

Civilian Police Oversight Agency Board

Eric Olivas, Chair

Chantal M. Galloway, Vice-Chair

Tara Armijo-Prewitt

Patricia J. French

Richard Johnson

Dr. William J. Kass

Eric Nixon

Gionne Ralph

Edward Harness, Executive Director

BOARD AGENDA

Thursday, October 14, 2021 - 5:00 p.m.

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, October 14, 2021 at 5:00 pm will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at:

<https://www.cabq.gov/culturalservices/govtv>, or on YouTube at:

<https://www.cabq.gov/cpoa/events/cpoa-board-meeting-october-14-2021>.

(Please note that the link for YouTube has not yet been generated, however, the link could easily be found on the link provided above prior to the start of the meeting). The GOVTV live stream can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the CPOA Board will also remain available for viewing at any time on the CPOA's website. CPOA Staff is available to help members of the public access pre-recorded CPOA meetings on-line at any time during normal business hours. Please email CPOA@cabq.gov for assistance.

Public Comment: The agenda for the meeting will be posted on the CPOA website by 5:00 p.m., Monday, October 11, 2021 at www.cabq.gov/cpoa.

The CPOA Board will take general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 pm on Thursday, October 14, 2021. Submit your public comments to: POB@cabq.gov. These comments will be distributed to all CPOA Board members for review.

I. Welcome and call to order

II. Mission Statement – *Eric Olivas, Chair*

*“Advancing Constitutional policing and
accountability for APD and the Albuquerque
Community.”*

III. Approval of the Agenda

IV. Public Comments

V. Review and Approval of Minutes from September 9, 2021

VI. Reports from City Departments

- a. **APD**
 - 1. **IA Professional Standards Division (SOP 7-1, SOP 3-41, SOP 3-46) – Commander Zak Cottrell**
 - 2. **IA Force Division (SOP 2-52 through SOP 2-57) – Acting Commander Richard Evans**
 - 3. **ShotSpotter Program Briefing (SOP 2-98)**
 - 4. **Crash Review Board Presentation (SOP 2-50) – Acting Commander Nick Wheeler**
- b. **Albuquerque Community Safety Department – Director Community Safety, Mariela Ruiz-Angel**
- c. **City Council – Chris Sylvan**
- d. **Public Safety Committee - Chris Sylvan**
- e. **Mayor’s Office – Pastor David Walker**
- f. **City Attorney**
- g. **CPC – Kelly Mensah**
- h. **CPOA – Edward Harness, Executive Director**

**VII. Requests for Reconsideration
120-21**

VIII. Review of Cases:

- a. **Administratively Closed**

116-21	123-21	142-21	160-21	169-21
186-21	188-21	195-21		
- b. **Exonerated and Administratively Closed
102-21**
- c. **Exonerated**

067-21	101-21
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- d. **Exonerated and Unfounded**

088-21	128-21
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- e. **Exonerated, Sustained and Unfounded
122-21**
- f. **Sustained, Not Sustained and Administratively Closed
081-21**
- g. **Sustained**

093-21	100-21	118-21	152-21
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- h. **Unfounded**

113-21	119-21	129-21	130-21	133-21
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**i. Unfounded and Sustained
094-21**

IX. Non-Concurrence Cases

- a. CPC 109-21
- b. CPC 093-21
- c. CPC 038-21
- d. CPC 249-20
- e. CPC 250-20

X. Serious Use of Force Cases/Officer Involved Shooting

- a. APD Response to Board:
 - 1. 19-0077270 Officer Involved Shooting
- b. CPOA Board Review:
 - 1. 20-0004795 Handcuffing
 - 2. 21-0000606 Handcuffing
 - 3. 20-0064745 K9 Deployment
 - 4. 20-0014745 / 20-0014813 K9 Deployment
 - 5. 20-0026269 / 20-0026264 K9 Deployment
 - 6. 20-0047022 Electronic Control Weapon (ECW) Deployment
- c. File Requests:
- d. Proposed Case(s) for November 2021 Review:
 - 1. 19-0094605 OIS – File requested 08/12/2021

XI. Reports from Subcommittees

- a. Community Outreach Subcommittee – *Chantal Galloway*
 - 1. Met September 28, 2021 at 3:00 p.m. (video conference)
 - 2. Next meeting October 26, 2021 at 3:00 p.m.
- b. Policy and Procedure Review Subcommittee – *Dr. William Kass*
 - 1. Met October 7, 2021, 2021 at 4:30 pm (video conference)
 - 2. Next meeting October 28, 2021 at 4:30 p.m.
- c. Case Review Subcommittee – *Eric Nixon*
 - 1. Next meeting TBD
- d. Personnel Subcommittee – *Eric Olivas*
 - 1. Met September 27, 2021 at 4:00 p.m. (video conference)
 - 2. Next meeting October 25, 2021 4:00 p.m.

XII. Discussion and Possible Action:

- a. Consideration of PPRB Policies with No Recommendation: -
Dr. William Kass
- b. Consideration of Proposed MOU between the City of Albuquerque, CPOA/CPOAB and APOA on OIS/SUOF Materials – *Dr. William Kass and Tina Gooch, CPOA Counsel*
- c. Use of Force Policy (SOP 2-52 through SOP 2-55) and Discipline System (SOP 3-46) – *Dr. William Kass*
- d. ShotSpotter (SOP 2-98) Chief's Response – *Dr. William Kass*

- e. **Proposal for Case Review Process and Materials – *Eric Olivas***
- f. **Consideration of Special Meeting for Public Input on Board Goal Setting and Long-Term Planning – *Eric Olivas***
- g. **Ordinance Changes and City Council Appointments – *Eric Olivas and Chantal Galloway***
- h. **New Board Member Onboarding Process – *Chantal Galloway***
- i. **Board Member Responsibilities - *Eric Olivas***
 - **New Member Training Requirements**
 - **8-Hour Annual Training Requirement**
 - **City Attorney’s Training Proposal**
 - **Meeting Attendance Report**
- j. **Update on Traffic Stop Study – *Edward Harness, CPOA Director***
- k. **Update on Specialized Diversity Training for Board Members – *Chantal Galloway and Eric Olivas***
- l. **CPOA Board Calendar and Scheduling Tool – *Chantal Galloway and Eric Olivas***
- m. **2022 Executive Director’s Evaluation Goals and Criteria – *Eric Olivas***
- n. **Executive Director Job Posting – *Eric Olivas***
- o. **CPOA Board Subcommittee Assignments – *Eric Olivas***
- p. **2022 CPOA Board Meeting Schedule – *Edward Harness, CPOA Director***

XIII. Meeting with Counsel re: Pending Litigation or Personnel Issues:

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

- a. **Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**

- 1. **Executive Director Appointment/Contract**

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

- b. **Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7)**

- 1. ***Miller v. City of Albuquerque et al., 1:21-cv-00473***

XIV. Other Business

- XV. Adjournment- *Next Regularly scheduled CPOA Board meeting will be on November 4, 2021 at 5:00 p.m.***