

# Community Policing Council Guidelines

## Revision 10

### I. Origin

- A. The Albuquerque Community Policing Councils were formed in response to the Court Approved Settlement Agreement (CASA) in case number 1:14-cv-1025, United States District Court for the District of New Mexico, specifically paragraphs #266 through #270 (see Appendix 1).
- B. The role of the Councils is advisory only. At no time will the Councils represent themselves as acting on behalf of the City of Albuquerque and the City will not be bound by any recommendation.

### II. Mission

- A. The mission of the Community Policing Council (Council) is to promote and maintain inclusive, respectful, and cooperative interactions between the community and the Albuquerque Police Department (APD) to ensure Constitutional community policing reforms are met and sustained.

### III. Purpose

- A. Community Policing Councils will work closely with the Albuquerque Police Department to develop a comprehensive community policing approach that collaboratively identifies and implements strategies to address crime and safety issues.
- B. The Community Policing Council will assist, counsel, recommend, or participate by:
  - 1. Reviewing and assessing the propriety and effectiveness of law enforcement priorities and related community policing strategies, materials, and training;
  - 2. Reviewing and assessing concerns or recommendations about specific APD policing tactics and initiatives;
  - 3. Providing information to the community and conveying feedback from the community to APD;
  - 4. Advising the Chief of Police on recruiting a qualified, diverse workforce; and
  - 5. Advising the Chief of Police on ways to collect and publicly disseminate data and information, including information about APD's compliance with the CASA, in a transparent and public-friendly format to the greatest extent allowed by law.

#### IV. Goals

- A. To engage in detailed and meaningful discussions to identify concerns, problems, successes and opportunities for constitutional community policing within each area command.
- B. To tailor solutions specifically aimed at the needs of each neighborhood and area command to address citizens' concerns.
- C. To offer assistance and counsel regarding APD compliance with the CASA and to recommend ways to enhance constitutional community policing to the Chief of Police.

#### V. Structure and Composition

- A. The Councils will be composed of five (5) to eleven (11) Council members.
- B. Representatives of APD will advise the Councils but will not be Council members.
- C. The Councils will:
  - 1. Prepare a monthly meeting agenda.
  - 2. Take minutes of all meetings.
  - 3. Provide email notice of meeting agenda and previous month's minutes to each Council a minimum of three (3) days prior to each meeting.
  - 4. Post notice of the meetings.
  - 5. Email announcements of events and information to the public via sign-in sheet email addresses.
  - 6. Maintain a list of all residents and business owners that have attended a CPC meeting and have provided an email address.
  - 7. Maintain a record of Council members that will aide in the completion of the annual report (see Appendix 2)
  - 8. Prepare the annual report and forward to the CPC Liaison.
  - 9. Track the progress of submitted recommendations.
  - 10. The Councils may establish additional Area Command specific policies consistent with the Guidelines as necessary.
- D. A quorum is established by the presence of one half of the Council members.

#### VI. Council Membership

- A. Council members must:

1. Live or work within the boundaries of the area command associated with each Council.
  - a) A work location will be defined as the address where an individual would receive work-related mail
2. A minimum of one annual ride-along is recommended.
  - a) The Albuquerque Police Department will work with CPC members to accommodate individual special needs.
  - b) The ride-along is subject to Albuquerque Police Department policies and restrictions.
3. Participation in the Citizen Police Academy is recommended.
  - a) The Albuquerque Police Department will work with CPC members to accommodate individual special needs.
  - b) Involvement in the CPA is subject to Albuquerque Police Department policies and restrictions.
4. Attend scheduled CPC meetings.
  - a) Two (2) consecutive unexcused absences or four (4) absences of the previous six (6) meetings may result in dismissal from the Council.
  - b) Attendance at CPA classes or other CPC-related events shall not constitute an absence.
5. Exhibit professionalism and the work ethic required for meaningful participation in meetings, discussions, hearings, and other public forums.
6. Demonstrate the ability to work well with others and act appropriately in a group of diverse and divergent viewpoints.
7. Be comfortable with submitting suggestions for recommendations that comply with CASA paragraph #269.
8. Be able to use a computer, email, and other necessary communication tools.
9. Avoid conflicts of interest.
  - a) Failure to disclose a potential conflict will disqualify a participant.
10. Attend other meetings that relate to the duties of the CPC.
11. Organize or participate in community outreach programs as a representative of the CPC.

**B. Member selection process**

1. Prospective members will submit a request to be a Council participant to the CPC Liaison.

2. The CPC Liaison will determine whether the prospective member has any disqualifying current felony warrants or pending felony charges.
3. The CPC Liaison will forward the qualifying Membership Request to the appropriate CPC Chair.
4. The CPC Liaison will respond to each request by sending an information packet containing:
  - a) The CPC Ordinance
  - b) The CPC Guidelines
  - c) The CPC "Code of Conduct"
  - d) A summary of the CPC Action Plan
5. The CPC Chair will schedule an Intake Conversation with the prospective member.
6. The Intake Conversation will include the following:
  - a) The prospective member
  - b) Existing CPC Members
  - c) The CPC Liaison
  - d) A CPOA representative and interested community members will be invited to observe
7. Prospective members will not be disqualified based on race, ethnicity, national origin, religion, gender identity, sexual orientation, physical ability, membership in any protected class, or having a criminal history.
8. Prospective members will be accepted by a majority vote of the Council.
9. Prospective members will be notified by the Council Chair or their appointee as to the decision made.
10. Failure to adhere to the CPC Code of Conduct will be grounds for disqualification for membership.
11. Anyone not selected for membership may submit another request after one (1) year.
12. Appellate process
  - a) Prospective members not accepted by the CPC can appeal the decision to the Council of Chairs within fourteen (14) days of receiving notice.
  - b) The Council of Chairs will seek input from the prospective member and the CPC within fourteen (14) days.
  - c) The Council of Chairs will make a final determination on the appeal and notify the prospective member of that decision within fourteen (14) days.

- d) If the Council of Chairs determines the disqualification for membership was inappropriate, the prospective member will be reinstated to the CPC.
- e) If the Council of Chairs confirms the disqualification, the prospective member will be able to submit another application after one (1) year from their denied request.

C. Terms:

- 1. Members shall serve a maximum of two terms.
- 2. Terms shall be staggered so that the term of no more than four members expires each year.
- 3. Each term shall be for three years.
- 4. The Community Policing Council shall begin reviewing applications for members at least two months before the expiration of a member's second term and shall strive to select a replacement member at the meeting concurrent with the expiration of the incumbent member's term.
- 5. If there are no eligible candidates to replace a member on the expiration of the member's term, that member may remain on the Community Policing Council until an eligible replacement is selected.

D. Removal/Resignation/Vacancy

- 1. A Council member may be removed for:
  - a) Violations of the Code of Conduct.
  - b) Violations of the Guidelines.
- 2. A Member may be removed by a majority vote of the Council.
- 3. A person removed for cause may not reapply for Council membership for a period of one calendar year from the date of their removal.
- 4. Failure to abide by the code of conduct may be reported by any Council member to the chair or vice-chair.
- 5. The chair or vice-chair will call a closed session to discuss the alleged violation and allow the Council to determine how to proceed.
  - a) The closed session will include:
    - (1) The affected member
    - (2) Existing CPC Members
    - (3) The CPC Liaison
    - (4) A CPOA representative and interested community members will be invited to observe.

6. Appellate process
  - a) A removed member can appeal the decision to the Council of Chairs within fourteen (14) days of receiving notice.
  - b) The Council of Chairs will seek input from the removed member and the CPC within fourteen (14) days.
  - c) The Council of Chairs will make a final determination on the appeal and notify the affected member of that decision within fourteen (14) days.
  - d) If the Council of Chairs determines the removal was inappropriate, the affected member will be reinstated to the CPC.
  - e) If the Council of Chairs confirms the removal, the removed member will be able to submit another application after one (1) calendar year from their denied request.

E. Membership Roster

1. The CPC Liaison will maintain a database of CPC members to include:
  - a) The date of acceptance to the CPC
  - b) The scheduled "end of term" date
  - c) Date of resignation or removal, as applicable
  - d) Dates and outcome of any appellate processes
2. The CPC Liaison will maintain a database of CPC interest cards to include:
  - a) Date the interest card was received
  - b) Date and person to whom the interest card was forwarded
  - c) Date of intake meetings
  - d) Date of acceptance or disqualification, as applicable
  - e) Date and outcome of any appellate processes
  - f) The CPC Liaison will notify the Council of Chairs of any interest cards not acted on within a reasonable time

F. Code of Conduct

1. Members of each Council are expected to exhibit the highest ethical and professional standards.

2. Council members will act respectfully towards each other and community members during official functions and through email, phone, and letter correspondence, such that the Council may promote and maintain respectful, supportive, and cooperative interactions between the community and the Albuquerque Police Department.
3. This provision will expressly forbid:
  - a) Use of profanity and/or otherwise inappropriate language.
  - b) Excessive interruptions.
  - c) Loud or abusive tones of speech or writing, including personal attacks.
  - d) Use of cell phones or other electronic devices during official business for reasons not related to meeting facilitation, note taking, or recording.
  - e) Use of official Council position to advance a particular business or business interest.
  - f) Use of official Council position to advance or promote a particular political party, political candidate, or political agenda.
    - (1) Examples include distributing political materials at a Council meeting or making statements at meetings promoting political candidates.
    - (2) This will not exclude political advocacy directly related to a pending recommendation or policy change being advocated for by the Council or a Council Member.
  - g) Failure to report a conflict of interest or potential conflict of interest to the chair
  - h) Failure to participate in CPC events and discussions.

## VII. Election of Council Officers

- A. Elections will
  1. Generally occur at the first meeting of the calendar year where a quorum is established
  2. Occur at the next monthly meeting after a vacancy occurs
- B. By majority vote, the Council will elect a chairperson, vice-chairperson, and other leadership positions deemed necessary.
  1. Chairperson duties:
    - a) Preside over all meetings of Council.
    - b) Serve as the spokesperson for the Council.

- c) Sign recommendations approved by the Council.
  - d) Submit the approved recommendations to the APD designee.
  - e) Serve as the representative of the Council in meetings and discussions with other organizations.
  - f) Approve and submit to APD an annual report in compliance with CASA paragraph #270.
2. Vice-Chairperson duties:
- a) Perform the duties of the chairperson if the chairperson is unable to do so or is absent.
  - b) At the request of the chairperson, assist in the performance of duties of the chairperson.
  - c) Perform other tasks as assigned by the Council.
- C. Council Officers will be elected for a term of one year and may be renewed.

## VIII. Council of Chairs

- A. Purpose
- 1. The Council of Chairs shall exist to promote collaboration and cooperation between the six CPCs.
- B. Structure and Composition
- 1. The Council of Chairs shall be comprised of the Chairperson and Vice-Chair or their designee for each CPC.
  - 2. The Council of Chairs shall elect Council of Chairs officers as necessary.
- C. Election of Council of Chairs Officers
- 1. Elections will
    - a) Generally occur at the first meeting of the calendar year where a quorum is established
      - (1) A quorum shall consist of representation of at least three Councils
    - b) Occur at the next meeting after a vacancy occurs
  - 2. By majority vote, the Council of Charis will elect a Lead, Vice-Lead, and other leadership positions deemed necessary.
    - a) Lead duties:
      - (1) Preside over all meetings of Council of Chairs.
      - (2) Serve as the spokesperson for the Council of Chairs.
      - (3) Serve as the representative of the Council of Chairs in meetings and discussions with other organizations.



- b) Vice-Lead duties:
      - (1) Perform the duties of the Lead if the Lead is unable to do so or is absent.
      - (2) At the request of the Lead, assist in the performance of duties of the Lead.
      - (3) Perform other tasks as assigned by the Council of Chairs.
  - 3. Council of Chairs officers will be elected for a term of one year and may be renewed.
- D. The Council of Chairs may remove a Chair from a CPC for Cause.
  - 1. Complaints against a Chair for failure to abide by the Code of Conduct or to fulfill the duties of a Chair may be reported to any member of the Council of Chairs.
  - 2. The Chair receiving such a complaint shall call a closed session of the Council of Chairs to determine an appropriate course of action.
  - 3. The Council of Chairs may, by a majority vote, remove a Chair from that position within the CPC. The affected Chair shall not vote in the removal proceeding.
  - 4. The Council of Chairs may further vote to remove a Chair from the CPC for a serious dereliction of duty or serious violation of the code of conduct. The affected Chair shall not vote in the removal proceeding.
  - 5. Removal of a Chair by the Council of Chairs shall be considered a last resort and conducted in cooperation with the affected CPC when possible.

## IX. Formation of CPC committees

- A. Committee creation will be approved by the Council of Chairs for citywide committees or the area CPC for Area Command-specific committees.
- B. Committee members will self- identify and include their affiliation, (i.e., CPC, community, CPOA, APD Forward, APD)
  - 1. Everyone is welcome.
  - 2. Committees will seek diverse members from the community.
  - 3. The Committee Lead will maintain a roster of Committee members including their affiliations and contact information.
  - 4. Committee members will adhere to the same Code of Conduct specified for CPC members.
- C. The committee will vote to select a Committee Lead.
- D. Committees will create an action plan that relates to one of the five Priorities/Goals of the CPC strategic Plan.

1. The Action Plan will be submitted and approved by the Council of Chairs.
  2. The Action Plan should identify required resources and a timeline for completion.
- E. The Committee Lead will report to the Council of Chairs or CPC on Progress, Accomplishments, Issues, and Road Blocks.
  - F. Committee meeting minutes will include a summary of discussions, action items, and decisions.
  - G. If a recommendation is identified, the Committee Lead will follow the Recommendation Submission Process.
  - H. Committees will be dissolved by the Council of Chairs or CPC upon completion of their Action Plan or upon conclusion of their function.

## X. Meetings

- A. Are not subject to the Open Meetings Act.
- B. Will be open to the public.
- C. Will be held at locations accessible to the community.
- D. Will be scheduled for reasonable duration with time set aside for community input.
- E. All voting results will be announced during a regular meeting.
- F. Special meetings may be called upon request of the Chair.
- G. Relevant community comments and questions are encouraged during the discussions.
- H. Community comment will be limited to two (2) minutes each.
- I. Votes will be called or announced by the Chair for:
  1. Adoption of minutes.
  2. Adoption of the agenda.
  3. Submission of recommendations.
  4. Amendments to the Guidelines.
  5. Officer elections.
  6. Acceptance of new Council participants.
  7. Removal of any participant for failure to comply with the Guidelines.
- J. Closed sessions will be scheduled to minimize disruption to the regularly scheduled meetings.
- K. Political campaigning is prohibited.
- L. The City of Albuquerque will provide administrative support including meeting recorders.

## XI. Notice and Minutes

- A. Notices will:
  - 1. Be posted seventy-two (72) hours in advance.
  - 2. Include items of business to be conducted.
- B. Minutes will include the following:
  - 1. The date, time, and location of the meeting.
  - 2. The names of Council members in attendance.
  - 3. The substance of each proposal considered.
  - 4. A record of discussions or votes taken.
- C. Draft minutes:
  - 1. Will be prepared within seven (7) working days of the Council meeting.
  - 2. Will be approved, amended, or disapproved by the Council.
- D. Approved minutes will be sent to the APD designee for posting to the appropriate website within five (5) working days of the date of approval.

## XII. Agenda

- A. Every agenda will include as a minimum:
  - 1. Call to order.
  - 2. Approval of the Agenda.
  - 3. Approval of the minutes.
  - 4. Unfinished business.
  - 5. New business.
  - 6. APD update.
  - 7. Recommendation status update.
  - 8. Community comment.
  - 9. Adjournment.

## XIII. Recommendations

- A. Any person may request a recommendation be formulated.
- B. Recommendations will take the following form:
  - 1. Rationale including supporting evidence.
  - 2. Recommendation.
- C. Draft recommendations will be distributed to the Council for review.
- D. Reviewed recommendations will be presented for consideration to the public at the next regular Council meeting.

- E. Recommendations will be approved by a majority of the Council in a public meeting.
- F. Recommendations will be submitted to the APD designee.
- G. Concurrently copy all other CPC Chairs.
- H. Recommendation responses will be distributed to the Council and announced at the next meeting.
- I. Recommendations received from neighborhood associations recognized by the City of Albuquerque will be formatted and submitted to the APD designee.

#### XIV. Confidentiality

- A. The elected Chairperson or designee will serve as the official spokesperson for the Council.
- B. The results of any work of the Council conducted between regular meetings will be presented at the next regular public meeting.

#### XV. Political campaigns

- A. No Community Policing Council member may serve while running for or holding elective office.
- B. No Community Policing Council shall organize, sponsor, advertise, or host any political forum, or candidates running for elected office.
- C. Nothing in this section is intended to restrict the members of Community Policing Councils from engaging in any political activities outside the course and scope of their duties as a Community Policing Council member.
- D. The Council will not publicly endorse a political candidate under any circumstances at meeting/events, whether the political figure is present or not.
- E. Council Members that are employed by elected/appointed political officials may not promote their agenda or operate within that role at Council meetings.
- F. Political candidates and their representatives will be asked to refrain from direct advocacy for their campaign.

## XVI. Limitation of Powers

- A. Members of the Council will not:
  - 1. Incur expenses or obligate the City of Albuquerque in any manner.
  - 2. Independently investigate citizen complaints against APD or any employee of the department.
  - 3. Conduct any activity which might constitute or be construed as an official governmental review of police actions.
  - 4. Conduct any activity which might constitute or be construed as official establishment of City or APD policy.

## XVII. Compensation

- A. Council members:
  - 1. Will not receive any monetary or financial compensation.
  - 2. Are not employees of the City of Albuquerque.
  - 3. Are not eligible to receive employee benefits.
  - 4. Are serving in a voluntary capacity only.

## XVIII. Adoption of these Guidelines

- A. Terms and provisions of this document may be discussed in a closed Session.
- B. Adoption of these Guidelines will take place in a regular public meeting of the Council.
- C. A majority vote in favor of adoption is sufficient.

## XIX. Distribution of these Guidelines

- A. Upon adoption, a copy of the Guidelines will be filed with the APD designee.
- B. These Guidelines will be available to the public via the Community Policing Council website.

## XX. Changes and Amendments to these Guidelines

- A. Changes to this document will conform to Chapter 9, Article 4, Part 6 of the Revised Ordinances of Albuquerque, referred to as the “Community Policing Council Ordinance.”
- B. Changes to this document will preserve the goals and mission set out in the CASA.
- C. The Council of Chairs shall conduct an annual review of the Guidelines.
- D. Amendments to the Guidelines may be recommended to the Council of Chairs.
  - 1. The Council of Chairs shall develop appropriate wording for proposed Amendments.
  - 2. The Chair of each CPC shall distribute the proposed Amendments to all CPC members for their review. Revisions shall be returned to the Council of Chairs within fourteen (14) days.
  - 3. The Guidelines shall be amended and the update posted and distributed as appropriate within fourteen (14) days of acceptance by the Council of Chairs.

## XXI. END

## Appendix 1: Select Portion of the Court-Approved Settlement Agreement

### XII. COMMUNITY ENGAGEMENT AND OVERSIGHT

#### A. Community Policing Councils

266. The City will establish Community Policing Councils in each of the six Area Commands with volunteers from the community to facilitate regular communication and cooperation between APD and community leaders at the local level. The Community Policing Councils will meet, at a minimum, every six months.
267. In conjunction with community representatives, the City will develop a mechanism to select the Members of the Community Policing Councils, which will include a representative cross-section of community Members and APD officers, including, for example, representatives of social services providers and diverse neighborhoods; leaders in faith, business, or academic communities; and youth. Members of the Community Policing Councils will possess qualifications necessary to perform their duties, including successful completion of the Citizens Police Academy.
268. The City will allocate sufficient resources to ensure that the Community Policing Councils possess the means, access, training, and mandate necessary to fulfill their mission and the requirements of this Agreement. APD will work closely with the Community Policing Councils to develop a comprehensive community policing approach that collaboratively identifies and implements strategies to address crime and safety issues. In order to foster this collaboration, APD will share appropriate information and documents with the Community Policing Councils, provided adequate safeguards are taken not to disclose information that is legally exempt or protected from disclosure.
269. APD will seek the Community Policing Councils' assistance, counsel, recommendations, or participation in areas including:
- a) reviewing and assessing the propriety and effectiveness of law enforcement priorities and related community policing strategies, materials, and training;
  - b) reviewing and assessing concerns or recommendations about specific APD policing tactics and initiatives;
  - c) providing information to the community and conveying feedback from the community to APD;
  - d) advising the Chief of Police on recruiting a qualified, diverse workforce; and

- e) advising the Chief of Police on ways to collect and publicly disseminate data and information, including information about APD's compliance with this Agreement, in a transparent and public-friendly format to the greatest extent allowable by law.
270. The Community Policing Councils will memorialize their recommendations in an annual public report that will be posted on the City's website. The report will include appropriate safeguards not to disclose information that is legally exempt or protected from disclosure.