

CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

BOARD AGENDA

Thursday, September 11, at 5:00 PM
Vincent E. Griego Chambers

Zander Bolyanatz, Board Chair
Aaron Calderon, Board Vice-Chair
Eduardo Budanauro, Board Member
Rowan Wymark, Board Member
Diane McDermott, Executive Director, CPOA
Ali Abbasi, Deputy Director, CPOA

Viewing: Members of the public can view the meeting through GOVTV on Comcast Channel 16, stream live on the GOVTV website at <https://www.cabq.gov/culturalservices/govtv>, or watch it on YouTube at <https://www.cabq.gov/cpoa/events/civilian-police-oversight-advisory-board-meeting-09-11-2025>. The GOVTV live stream can be accessed from most smartphones, tablets, or computers at these addresses.

Public Comment: The CPOAB will accept general public comment on the meeting's specific agenda items in person and written form via email until 3:00 p.m. on the day of the meeting. Submissions for public comment can be emailed directly to the CPOAB at oab@cabq.gov.

- I. Welcome, Call to Order and Roll Call**– *Zander Bolyanatz, Chair*
- II. Pledge of Allegiance**
- III. Approval of the Agenda**
- IV. Review and Approval of Minutes**
 - a. August 14, 2025**
- V. Public Comment** [Public comment is limited to three minutes unless extended by the Chairperson]
- VI. Reports from City Departments:**
 - a. APD**
 - 1. National Guard Presentation**– *Interim Major Luke Languit*
 - 2. Internal Affairs Professional Standards (IAPS)**– *Acting Commander Paul Skotchdopole*
 - 3. Internal Affairs Force Division (IAFD)**– *Commander Scott Norris*
 - b. ACS**– *Jefferey Bustamante, Deputy Director*
 - c. City Attorney**– *Lindsey Rosebrough, Managing Attorney*
 - d. City Council**– *Chris Sylvan, Council Services*
 - e. Community Policing Council (CPC)**– *Kelly Mensah, Community Engagement Manager*
 - f. Mayor's Office**– *Doug Small, Director of Public Affairs*

g. CPOA– Diane McDermott, Executive Director

- 1. CPC 062-25 Non-Concurrence Memo**
- 2. CPC 066-25 Non-Concurrence Memo**

VII. Appeal

a. CPC 338-24

- i. Hearing on CPC #338-24
- ii. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act.

VIII. Serious Use of Force Case(s):

- a. APD Case #24-0072743 - Eduardo Budanauro**
- b. APD Case #24-0077318 – Aaron Calderon**
- c. APD Case #24-0075982 – Rowan Wymark**
- d. APD Case #24-0092613 – Zander Bolyanatz**

IX. Officer-Involved Shooting Case(s):

- a. APD Case #24-0067214 - Eduardo Budanauro**
- b. APD Case #24-0093346 - Aaron Calderon**
- c. APD Case #24-0086447 – Rowan Wymark**
- d. APD Case #24-0084942 - Zander Bolyanatz**

X. Report from CPOAB Subcommittee(s):

- a. Policy and Procedure Review Subcommittee – Aaron Calderon**
 1. Meeting was held on September 4, 2025, at 3 p.m.
 2. Report from Subcommittee
 3. Next meeting October 2, 2025, at 3 p.m.

XI. Discussion and Possible Action:

- a. Establishment of Ad Hoc Rules Committee**
- b. APD Policy**

1. No Recommendation(s):

- A. SOP 1-20 Behavioral Sciences Section
- B. SOP 1-36 Department Personnel Wellness Program
- C. SOP 1-93 (Formerly 8-11) Telephone Reporting Unit (TRU)
- D. SOP 2-5 Department Vehicles
- E. SOP 2-13 StarChase Pursuit Management System
- F. SOP 2-28 (Formerly 3-20) Flood Control Channel Action
- G. SOP 2-30 Emergency Command Post (ECP)
- H. SOP 2-35 (Formerly 2-29) Emergency Response Team (ERT)
- I. SOP 2-36 Police-News Media Relations and Release of Police Identification
- J. SOP 2-77 In-Car Video System (ICVS)
- K. SOP 2-79 Law Enforcement Assisted Diversion (LEAD) Program
- L. SOP 2-84 Body Cavity Searches
- M. SOP 2-99 (Formerly 1-8) Naloxone Policy
- N. SOP 2-107 Use of Crime Specialists (CSS) Unit

2. APD Response to Policy Recommendation(s): [Standing item]

XII. Other Business

XIII. Adjournment- *The next regularly scheduled Board meeting will be held on Thursday, October 9, 2025.*

ATTENTION: Unless the board decides otherwise, a dinner break will occur at a natural breaking point during the meeting.

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD

Zander Bolyanatz, Chair
Aaron Calderon, Vice-Chair
Eduardo Budanauro
Rowan Wymark
Diane McDermott, Executive Director
Ali Abbasi, Deputy Director

September 29, 2025

Via Email

[Redacted]

Re: Notice of Appeal Decision for CPC #338-24

PO Box 1293

APPEAL FINDINGS:

Albuquerque

Mr. S, an appeal hearing was scheduled on September 11, 2025 at 5 p.m., in response to your appeal request submitted on August 18, 2025. To ensure thorough preparation for the hearing, you were notified on August 25, 2025 that your hearing was scheduled during the September 11, 2025 board meeting.

NM 87103

We appreciate your diligence in bringing your concerns to the attention of the CPOA and CPOAB. Through investigations and appeals initiated by Albuquerque citizens and visitors, valuable information is gathered to potentially inform policy recommendations to the chief of police, the mayor's office, and the city council when deemed appropriate.

www.cabq.gov

In line with our procedures, any revision of findings must meet at least one of the three specified criteria detailed in the original documentation of your findings. Upon careful consideration, the information presented during your hearing did not meet the threshold for us to proceed with any adjustments to the CPOA Executive Directors' findings as outlined on page 3.

Therefore, we uphold, confirm, and stand by the findings of the CPOA Executive Director.

MATERIALS REVIEWED BY THE BOARD:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Appeared: Yes

Witness(es) Appeared: No

APD Employee Appeared: No

APD Employee Involved: Detective C.

Date Hearing Completed: September 11, 2025

APPEAL FINDINGS

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.

2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.

3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.

Policy Upheld: General Order 1.1.5.A.1

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.

5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.

6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.

Additional Comments:

We uphold, confirm, and stand by the findings of the CPOA Executive Director.

You have exercised your right to appeal this decision as specified in the Oversight Ordinance 9-4-1-10. As was explained in the hearing proceedings in order for the Advisory Board to modify the Director's findings your appeal must demonstrate one or more of the following:

- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

The Advisory Board has considered the statements provided by you, the complainant, any witnesses you may have provided, any evidence if deemed admissible, the Agency's position, the Albuquerque Police Department's position and the officer's position if the officer chose to appear.

The Advisory Board may only modify or change the findings and/or recommendations and make further recommendations if one of the above listed conditions was met. The details of the findings are on the second page of this communication.

Thank you for participating in the process of the Civilian Oversight of the Police, ensuring officers and personnel of the APD are held accountable, and improving the process.

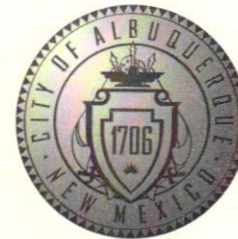
Sincerely,
The Civilian Police Oversight Advisory Board by

A handwritten signature in blue ink, appearing to read 'Zander Bolyanatz', with a long horizontal flourish extending to the right.

Zander Bolyanatz, Chair
(505) 924-3770

cc: Civilian Police Oversight Agency
Office of Police Reform

CITY OF ALBUQUERQUE



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APD Employee Appeared: No

APD Employee Involved: Detective A.

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Policy Upheld: General Order 1.1.6.C.1; General Order 1.1.5.A.1; General Order 1.1.5.C.2

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