Subcommittee wanted to recommend that the POB receive a presentation on these two teams first and then look at a possible greater involvement.

A restatement of tasks the Police and Procedures Board wanted:
-A policy development presentation

-CIRT and FIT presentations

-A cultural sensitivity presentation (which is one of the required remaining training sessions)

-A presentation from the Quality Assurance Group that has been overseeing the meetings.

IX. Discussion of policy weaknesses which Members have noticed.

Ideal for Police and Procedures Review Board, APD and POB to have the same policy.

X. Other Business.

Chair Brown briefly discussed APS SOP 3-45-1, which is under current development Mr. Skotchdopole mentioned there was some language added that he disagreed with and felt conflicted with the POB ordinance. Further discussion of this SOP was to be placed on next meeting's agenda.

XI. Next meeting was tentatively set for Tuesday, August 18, 2015.

XII. Adjournment. The discussion concluded at 10:04 a.m.

Approved by:
Dr. Susanne Brown, Chair
Case Review Subcommittee

Date

CC: Julian Moya, City Council Staff
Natalie Y. Howard, City Clerk
Rey Garduño, City Council President