

Police Oversight Task Force
December 11, 2013
5:30 p.m.

Summary Minutes

Members present*:

Frances Armijo
Ralph Arellanes
Hans Erickson
Nancy Koenigsberg
Andrew Lipman
Craig Loy
Edmund Perea
Peter Simonson
Alan Wagman
Leonard Waites

Council staff present:

Stephanie Yara
Julian Moya
Donna Montoya

Others present:

Dr. Bruce Perlman, School of Public Administration, UNM
Timothy Karpoff

*Reflects members present when the meeting is called to order. Any excused absences will be reflected in actions taken in the summary minutes.

1. Call to order

Mr. Lipman called the meeting to order at 5:43 p.m.

2. Approval of Agenda

Mr. Loy made a motion to approve the agenda. It was seconded by Mr. Waites.

Ms. Koenigsberg made a motion to discuss the article in the newspaper with regard to the Police contract as the first discussion item on today's agenda. It was seconded by Ms. Armijo.

Mr. Lipman stated the following three items will be discussed under "Other Business":

- Newspaper Editorials
- Email by Hans Erickson
- Email by Linda Donahue

After a brief discussion, Mr. Lipman called the question on the motion by Ms. Koenigsberg. The motion carried unanimously (Mr. Bertolletti is excused).

Mr. Wagman moved that Public Comment be added to the agenda. It was seconded by Mr. Arellanes.

Mr. Lipman reminded the members that at their last meeting it was stated that no public comment would be on today's agenda, and that it should have been reflected in the minutes.

Ms. Armijo reminded the members of all the opportunities that were allowed for public comment.

Mr. Lipman called the question on the motion by Mr. Wagman. The motion failed by a vote of 3 – 6. (Yes: Arellanes, Wagman, Waites. Mr. Bertolletti is excused).

3. Approval of Summary Minutes

Mr. Loy made a motion to approve the November 6, 2013 summary minutes. It was seconded by Mr. Perea. The motion carried unanimously. Mr. Bertolletti is excused.

Discussion ensued on the Newspaper Article regarding the Police contract.

Mr. Lipman expressed concern that some of the recommendations from the Task Force may be in conflict with the Police contract.

Mr. Loy stated the Task Force needs to continue to do what it's charged with and move on.

Mr. Erickson expressed concern that the Mayor/Administration did not take in to consideration the work of the Task Force as it relates to the APOA negotiations.

After a brief discussion, a motion was made by Mr. Simonson for the City Council to urge the Mayor's Office to engage in contract negotiations with APD in such a way that it does not hamper the ability of the POC to exercise its oversight function of the Police Department. It was seconded by Mr. Arellanes.

Mr. Loy stated that he does not support the motion because Police Officers have gone without a pay raise for the past two years and there is no concession for retired Police Officers.

Mr. Wagman expressed concern with certain terms in the contract that violates the ordinance.

Ms. Koenigsberg made a friendly amendment that in order to facilitate the work of the Task Force to make recommendations and to recognize the Police Officers attempts to negotiate pay raises, the City Council should recommend to the Mayor to deal with the budgetary issues and stay the negotiations on the rest of the contract, until the Task Force submits their recommendations to the City Council. The friendly amendment was accepted by Mr. Simonson.

After a brief discussion, Mr. Lipman called on Mr. Simonson's motion. The motion carried by a vote of 9-1 (Against: Mr. Loy. Mr. Bertolletti is excused)

Ms. Koenigsberg volunteered to draft the letter to the City Council and have a discussion on it at the next Task Force meeting.

4. Address from POC Commissioner Major William Barker

Major Barker gave a brief presentation on his role and experience as a POC Member.

Mr. Perea asked what the primary role of a POC member should be. Major Barker responded that oversight, transparency, and protecting the public were of primary importance.

Mr. Lipman asked if the POC should review every case. Major Barker responded that the IRO does a good job in reviewing the cases and he concurs with this process.

Mr. Wagman asked if cases can be resolved through mediation. Major Barker responded the cost would be high.

Ms. Armijo asked if the training is adequate. Major Barker responded yes.

5. Recommendation Facilitation – Timothy Karpoff

Mr. Karpoff ran a facilitated discussion on the key questions that the Task Force's recommendations must address. See attachment A on the work which was produced.

6. Announcement of Upcoming Meetings

Mr. Lipman announced the following POC Task Force Meetings:

- December 18, 2013, 5:30 p.m., Council Committee Room
- January 8, 2014, 5:30 p.m., CIP Conference Room

- January 15, 2014, 5:30 p.m., 8th Floor
- January 29, 2014, 5:30 p.m., location to be determined.

Ms. Koenigsberg made a motion to schedule three hour meetings. It was seconded by Mr. Wagman. The motion carried unanimously. Mr. Bertolletti is excused.

Mr. Wagman suggested scheduling two meetings at the end of January to review the Task Force final recommendations to the City Council.

7. Other Business

Mr. Lipman asked the members if he should respond to Linda Donahue's email. After a brief discussion the Task Force agreed not to respond.

Mr. Lipman asked the members to not send out individual emails on behalf of the Task Force.

The Task Force began discussing the approval process for their recommendations.

Mr. Wagman excused himself from the meeting for the following discussion since it was not posted on the agenda.

Mr. Loy made a motion that a super majority is two thirds of the members present on the final recommendations to the City Council from the PO Task Force. It was seconded by Mr. Simonson. The vote resulted in a tie (Yes: Koenigsberg, Loy, Perea, and Simonson. Against: Arellanes, Armijo, Hans, and Waites. Mr. Bertolletti is excused. Mr. Wagman stepped out of the room during the vote and returned immediately after the vote was taken.).

Mr. Lipman voted yes to break the tie. The motion carried.

There being no further business, the meeting adjourned at 9:04 p.m.

City of Albuquerque Police Oversight Task Force • Work Product: December 11, 2013 Task Force Meeting

Focus Question: *What are Key Questions or Problems the POTF's Recommendations Must Address?*

(Primary questions are in headers; contributing ideas are in bullets in the columns beneath; number of contributing ideas does not suggest a hierarchy or priority ordering.)

How Independent should the oversight process be and what authority should it have?	How do we maximize the impact of the oversight process on police practice?	How can the oversight process improve trust between APD and the community?	How can we staff a credible citizen review process?	How do we assure funding [of the oversight process] that is sufficient and protected?	How do we build in monitoring of the oversight process's effectiveness?	How can the POTF increase the potential of its recommendations being adopted?
<ul style="list-style-type: none"> • What should the relationship between the IRO, POC, Chief and Mayor be? • Who has discipline authority? • How can the oversight process have greater independence? • A lack of trust (from the public) that investigations are adequate and fair. • Who picks the members of the POC? 	<ul style="list-style-type: none"> • How can the oversight process impact police practice to reduce unreasonable use of deadly force? • Lack of trust that the POC will try to correct <u>patterns</u> of abusive behavior. • The oversight process must identify and address systemic issues. • How to maximize the effectiveness of the oversight body? 	<ul style="list-style-type: none"> • How does the oversight process promote APD accountability and transparency? • APD, POC and IRO accountability to the public. • How to improve civilian-APD relations? 	<ul style="list-style-type: none"> • Qualifications, training, attendance and selection of POC and IRO/staff-lack of trust from APD. • Lack of trust between officers and POC. 	<ul style="list-style-type: none"> • Funding: independent and sufficient. • Does the POTF have real power and influence? <p style="text-align: center;">-----</p>	<ul style="list-style-type: none"> • [stand-alone question] 	<ul style="list-style-type: none"> • What needs to change (in the overall process)? • What needs to stay the same? • What is our overall statement of intent (to reduce chance for later misinterpretation)?