



CITY OF ALBUQUERQUE

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October 23, 2017

Lawrence L. Davis, Acting City Auditor
Office of Internal Audit
City of Albuquerque

RE: Independent Monitor for the Court Approved Settlement Agreement (CASA) between the City of Albuquerque and the U.S. Department of Justice.

Mr. Davis:

We respectfully request that the Internal Audit Department conduct an independent review of the performance of Public Management Resources, Inc., and Dr. James D. Ginger (the "Independent Monitor"), related to the duties and responsibilities of the Independent Monitor as required by the Court Approved Settlement Agreement (CASA) between the City of Albuquerque and the U.S. Department of Justice, and related Court filings and documents. The Independent Monitor was appointed to this role by the United States District Court on January 20, 2015. The City of Albuquerque pays the costs associated with the Independent Monitor and, by agreement, is to receive review and monitoring support and services aimed at achieving compliance with the CASA within a reasonable timeframe.

The review should include:

1. An assessment of the Independent Monitor's performance of the mandatory duties as outlined in the CASA, paragraphs 147, 148, 221, 222, 294, 295, 296, 297, 298, 300, 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 321, 324, 326, 330, 331, 334, 338, and any other duties or obligations associated with the CASA.
2. An assessment of the Independent Monitor's performance of the discretionary duties as outlined in the CASA, paragraphs 299, 305, 313, 320, and 333.
3. An assessment of the Independent Monitor's performance of tasks and services described in the *Final Budget*, Document 114-1, filed on April 14, 2015 with the *Order Accepting the Parties' Stipulation Regarding the Terms and Conditions of the Independent Monitor's Payment*. In addition to general performance, please specifically review the stated number of on-site work days, information sharing, and specific project tasks identified in *Public Management Resources' Response to Request for Information by the City of Albuquerque, Albuquerque Police Department, and the United States Department of Justice, Civil Rights Division, Special Litigation Section*.

4. An assessment of the Independent Monitor's performance of the responsibilities under the *Joint Report on the Role, Responsibilities, and Expectations of the Independent Monitor*, Document 249-1, filed with the Court on February 10, 2017. In addition to general performance, please specifically review the Monitor's communication with the City and related response times, and participation at weekly and monthly meetings as described.
5. A review of the Independent Monitor's representations relative to intended methods and approaches toward performance of the responsibilities and duties outlined above, the actual method of performance delivered, and assessment of the comparative efficacy of these in performance of duties and responsibilities.
6. A review of any relevant course of performance data by independent monitors for other municipalities around the nation which received or are receiving similar monitor services that tends to establish best practices or performance benchmarks for effective monitoring services, and comparison of this data to the performance and methods of the Independent Monitor.

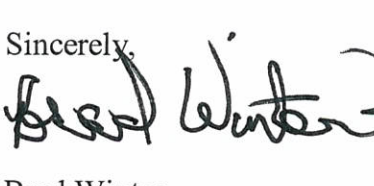
These findings will assist the City as it prepares to evaluate the Independent Monitor's proposed annual budget for the fifth year of work, as required by Paragraph 13 of the *Order Accepting the Parties' Stipulation Regarding the Terms and Conditions of the Independent Monitor's Payment*, Document 114, filed with the Court on April 14, 2015.

In accordance with Paragraph 23 of the same order, "the Independent Monitor's Office will maintain records, receipts, and other appropriate documentation of all expenses, costs, fees, services, and any appropriate taxes for the duration of its appointment. Such records shall be available for inspection by the City or DOJ, with reasonable advance notice to the Independent Monitor."

In order to assist your office in expediting this review, an allocation of contractual funding in the amount of \$25,000 will be requested from the City Council office by Resolution at its next meeting on November 6, 2017.


Please contact our office immediately if you need further clarification of the requested objectives, or are having trouble obtaining the information needed to complete this review from the parties involved (City Legal Department, APD or Public Management Resources, Inc.).

Sincerely,



Brad Winter
City Councilor, District 4

Ken Sanchez
City Councilor, District 1



Don Harris
City Councilor, District 9