

## **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, September 9, 2021 - 5:00 p.m.**

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, September 9, 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-august-9-2021>.

(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](mailto: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, September 6, 2021 at [www.cabq.gov/cpoa](http://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, September 9, 2021. Submit your public comments to: [POB@cabq.gov](mailto: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 August 12, 2021 and August 24, 2021 Special Meeting**

**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. Performance Metrics Unit (PMU) Report – *Performance Metrics Supervisor Cara Garcia***

**b. City Council – *Chris Sylvan***

**c. Public Safety Committee - *Chris Sylvan***

**d. Mayor’s Office – *Pastor David Walker***

**e. City Attorney**

**f. CPC – *Kelly Mensah***

**g. CPOA – *Edward Harness, Executive Director***

**VII. Requests for Reconsideration**

**VIII. Review of Cases:**

**a. Administratively Closed  
161-21**

**b. Exonerated  
067-21      085-21**

**c. Exonerated and Unfounded  
027-21**

**d. Not Sustained and Sustained  
095-21**

**e. Unfounded  
078-21      070-21      117-21      120-21**

**f. Unfound and Exonerated  
127-21**

- IX. Serious Use of Force Cases/Officer Involved Shooting**
- a. 20-0060676 / 20-0060662 K9
  - b. 20-0034126 / 20-0034103 K9
  - c. 20-0004795 HC
  - d. 20-0013885
  - e. 20-0018491
  - f. 20-0064745 K9
  - g. **File Requests:**
    - 1. 16-0048656 OIS
    - 2. 18-0105978 OIS
    - 3. 18-0110490 OIS
    - 4. 19-0031543 OIS
    - 5. 19-0044654 OIS
    - 6. 19-0060599 OIS
  - h. **Proposed Cases for October 2021 Review:**
    - 1. 19-0077270 OIS – APD Response Requested 8/12/2021
    - 2. 19-0094605 OIS – File requested 08/12/2021
    - 3. 20-0014745 / 20-0014813 K9 – OBRD Requested 08/12/2021
    - 4. 20-0026269 / 20-0026264 K9 – OBRD Requested 08/12/2021
    - 5. 20-0047022 ECW
    - 6. 21-0000606 HC
- X. Reports from Subcommittees**
- a. **Community Outreach Subcommittee – Chantal Galloway**
    - 1. Met August 24, 2021 at 3:00 p.m. (video conference)
    - 2. Next meeting September 27, 2021 at 3:00 p.m.
  - b. **Policy and Procedure Review Subcommittee – Dr. William Kass**
    - 1. Met September 2, 2021, 2021 at 4:30 pm (video conference)
    - 2. Next meeting October 7, 2021 at 4:30 p.m.
  - c. **Case Review Subcommittee – Eric Nixon**
    - 1. Next meeting TBD
  - d. **Personnel Subcommittee – Eric Olivas**
    - 1. No meeting in August 2021
    - 2. Next meeting September 27, 2021 4:00 p.m.
- XI. Discussion and Possible Action:**
- a. **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**
  - b. **Use of Force Policy Review (SOP 2-52 through SOP 2-55) and Discipline System (SOP 3-46) – Dr. William Kass**
  - c. **Case Review Process and CRC – Eric Nixon and Chantal Galloway**
  - d. **Ordinance Changes and City Council Appointments – Eric Olivas and Edward Harness, CPOA Executive Director**
  - e. **Board Member Responsibilities - Eric Olivas**
    - New Member Training Requirements
    - 8 Hour Annual Training Requirement

- f. Update on Training for Board Members on CPOA Investigations – *Edward Harness, CPOA Executive Director***
- g. Update on Board Approved Ride Along Form and Training Assessment Form – *Edward Harness, CPOA Executive Director***
- h. CPOA/CPOAB Budget Briefing – *Edward Harness, CPOA Executive Director***
- i. Update on Specialized Diversity Training for Board Members – *Chantal Galloway and Eric Olivas***
- j. Consideration of PPRB Policies with No Recommendation: - *Dr. William Kass***
- k. Executive Director Job Posting – *Eric Olivas***
- l. CPOA Calendar and Scheduling Tool – *Chantal Galloway and Eric Olivas***

**XII. 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***

**XIII. Other Business**

- XIV. Adjournment- *Next Regularly scheduled CPOA Board meeting will be on October 14, 2021 at 5:00 p.m.***