Civilian Police Oversight Advisory Board

Aaron Calderon, Chair
Eduardo Budanauro, Vice-Chair
Zander Bolyanatz, Member
Georgia Duncan, Member
Diane McDermott, Executive Director, CPOA
Ali Abbasi, Deputy Director, CPOA

Minutes

Thursday, September 10, 2026, at 5:00 PM
Vincent E. Griego Chambers

Members Present: Aaron Calderon, Eduardo Budanauro, Zander Bolyanatz, Georgia Duncan.

Members Absent:

Others present in person: Diane McDermott, Executive Director, CPOA, Ali Abbasi, Deputy Director, CPOA, Gabe Remer, Policy Analyst, CPOA, Valerie Barela, Senior Administrative Assistant, CPOA, Tashia Baca, Administrative Assistant, CPOA, Kelly Mensah, Community Engagement Manager, CPC, Darrell Mori, Attorney, CPOA, Christ Sylvan, Council Services, APD Deputy Commander, Troy Nicko, APD Lieutenant, Brian Herrera, APD Deputy Commander, Michael *Gardiner*

Others present via Zoom/Webinar: Erin O'Neil, Investigator, CPOA, Jose Castro, Investigator, CPOA, Juan Sotres, Investigator, CPOA

I. **Call to Order and Roll Call–** *Aaron Calderon, Chair*

   a. Chair Calderon called the meeting to order at approximately 5:00 pm, and a roll call of members present was taken.

II. **Pledge of Allegiance.**

   a. Chair Calderon led the Pledge of Allegiance.

III. **Approval of the Agenda**

   a. Member Bolyanatz proposed a change to the agenda, stating that in the Discussion and Possible Action section under APD Policy, SOP 2-103 Trespass Notifications was listed twice, and he would like to remove the one listed under No Recommendation.

   b. **Motion.** Chair Calderon made a motion to approve the amended agenda. The motion was seconded by Vice Chair Budanauro. The motion passed unanimously

IV. Review and Approval of Minutes

a. August 13, 2026

i. Each Board member was provided a website link to review the draft minutes from the Civilian Police Oversight Advisory Board's regular meeting on August 13, 2026

ii. A motion was made by Chair Calderon to approve the minutes as written. The Motion was seconded by Member Bolyanatz. The motion passed unanimously.

V. Reports from City Departments:

a. **APD**

i. **Internal Affairs Professional Standards (IAPS)–** *Lieutenant Brian Herrera*

1. A document titled "*Albuquerque Police Department Internal Affairs Professional Standards (IAPS) Division Monthly Report, September 2026*" was distributed electronically to CPOA Board members. For more information, Albuquerque Police Department Internal Affairs Professional Standards Monthly Reports, visit APD's website here: https://www.cabq.gov/police/public-reports
2. Lieutenant Herrera, filling in for APD Acting Commander Matthew Caplan, gave a verbal report regarding IAPS Internal Affairs Professional Standards Division's total cases completed, as well as pending cases and the average days of ESI completion. Lieutenant Herrera stated that these numbers reflect the investigations that received an ESI.
3. Member Bolyanatz asked if the APD is tracking data that shows a pattern of ESIs related to each individual who has found a way to get around getting an ESI.
4. Lieutenant Herrera stated they do have a tracking system that does show ESI amounts; after three, there is discipline, and he is not sure about the location and Officer patterns, but the data can be provided.

ii. **Internal Affairs Force Division (IAFD)**- Deputy Commander Troy Nicko

1. A document titled *Albuquerque Police Department Monthly Use of Force Report, September 2026*, was distributed to CPOA Board members electronically. For more information on Albuquerque Police Department Monthly Use of Force Reports, visit APD's website here: https://www.cabq.gov/police/public-reports

2. Deputy Commander Troy Nicko provided a verbal report regarding Use of Force incidents. He noted that Electronic Control Weapon (ECW) use initially appeared somewhat high. Upon review, he determined that when multiple officers were involved in the same incident and more than one used an ECW, each use was being counted separately. As a result, the report reflected nineteen ECW uses for the month, when the actual number of incidents involving ECW use was nine. Deputy Commander Nicko noted an increase in incidents, consistent with numbers typically observed during the summer months.

   Deputy Commander Nicko also reported that he watches for unusual trends; if he confirms one, he will reach out to the academy for additional training to address potential issues. Concluding his report, Deputy Commander Nicko stated that twenty-five Use of Force cases had been completed and reported, representing an increase from the previous month. One case was determined to be out of policy following review.

iii. **Academy**- *Deputy Commander Michael Gardiner*

1. Deputy Commander Michael Gardiner, filling in for Lieutenant Sean Higdon, verbally reported that the academy is wrapping up its fall training, its reality-based, in-person training, and online training on the city-posted website. The Academy has two cadet classes: the 135 has ten cadets, and the 136 has fifteen; they will graduate at the end of this year and into next year. Deputy Commander Michael Gardiner said they will start a PSA class in the fall

and another cadet class in November. They also started the Citizen Police Academy.

b. **ACS-** *Jefferey Bustamante, Deputy Director*

   i. Deputy Director Jefferey Bustamante verbally reported that the month of August was very busy and had the highest call volume for the month. We had 4,083 911 calls, 1,009 311 calls, and over 5,000 total calls for the month. A little over six hundred were transported to services. Common transports are to UNMH, Kaseman crisis triage, and the Gateway off Gibson. Those are the top five or six; it might also involve the young adult Gateway. Deputy Director Jefferey Bustamante noted they are expanding their School-Based Violence Intervention; additionally, we will bring on six more high schools and middle schools. We also will have a new hiring push for many different positions. He finished with an invitation to join the department at their Birthday Party; they are turning five years old.

c. **City Attorney-** *Lindsey Rosebrough, Managing Attorney*

   i. Lindsey Rosebrough, Managing Attorney, was not present but did convey that a new City Attorney was selected last night in council; his name is Joshua Boon.

d. **City Council-** *Chris Sylvan, Council Services.*

   i. Interviews have started with the councilors to appoint a New Board Member; we are on track to hopefully get that person appointed by the first council meeting in October. The agency and council compliance staff will be conducting the interview.

e. **Community Policing Council (CPC)-** *Kelly Mensah, Community Outreach Manager*

   i. September is dedicated to Chief Cecily Barker; she has completed two meetings, one in the Southwest and another in the Northeast. She brought along her new Chief of Staff and the Deputy Commander, Luke Languit. Raul Bujanda, the Executive Director of Public Safety, has spoken at the CPC Meetings three times so far: Foothills, Northwest, and the Valley. Metro Court Chief Judge Sanchez addressed the Southeast and Northeast Council,

discussing a variety of topics. The YCPC organized field trips to CNM and UNM. We also had Jacqueline Kakos of the NM Poison Drug Information Center speak about the organization's responsibilities and how to contact them in an emergency. The CPC year-end dinner will be Saturday, 11/21, before Thanksgiving, at the Museum. We have appealed to the City Council for donations. Kelly Mensah finalized his report and stated CPC will schedule a meeting with Kai Smith of the Metro Detention Center.

f. CPOA– *Diane McDermott, Executive Director*

i. Diane McDermott verbally reported the CPOA received eighty-seven complaint intakes; thirty-one were assigned for investigation by CPOA, and those appropriately assigned to Internal Affairs; twenty-one were driving complaints that were resolved with the supervisors; thirty-one were miscellaneous or insufficient information was provided, or it was determined that APD personnel were not involved in that complaint, or the complaint was resolved to the citizen's satisfaction due to seeking out information. Four were submitted for either formal or informal mediation, and five commendations were received. Disciplinary SOP 3-46 (Discipline System) has changed. These changes particularly involve lower-level policy infractions since the policy was published. She stated CPOA will track ESI usage and discipline more closely across CPCs and overall, and report more on them in our semi-annual reports. CPOA will review that data with the Board and develop recommendations. We have been working on a Dashboard for complaint data; it is finalized, and we are testing it on the Back end just to make sure. Charm School was held on August 25, 2026; several staff and a Board Member attended. Member Reinchfield has resigned, and council members are working diligently to fill his position.

VI. Public Comment:

a. LETZO OTVO
b. Brick Jonesey

VII. Serious Use of Force Case(s): [Standing Item]

a. APD Case # 25-0105457- *Zander Bolyanatz, Member*

i. Zander Bolyanatz gave a verbal overview of the Serious Use of Force case # 25-0105457

ii. CPOA Deputy Director Ali Abbasi provided his review

iii. Deputy Commander Troy Nicko provided his review.

iv. Member Bolyanatz raised a question regarding the use of the K9. Acting Commander Nicko provided a response to the question

v. Chair Calderon made a motion that the Civilian Police Oversight Advisory Board affirms and upholds the findings of the APD Internal Affairs Force Division Investigation for APD Case # 25-0105457. The Motion was seconded by Member Bolyanatz. The motion passed unanimously.

b. APD Case # 25-0103780- *Georgia Duncan, Member*

i. Georgia Duncan gave a verbal overview of the Serious Use of Force case # 25-0103780

ii. CPOA Deputy Director Ali Abbasi provided his review.

iii. Deputy Commander Troy Nicko had nothing additional to report.

iv. Chair Calderon made a motion that the Civilian Police Oversight Advisory Board affirm and uphold the findings of the APD Internal Affairs Force Division Investigation for APD Case # 25-0103780. The motion was seconded by Vice Chair Budanauro. The motion passed unanimously.

VIII. Officer-Involved Shooting Case(s):

a. APD Case # 25-0081572- *Eduardo Budanauro, Vice-Chair*

i. Eduardo Budanauro gave a verbal overview of the Officer-Involved Shooting case # 25-0081572

ii. CPOA Deputy Director Ali Abbasi provided his review.

iii. Deputy Commander Troy Nicko provided his review.

iv. Chair Calderon made a motion that the Civilian Police Oversight Advisory Board affirms and upholds the findings of the APD Internal Affairs Force Division Investigation for APD Case # 25-0081572. The Motion was seconded by Member Bolyanatz. The motion passed unanimously.

IX. Appeals

a. **CPC 054 -26** has been rescheduled for October 6, 2026, per the request of the Appellants and the Chair's approval

X. Report from CPOAB Subcommittee(s):

a. **Policy and Procedure Review Subcommittee** – *Eduardo Budanauro*

i. A meeting was held on September 3, 2026, at 3 p.m.

ii. Vice Chair Budanauro Report from Subcommittee

iii. The next meeting will remain on October 1, 2026, at 3 p.m.

XI. Discussion and Possible Action:

a. **APD Policy** – *Gabe Remer Policy Analysis, CPOA*

i. **Recommendations**

a. **SOP 2-103 Trespass Notifications**

1. CPOA recommendation #1: If APD wants an expiration period for the notice verbally explain and remove the requirements, and the Officers Should explain the time period.

2. CPOA Recommendation #2: If APD does not want an expiration period for the notice, remove the 90-day directive and explain that the form documents an ongoing withdrawal of consent.

Motion was made by Chair Calderon to have Gabe Remer, Policy Analyst CPOA to submit on behalf of the CPOA Board both recommendation one and recommendation two for SOP 2-103 Trespass Notifications. The Motion was seconded by Vice Chair Budanauro .

The motion passed unanimously.

ii. **No Recommendations**

a. **SOP 1-1 Personnel Code of Conduct**

No Recommendations for SOP 1-1

b. **SOP 1-46 Field Training and Evaluation Program**

No Recommendations for SOP 1-46

c. **SOP 1-48 Fiscal Division**

No Recommendations for SOP 1-48

d. **SOP 1-50 Gun Violence Reduction Unit**

No Recommendations for SOP 1-50

e. **SOP 1-59 Impact Task Force**

No Recommendations for SOP 1-59

f. **SOP 1-75 Grant Administration Division (GAD)** No Recommendations for SOP 1-75

g. **SOP 1-90 Investigative Services Division**

No Recommendations for SOP 1-90

h. **SOP 1-91 Tactical Emergency (TEMS)**

No Recommendations for SOP 1-91

i. **SOP 1-92 Special Weapons and Tactics (SWAT)** No Recommendations for SOP 1-92

j. **SOP 2-10 Use of Emergency Communication**

No Recommendations for SOP 2-10

k. **SOP 2-14 Use of Cell-Site Simulator Technology** No Recommendations for SOP 2-14

l. **SOP 2-37 Meal Breaks**

No Recommendations for SOP 2-37

m. **SOP 2-60 Preliminary and Follow-Up Criminal Investigations**

No Recommendations for SOP 2-60

n. **SOP 2-108 Electronic Communications Privacy Act Procedures.**

No Recommendations for SOP 2-108

o. **SOP 2-113 Custom Notification Gun Buy-Back (CNGBB) Program**

No Recommendations for SOP 2-113

p. **SOP 3-23 Retirement Observance**

No Recommendations for SOP 3-23

b. **APD Response to Policy Recommendation(s):** [Standing Item]

i. **None**

XII. Other Business

a. **None**

XIII. Adjournment- *The next regularly scheduled Board meeting will be held on Tuesday, October 6, 2026, at 5:00 P.M.*

a. Motion. A motion was made by Chair Calderon to adjourn the meeting. The motion was seconded by Vice Chair Budanauro. The motion passed unanimously.

b. The meeting was adjourned at approximately 6:46 p.m.

APPROVED:

Aaron Calderon, Chair
Civilian Police Oversight Advisory Board

11/12/2026
Date

CC: Isaac Padilla, City Council Staff
Ethan Watson, City Clerk
Klarissa Pena, City Council President

Minutes drafted and submitted by:
Tashia Baca, CPOA Administrative Assistant