

## Civilian Police Oversight Agency Board

*Chantal M. Galloway, Chair*

*Jesse Crawford*

*Patricia J. French*

*Dr. William J. Kass*

*Eric Nixon*

Diane McDermott, Interim Executive Director

**Thursday, December 9, 2021 - 5:00 p.m.**

### **Members Present:**

Chantal M. Galloway, Chair  
Jesse Crawford (late)  
Patricia J. French  
Dr. William Kass  
Eric Nixon

### **Members Absent:**

### **Others Present:**

Diane McDermott, CPOA  
Katrina Sigala, CPOA  
Valerie Barela, CPOA  
Tina Gooch, Atty  
Acting Cdr. Richard Evans, APD  
Acting Cdr. Jason Sanchez, APD  
Elizabeth Martinez, DOJ  
Jared Hager, DOJ  
Ian Stoker, Asst. City Atty.  
Carlos Pacheco, Sr. Managing City Atty  
Chris Sylvan, City Council  
Pastor David Walker, Mayor's Office  
Kelly Mensah, CPC  
Marteessa Billy, CPC  
Roy Turpen, CPC  
Teresa Garcia, CPC  
Wanda Harrison, CPC  
Adreaon Williams, Perspective Board Appointee  
Princess Coleman  
Mike Kruchoski  
Renee Montoya  
Janice C.  
Steve Perea

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, December 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-12-09-2021>.

(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, December 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, December 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.

## Minutes

- I. Welcome and call to order.** Chair Galloway called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:01 p.m. Chair Galloway announced the resignations of Chair Eric Olivas, Member Armijo-Prewitt and Member Ralph and acknowledged them for their service and the time they dedicated to serve on the CPOA Board.
- II. Mission Statement.** Chair Galloway read aloud the Civilian Police Oversight Agency Board's mission statement.
- III. Approval of the Agenda**
  - a. Motion.** Motion by Member Kass to approve the agenda as amended.  
Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

  - b. Motion.** A second motion by Member Kass to amend the agenda and that item XI.o. CPOA Board Subcommittee Assignments be heard as the first Discussion and Possible Action item XI.a. Roll call vote taken.  
Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

  - c. Motion.** A third motion by Chair Galloway to remove discussion item Member Review Process – Member Ralph from XI.q. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**
- IV. Public Comments**
  - a.** Geraldine Amato (*attached*)
  - b.** Jim Larson (*attached*)

V. For more information about minutes from prior CPOA Board meetings, please visit our website here: <http://www.cabq.gov/cpoa/police-oversight-board/pob-agenda-meeting-minutes>

a. **Review and Approval of Minutes from November 4, 2021.** Draft minutes from the Civilian Police Oversight Board November 4, 2021 regular meeting was distributed to each Board Member electronically via a weblink.

b. **Motion.** A motion a by Member Dr. Kass to approve the minutes as written and that the minutes be modified to reflect that Member Armijo-Prewitt's absence was excused and attended the Citizen Police Academy on the final. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

c. **Motion.** A motion by Chair Galloway to suspend CPOA Policies and Procedure rules for the purposes of modifying the December 9, 2021 Board agenda and omitting the standing items Reports from City Departments and Subcommittee Reports. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

## VI. Requests for Reconsideration

### a. 030-21

1. **Motion.** A motion by Chair Galloway to deny request for reconsideration for CPC 030-21. Roll call vote taken. Motion failed.

**For: 2 – Galloway, Kass**

**Against: 2 – French, Nixon**

2. **Motion.** A second motion by Member Dr. Kass to grant request for reconsideration for CPC 030-21. Roll call vote taken. Motion failed.

**For: 2 – French, Nixon**

**Against: 2 – Galloway, Kass**

3. CPOA Legal Counsel Tina Gooch read aloud the criteria on requests for reconsideration set forth in the CPOA Policies and Procedures.
4. **Motion.** A third motion by Member Nixon to table CPC 030-21 to the next regularly scheduled CPOA Board meeting. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

**b. 101-21**

1. **Motion.** A motion by Chair Galloway to deny request for reconsideration for CPC 101-21. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

**c. 122-21**

1. **Motion.** A motion by Member Nixon to grant the request for reconsideration for CPC 122-21. Roll call vote taken. Motion failed.

**For: 1 - Nixon**

**Against: 3 - French, Galloway, Kass**

2. **Motion.** A second motion by Member Nixon to request a letter from the CAO on the status of CPC 122-21. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

**VII. Request to Re-open Administratively Closed Case**

**a. 115-21**

1. **Motion.** A motion by Chair Galloway to deny the request to re-open Administratively Closed Case CPC 115-21 at this time and that the complainant be notified of the proper procedure to request re-opening of a case. Roll call vote taken. Motion passed.

**For: 4 - French, Galloway, Kass, Nixon**

**VIII. Review of Cases:**

**a. Administratively Closed**

**138-21            131-21            164-21**

1. Complainant for CPC 138-21 attended the meeting and provided a statement.

**\*\*\*Member Crawford joined the meeting at 5:56 p.m.\*\*\***

2. **Motion.** Motion by Member Nixon to accept the findings of Administratively Closed cases CPC 138-21, 131-21 and 164-21. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**b. Exonerated**

**153-21**

1. Complainant for CPC 153-21 attended the meeting and provided a statement.
2. **Motion.** A motion by Member Kass to accept the findings of Exonerated case CPC 153-21. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**c. Sustained and Sustained Violation NBOOC**

**155-21**

1. **Motion.** A motion by Member Galloway to accept the findings of Sustained and Sustained Violation Not Based on Original Complaint case CPC 155-21. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**d. Sustained Violation NBOOC, Exonerated, Unfounded and Administratively Closed**

**148-21**

1. **Motion.** A motion by Member French to accept Sustained Violation Not Based on Original Complaint, Exonerated, Unfounded and

Administratively Closed case CPC 148-21. Roll call vote taken.

Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**e. Sustained Violation NBOOC, Exonerated and Administratively Closed**

**140-21**

1. **Motion.** A motion by Member Nixon to accept the findings of Sustained Violation Not Based on Original Complaint, Exonerated and Administratively Closed case CPC 140-21. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**f. Sustained, Not Sustained and Unfounded**

**134-21          149-21**

1. **Motion.** A motion by Member Nixon to accept the findings of Sustained, Not Sustained and Unfounded cases CPC 134-21 and 149-21. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**g. Unfounded**

**145-21          146-21          154-21          158-21          215-21**

1. Complainant for CPC 215-21 attended the meeting and provided a statement.
2. **Motion.** A motion by member Dr. Kass to accept the findings of Unfounded cases CPC 145-21, 146-21, 154-21, 158-21 and 215-21. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**h. Unfounded and Exonerated**

**135-21          137-21          147-21**

1. **Motion.** A motion by Chair Galloway to accept to findings of Unfounded and Exonerated Cases CPC 135-21, 137-21 and 147-21. Roll call vote taken. Motion passed.

**IX. Non-Concurrence Cases**

**a. CPC 067-21**

**b. CPC 095-21**

1. Chair Galloway noted receipt of Non-Concurrences Cases CPC 067-21 and 095-21.

**X. Serious Use of Force Cases/Officer Involved Shooting**

**a. 20-0015405 HC**

1. Member Dr. Kass provided a summary of Serious Use of Force Case 20-0015405.
2. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**b. 20-0017623**

1. Member Dr. Kass provided a summary of Serious Use of Force Case 20-0017623.
2. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**c. 20-0037586**

1. Member Dr. Kass provided a summary of Serious Use of Force Case 20-0037586.
2. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**d. 20-0043667**

1. Member Dr. Kass provided a summary of Serious Use of Force Case 20-0043667.
2. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**e. 20-0044826 OIS**

1. Member Dr. Kass provided a summary of Officer Involved Shooting Case 20-0044826.
2. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**f. 19-0077270 OIS**

1. **Motion.** A motion my Member Dr. Kass to table until more information becomes available. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

2. Chair Galloway will follow up with Member Dr. Kass before the next CPOA Board meeting on the status.

**g. File Requests:**

1. **18-0058242 OIS Investigation File**
2. **21-0013737 OIS Investigation File**

- ii. **Motion.** A motion by Member Dr. Kass to request the Officer Involved Shooting Investigation Files for 18-0058242 and 21-0013737 from IAFD. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**h. Proposed Case(s) for January 2022 Review:**

1. **16-0003286**
2. **19-0051831**
3. **20-0007132**
4. **20-0009417**
5. **20-0031830**
6. **20-0042176**
7. **20-0055810**

**\*\*\* A Twenty-minute break began at 8:00 p.m. and  
the meeting reconvened at 8:21 p.m.\*\*\***



**XI. Discussion and Possible Action:**

**a. CPOA Board Subcommittee Assignments – *Chantal Galloway***

1. Chair Galloway recommends to postpone all subcommittees scheduled for the remainder of December 2022.

**b. Consideration of PPRB Policies with No Recommendation: -  
*Dr. William Kass***

1. **Motion.** A motion by Member Dr. Kass to accept the list of PPRB Policies with No Recommendation (*see attached*). Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**c. Traffic Stops Data Request – *Dr. William Kass***

1. **Motion.** A motion by Member Dr. Kass in a letter to the Chief Harold Medina dated June 7, 2021, the CPOA Board requested data regarding traffic stops. To date, these data have not been provided. The CPOA Board authorizes the Policy and Procedures Review Subcommittee to pursue following up on the request. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**d. Consideration of Proposed Changes to SOP 3-41 Complaints  
Involving Department Personnel – *Patricia French***

1. **Motion.** A motion by Member Nixon to approve the letter as drafted. (*see attached*). Roll call vote taken. Motion passed.

**\*\*\*Member French lost internet connection at 8:49 p.m.  
and reconnected at 8:50 p.m.\*\*\***

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**e. Consideration of Proposed MOU between the City of Albuquerque, CPOA/CPOAB and APOA on OIS/SUOF Materials – *Tina Gooch, CPOA Counsel***

1. **Motion.** A motion by Chair Galloway to approve the MOU as drafted and that the draft be sent to APOA. (*see attached*) Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**f. Non-Concurrence Letter to APD Update – *Eric Nixon***

1. Member Nixon provided an update on the Non-Concurrence Letter to APD.
2. Diane McDermott Interim Director also provided an update on the response from IA and that they are working on correcting the Non-Concurrence cases and she will provide an update at the next regularly scheduled CPOA Board meeting.

**g. IMR-14 and Letter to the Court – *Eric Olivas and Tina Gooch, CPOA Counsel***

1. **Motion.** A motion by Chair Galloway to accept the edited draft of the IMR-14 Letter to the Court and to delegate CPOA Legal Counsel and herself to submit the letter to the Court. (*see attached*) Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

2. The CPOA Board modified the Letter in real time to comply with the submission deadline.

**h. CPOA Ordinance Changes and CRC Ordinance Recommendations – *Patricia French***

1. Member French provided an update on the status of the CPOA Ordinance Changes and that they are being reviewed by the Case Review Subcommittee.
2. **Motion.** A motion by Chair Galloway that a letter be drafted by Member French and CPOA Legal Counsel to send to the Public Safety Committee Chair and City Council asking for a deferment on

any action regarding the CPOA Ordinance for a period of 60 days.

Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**i. Consideration of Executive Director Resignation Acceptance Letter -  
*Chair Galloway***

- 1. Motion.** A motion by Chair Galloway to issue the letter to the former Executive Director. (*see attached*) Roll call vote taken. Motion passed.

**For: 4 – Crawford, French, Galloway, Kass**

**Against: 1 - Nixon**

**j. Consideration of Supplemental Questions for CPOA Executive  
Director Applicants**

- 1. Motion.** A motion by Member Dr. Kass to table Consideration of Supplemental Questions for CPOA Executive Director Applicants. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**k. Consideration of Changes to Proposed Timeline and Process for  
CPOA Director Appointment**

- 1. Motion.** A motion by Member Dr. Kass to table Proposed Timeline and Process for CPOA Director Appointment. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**l. Consideration of Communications to Stakeholder Groups on CPOA  
Executive Director Appointment**

- 1. Motion.** A motion by Member Dr. Kass to table Consideration of Communications to Stakeholder Groups on CPOA Executive Director Appointment. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**m. Budget Process and Requests – *Diane McDermott, Interim Executive Director***

1. Diane McDermott Interim Director provided information/deadlines on the upcoming budget process. Ms. McDermott also asked the CPOA Board for support on the potential expansion of CPOA office space.
2. **Motion.** A motion by Dr. Kass that Chair Galloway draft a letter to City Council with a copy to CAO that the CPOA Board supports expansion of CPOA office space. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**n. Update on Board Requested Training – *Diane McDermott, Interim Executive Director***

- Robert Rules of Order Training
- City Legal Board Training
- CPOA Investigative Training

1. Diane McDermott Interim Director provided an update on the requested trainings and will provide the CPOA Board with an CPOA Investigation Training plan next month.

**o. Changes to Initial Training**

1. **Motion.** A motion by Chair Galloway to table Changes to Initial Training to the next regularly scheduled CPOA Board meeting. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

**p. Draft January - June 2021 Semi-Annual Report – *Diane McDermott, Interim Executive Director***

1. Diane McDermott Interim Director noted that the Draft January – June 2021 is uploaded for Board review and the item will be on the January 2022 Board agenda for approval.

**q. Board Member Responsibilities – *Eric Olivas***

**-New Member Training Requirements**

**-8 Hour Annual Training Requirement**

**-Annual Board Member Review Meetings**

1. Chair Galloway provided an update on New Member trainings and noted that Member Crawford and French are up to date on their trainings where they are expected to be at this point.
2. Chair Galloway requested that Board members forward her and CPOA Legal Counsel any training documentation.
3. Diane McDermott Interim Director noted that the virtual NACOLE trainings viewing availability will end on December 31, 2021 and requested input from Board members on any changes to the initial trainings proposal that was provided to Board Members.

**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. None.

**XIII. Other Business**

- a. Member French expressed concern related to different platforms utilized to access materials.
- b. Member Nixon would like the Board to reconsider Member Ralphs resignation and he will reach out to her to discuss the circumstances surrounding her resignation.

**XIV. Adjournment.**

- a. Motion.** A motion by member Kass to adjourn the meeting. Roll call vote taken. Motion passed.

**For: 5 – Crawford, French, Galloway, Kass, Nixon**

- b.** The meeting was adjourned on Friday, December 10 at 12:10 a.m.

APPROVED:

DocuSigned by:

*Chantal Galloway*

558F7EAF01DF408  
Chantal M. Galloway, Chair  
Civilian Police Oversight Agency Board

January 13, 2022

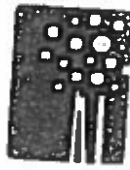
Date

CC: Julian Moya, City Council Staff  
Ethan Watson, City Clerk  
Isaac Benton, City Council President (via email)

Minutes drafted and submitted by:  
Valerie Barela, Administrative Assistant

## **ATTACHMENTS**





Cuyahoga County  
Public Library

### PUBLIC FAX COVER SHEET

\*Please note this is a public fax machine. The Cuyahoga County Public Library is not responsible for the content or the privacy of the information transmitted. This fax number does not receive faxes.

Date: Nov 6 2021 Time: Saturday

Send to: Valerie Barela and

Attention: Cleveland Ohio got

Fax Number: "passed" a proposition the

From: UPID

Total Pages (including cover sheet): 2 Public Safety

NOTES / COMMENTS FOR RECIPIENT: FOR Public Safety Committee and CPOA please

If this copy is NOT clear enough  
I would relay another. Altho  
I'm sure you can give it up  
"online".  
  
I'm Geraldine a  
message please

proposition 24  
 "CLEVELAND DIVISION OF POLICE"  
 rather than Cleveland Police Dept  
 on the Ballot Nov 2, 2021

Proposed Charter Amendment  
 (By Petition)  
 City of Cleveland  
 THE CITY POLICE ARE UNDER A DOJ CONSENT DECREE  
 Passed Nov 2  
 MIKE ALBUQUERQUE

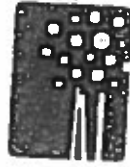
Shall the Charter of the City of Cleveland be amended by amending and replacing existing Sections 115-1, 115-2, 115-3 and 115-4, and enacting new Sections 115-5 and 119-1 of the Charter to reorganize the Office of Professional Standards as subordinate to the Civilian Police Review Board rather than the executive head of the police force; to require that the Civilian Police Review Board receive funding in an amount equal to at least 1% of the budget of the police force; to expand the duties of the Civilian Police Review Board to include issuing complaints alleging any misconduct by Cleveland police officers or Division of Police employees; to require a full and complete investigation of all complaints against Division of Police employees and any additional allegations discovered in the investigation; to require the imposition of no less than the minimum discipline that the Civilian Police Review Board recommends against the police officer or employee unless the executive head of the police force imposes lesser discipline based on clear and convincing evidence establishing that the Civilian Police Review Board erred and the Civilian Police Review Board does not overrule such lesser discipline; to prescribe termination as presumed discipline for certain conduct absent mitigating factors; to establish the Community Police Commission and provide for the appointment, composition and qualifications of its members and their minimum compensation; to provide a minimum funding obligation of \$1 million for the budget of the Community Police Commission with annual increases plus an amount equal to 0.5% of the annual police budget for grants to community-based groups; to provide for the duties of the Community Police Commission, which include serving as the final authority over the sufficiency of discipline of Division of Police officers, serving as the final authority over Cleveland Division of Police policies and procedures, and the Division's recruitment and examinations of police recruits and the Division's training of police officers, compiling and maintaining employee records, conducting advocacy and outreach efforts, and hiring its own legal counsel when it deems necessary; to provide for an Executive Director and minimum staffing levels for the Community Police Commission; to provide for the duties of the Executive Director of the Community Police Commission, including contracting authority; and to provide that this amendment supersedes and controls over previously adopted Charter provisions, ordinances, and collective bargaining agreements?

... to reorganize the Office of Professional Standards as subordinate to the Civilian Police Review Board

From Geraldine here in epile in Ohio

THEIR OVERSIGHT AGENCY  
 THIRTEEN  
 CPRB member Board  
 DO YOU GET THAT??

ANOTHER LAYER OF CONVOLUTED RULES TO BOGGLE THE RATIONAL MIND INTO CONFUSION, REBELLION, MINDLESS SUBMISSION



Cuyahoga County  
Public Library

### PUBLIC FAX COVER SHEET

\*Please note this is a public fax machine. The Cuyahoga County Public Library is not responsible for the content or the privacy of the information transmitted. This fax number does not receive faxes.

Date: Sunday Nov 7 2021 Time: \_\_\_\_\_

Send to: all Govt officials

Attention: please (1) City Council, (2) County Commission, (3) CPOA;

Fax Number: \_\_\_\_\_

From: (4) ABC MC + APS;

Total Pages (including cover sheet): (5) MAYOR'S OFFICE

NOTES / COMMENTS FOR RECIPIENT: su written by Geraldine Amato

Please for your serious consideration  
The Attached Information  
is crucial to understanding  
the "jam" our "Economy" is  
on THE BRINK OF. If  
WE CONTINUE TO "GO-ALONGS -  
WITH-THE-PROGRAM" / NO <sup>MEANINGFUL</sup> RESISTANCE

10/27/21, 9 11 AM

Fact Sheet: Offshore Corporate Loopholes - Americans For Tax Fairness

# SUBMITTED FOR REVIEW NOV 7 2021 FACT SHEET: OFFSHORE CORPORATE LOOPHOLES

Key Facts NOTES BY AMATO WITH OVERTIME HAS COME TO UNDERSTAND THAT "THE REPUBLIC DOES NOT EXIST" TO PAGE 3

- Tax avoidance through offshore tax loopholes is a significant reason why corporations which paid one-third of federal revenues 60 years ago, now pay one-tenth of federal revenues.

(<http://www.whitehouse.gov/sites/default/files/omb/budget/fy2015/assets/hist02z2.xls>) THE BANKING SYSTEM "WE" ARE "UNDER" IS A PRIVATE

- U.S. corporations dodge \$90 billion a year in income taxes (<http://ctj.org/pdf/offshoreshell2014.pdf>) by shifting profits to

subsidiaries — often no more than a post office box — in tax havens. COMMERCIAL JURISDICTION.

"OUR" "MONEY" IS BANKSTER CREDIT "SCRIPT"

- U.S. corporations hold \$2.1 trillion in profits offshore (<http://www.reuters.com/article/2014/04/09/us-usa-tax-offshore-idUSBREA3729V20140409>) — much in tax havens — that have not been taxed in the U.S.

GE THE "REPUBLIC" DOES NOT EXIST. MAYDAY 1933 THE

- General Electric, which uses a loophole for offshore financial profits, earned \$27.5 billion in profits from 2008 to 2012 but claimed tax refunds of \$3.1 billion.

(<http://www.ctj.org/corporatetaxdodgers/sorrystateofcorptaxes.php>)

GOLD WAS TAKEN FROM DEPOSITORS. THE MASONIC KILLING OF JFK & RFK

- Apple made \$74 billion from 2009-2012 on worldwide sales (excluding the Americas) and paid almost nothing in taxes (<http://www.levin.senate.gov/newsroom/press/release/subcommitt>

1966 ? KILLED THE "SILVER" CERTIFICATES & CONFISCATED

10/27/21, 9 11 AM

Fact Sheet: Offshore Corporate Loopholes - Americans For Tax Fairness

ee-to-examine-offshore-profit-shifting-and-tax-avoidance-by-apple-inc-/?section=alltypes) to any country.

- 26 profitable Fortune 500 firms paid no federal income taxes ([http://ctj.org/ctjreports/2014/02/the\\_sorry\\_state\\_of\\_corporate\\_taxes.php#.U82Ly\\_IdWRM](http://ctj.org/ctjreports/2014/02/the_sorry_state_of_corporate_taxes.php#.U82Ly_IdWRM)) from 2008-2012. 111 large, profitable corporations paid zero federal income taxes in at least one of those five years.

### Talking points *FAKE SOLUTIONS.*

- SOME MAY NOT KNOW THEY'RE FAKE. YOU CAN BE SURE THEY ARE MANAGED BY THOSE WHO KNOW.*  
We should end tax breaks for corporations that ship jobs and profits offshore. It's time to invest in America and create jobs here.
- When big corporations use tax havens to dodge paying their fair share of taxes, the rest of us have to pick up the tab. Families pay higher taxes, get fewer services or we all get a bigger deficit.
- Tax dodging by large corporations puts small businesses that play by the rules at a disadvantage. We need to level the playing field. *AIN'T GOIN' TO HAPPEN WO A FIGHT A PHYSICAL MILITARIZED BATTLE.*
- Corporations say our 35% corporate income tax rate is the highest in the world, which makes them uncompetitive and kills jobs. But corporations aren't paying too much in taxes; many pay too little. The typical American family paid more income taxes in one year than General Electric and dozens of other companies paid in five years. Many large, profitable corporations pay a tax rate of less than 20%, and some pay absolutely nothing for years. *IF U.S.C. PRIVATE BANKER CODE*  
Corporations need to pay their fair share too.

*AIN'T GOING TO HAPPEN SO LONG AS THIS (2(10)) NATION REMAINS UNDER A PRIVATE BANKSTER INTERNATIONAL COMMERCIAL JURISDICTION*

10/27/21, 9:11 AM

Fact Sheet: Offshore Corporate Loopholes - Americans For Tax Fairness

- Corporations say a repatriation tax holiday will enable them to bring profits home, invest and create jobs. When this was tried in 2004 it was an utter failure. Companies actually cut jobs, but they lined the pockets of big shareholders and corporate executives. A tax holiday gives tax breaks to corporations that have done the most to dodge paying their fair share of taxes.

A BOGUS MISLEADING PHRASE WHICH CONTROLLING OPERATIVES PERMIT "DISSENTERS" TO USE.

## Overview

AIN'T GOIN' TO CHANGE W/O A "FIGHT"   
 AN ARMED MILITARY-TYPE BATTLE

Many U.S. corporations use offshore tax havens and other accounting gimmicks to avoid paying as much as \$90 billion a year

(<http://ctj.org/pdf/offshoreshell2014.pdf>) in federal income taxes. A

large loophole at the heart of U.S. tax law enables corporations to avoid paying taxes on foreign profits until they are brought home.

Known as "deferral," it provides a huge incentive to keep profits offshore as long as possible. Many corporations choose never to bring the profits home and never pay U.S. taxes on them.

THIS WORD CALLS IT A "LARGE LOOPHOLE" / MUCH WORSE THAN THAT

- Deferral gives corporations enormous incentives to use accounting tricks to make it appear that profits earned here were generated in a tax haven. Profits are funneled through subsidiaries, often shell companies with few employees and little real business activity.

Effectively, firms launder U.S. profits to avoid paying U.S. taxes.

WHAT ELSE IS NEW: AIN'T GOIN' TO CHANGE W/O A FIGHT!

## Loopholes used to shift U.S. profits to tax havens

- U.S. firms can set up a subsidiary offshore, channel billions of dollars of profit through it and make the subsidiary "disappear" for U.S. tax purposes simply by "checking a box"

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(<http://www.levin.senate.gov/newsroom/press/release/senators-introduce-bill-to-close-offshore-tax-loopholes/?section=alltypes>) on an IRS form.

- Corporations can sell the right to patents and licenses at a low price to an offshore subsidiary, which then "licenses" back to the U.S. parent at a steep price the right to sell its products in America. The goal of this "transfer pricing" is to make it appear that the company earns profits in tax havens but not in the U.S. (<http://www.forbes.com/2010/04/01/ge-exxon-walmart-business-washington-corporate-taxes.html>)
- Wall Street banks, credit card companies and other corporations with large financial units can easily move U.S. profits offshore using a loophole known as the "active financing exception." ([http://ctj.org/ctjreports/2012/08/dont\\_renew\\_the\\_offshore\\_tax\\_loopholes.php#.U8LiZbEYdOg](http://ctj.org/ctjreports/2012/08/dont_renew_the_offshore_tax_loopholes.php#.U8LiZbEYdOg))
- A U.S. corporation can do an "inversion" (<http://americansfortaxfairness.org/files/CRS-Expatriation-Inversions-Mergers-Tax-Issues-5-27-14-2-1.pdf>) by buying a foreign firm and then claiming that the new, merged company is foreign. This lets it reincorporate in a country, often a tax haven, with a much lower tax rate. The process takes place on paper — the company doesn't move its headquarters offshore and its ownership is mostly unchanged — but it continues to enjoy the privileges of operating here while paying low tax rates in the foreign country.

How to solve the problem Here  
comes FAKE ESTABLISHMENT-  
OVERLORD APPROVED  
"SOLUTIONS" →

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The simplest solution is to end "deferral," as proposed by Sen. Bernie Sanders (<http://www.sanders.senate.gov/newsroom/recent-business/end-offshore-tax-havens>) and Rep. Jan Schakowsky (<http://schakowsky.house.gov/press-releases/statement-on-the-introduction-of-the-corporate-tax-fairness-act/>) Corporations would pay taxes on offshore income the year it is earned, rather than indefinitely avoid paying U.S. income taxes. This would also remove incentives to shift U.S. profits to tax havens, and it would raise \$600 billion

"LAW'S" CITY AND COUNTY

NM STATUTES

U.S. MCC

U.S. C

([http://ctj.org/ctjreports/2014/07/addressing\\_the\\_need\\_for\\_more\\_federal\\_revenue.php#.U7x4VbFUeo0](http://ctj.org/ctjreports/2014/07/addressing_the_need_for_more_federal_revenue.php#.U7x4VbFUeo0)) over 10 years. Short of ending deferral, Congress should close the most egregious loopholes, such as "check the box," "transfer pricing," the "active financing exception" and corporate "inversions." It should also end the loophole that lets firms deduct the cost of expenses from moving jobs and operations offshore if the profits earned from those activities remain offshore and untaxed by the U.S. — saving \$60 billion

(<http://americansfortaxfairness.org/files/ATF-Biggest-Revenue-Raisers-in-Stop-Tax-Haven-Abuse-Act.pdf>) over 10 years. Sen. Carl Levin (D-MI) has introduced legislation, the Stop Tax Haven Abuse Act (S. 1533 (<https://beta.congress.gov/bill/113th-congress/senate-bill/1533>)), that will close some of these loopholes. It will raise \$220 billion over 10 years. (<http://www.levin.senate.gov/newsroom/press/release/senators-introduce-bill-to-close-offshore-tax-loopholes?section=alltypes#sthash.vqK8XYKZ.dpuf>)

U.S. MCC

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U.S. C

U.S. C

LE'S A "S HILL" IF HE WAS FOR REAL HE WOULD'VE QUIT THE U.S. SENATE!

AIN'T GOIN' TO HAPPEN JUST SOUNDS GOOD

CONGRESS IS OWNED BY THE INTNL BANKSTERS

THEY - THE INTNL BANKS - WILL FORECLOSE (IF)

THERE'S NO

FIGHT "TO STOP 'EM!!"

"MCC" "CODE" "MCC" "COMMERCIAL" "BOYS AND GIRLS WE ARE NOT TAUGHT"

Corporations really want a "territorial" tax system [OWNED] BY THE INTERNATIONALISTS THE NATION IS UNDER A PRIVATE COMMERCIAL JURISDICTION THE FEDERAL FLAG DOES NOT "STAND" FOR THE "REPUBLIC".....



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Corporations don't just want to "defer" paying U.S. taxes on foreign profits. They want a "territorial" tax system <sup>THEY HAVE IT</sup> ~~INTERNATIONAL~~ (<http://www.cbpp.org/cms/?fa=view&id=3895>) that eliminates all U.S. taxation of offshore profits. This would provide even more incentives for corporations to shift profits to offshore tax havens. A system in which U.S. corporations pay no U.S. income taxes on offshore profits would encourage U.S. firms to create 800,000 jobs overseas

(<http://taxprof.typepad.com/files/136tn0281.pdf>) rather than in the U.S. A "FORECAST" OF WHAT'S TO COME

IF THERE'S NO WARRIORS TO FIGHT.

Why not let companies "bring the <sup>THEY OWN THE</sup> money home?"

SO MANY NON-OPERATIVES ARE TOO BUSY COVERING THEIR REAR ENDS THINKING? TO SAVE THEIR NECKS!!??

Because U.S. firms are officially holding \$2.1 trillion in untaxed profits (<http://www.reuters.com/article/2014/04/09/us-usa-tax-offshore-idUSBREA3729V20140409>) offshore, they are proposing a "repatriation tax holiday," which would allow them to bring that money home at a special low tax rate. Supporters say this would increase domestic investment, creating jobs.

A tax holiday was tried in 2004, when \$300 billion was brought home at a 5.25% tax rate, but it was a big failure. It did not increase <sup>BY PRELIMINARY</sup> domestic investment or create jobs, (<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCkQFjAB&url=http%3A%2F%2Fwww.fas.org%2Fsgp%2Fcrs%2Fmisc%2FR40178.pdf&ei=1KaeU46bFtW2yASOkGwDg&usg=AFQjCNG868TiiujrQX4DKwIz6OlufW0->

<sup>BY DESIGN</sup> and the money was used largely for stock buybacks, dividends and executive bonuses. (<http://www.nber.org/papers/w15023.pdf/>) Also, a tax holiday costs more than it raises — it will lose \$100 billion

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(<http://americansfortaxfairness.org/files/JCT-Repatriation-Score-6-6-14.pdf>) over 10 years. Worst of all, it rewards firms that use offshore tax loopholes, encouraging even more tax dodging in the future.

BY PREMEDITATED DESIGN, AINT GOIN' TO CHANGE WITHOUT A News Coverage REAL FIGHT.

- The Islands Treasured by Offshore Tax Avoiders, (<http://www.nytimes.com/2014/06/06/business/the-islands-treasured-by-offshore-tax-avoiders.html>) The New York Times

BEAR IN MIND THAT ALL

- For U.S. Companies, Money 'Offshore' Means Manhattan, ([http://www.nytimes.com/2013/05/22/business/for-us-companies-money-offshore-means-manhattan.html?\\_r=0](http://www.nytimes.com/2013/05/22/business/for-us-companies-money-offshore-means-manhattan.html?_r=0)) The New York Times

FEDERAL GOVERNMENT

- Switching Names to Save on Taxes, (<http://www.nytimes.com/2014/04/04/business/switching-names-to-save-on-taxes.html>) The New York Times

PRESIDENTS ARE NOW

- G.E.'s Tax Strategies Let it Avoid Taxes Altogether, (<http://www.nytimes.com/2011/03/25/business/economy/25tax.html>) The New York Times

TOTALLY OWNED BY THE

- Cash Abroad Rises \$206 Billion as Apple to IBM Avoid Tax, (<http://www.bloomberg.com/news/2014-03-12/cash-abroad-rises-206-billion-as-apple-to-ibm-avoid-tax.html>) Bloomberg News

INTERNATIONAL BANKSTERS!

- Britain Becomes Haven for U.S. Companies Keen to Cut Tax Bills, (<http://www.reuters.com/article/2014/06/09/us-britain-usa-tax-insight-idUSKBN0EK0BF20140609>) Reuters

WHETHER YOU LIKE TRUMP THE ACT OF OR BIDEN BE CERTAIN THEY ARE ON THE SAME TEAM AND WELL MANAGED.

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Fact Sheet: Offshore Corporate Loopholes - Americans For Tax Fairness

- Apple's Web of Tax Shelters Saved It Billions Panel Finds, (<http://www.nytimes.com/2013/05/21/business/apple-avoided-billions-in-taxes-congressional-panel-says.html>) The New York Times

Opinion) WHETHER YOU GO FOR "THE PERFORMANCE OF A TRUMP OR THE ACT OF A BIDEN" ALL PRESIDENTS SINCE JFK'S MASONIC ASSASSINATION ARE OWNED TOTALLY.

- 'A is for Avoidance,' ARE OWNED TOTALLY. (<http://www.nytimes.com/2013/05/26/opinion/sunday/a-is-for-avoidance.html?module=Search&mabReward=relbias%3Aw&r=0>)

The New York Times JONATHAN SIMON'S THESIS IN "CODE RED" FURTHER DOCUMENTS THE TOTAL CONTROL OF THE

- Corporations and their Tax Shell Games: Time for a Global Crackdown, (<http://www.latimes.com/opinion/editorials/la-ed-taxes-eu-transfer-pricing-20140616-story.html>) The Los Angeles Times

VOTE COUNT (2011?) <sup>Full Competition</sup>

Resources LIKE STALIN? SAID - IT DOESN'T MATTER WHO VOTES THAT COUNTS. ALL THAT MATTERS IS WHO COUNTS THE VOTES.

- Tax Havens: International Tax Avoidance and Evasion, (<http://fas.org/sgp/crs/misc/R40623.pdf>) Congressional Research Service A FEW FEDERAL PRESIDENTS WERE KILLED BY THE MASONIC LODGE AND BANKSTER CARTEL CAME TO MY

- International Corporate Tax Rate Comparisons and Policy Implications, (<http://www.fas.org/sgp/crs/misc/R41743.pdf>)

Congressional Research Service NOTICE: JAMES GARFIELD, ABE LINCOLN, JOHN KENNEDY (ROBERT BEFORE HE COULD BE ELECTED). I NOTED

- Offshore Shell Games 2014, ([http://ctj.org/ctjreports/2014/06/offshore\\_shell\\_games\\_2014.php#.U7-X47EYdOg](http://ctj.org/ctjreports/2014/06/offshore_shell_games_2014.php#.U7-X47EYdOg)) Citizens for Tax Justice and U.S. PIRG WAS THE CONGRESSMAN'S FATHER OF THE AVIATOR'S GRANDSON WHO BEING KIDNAPPED AND KILLED.

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- The Sorry State of Corporate Taxes,  
 (<http://www.ctj.org/corporatetaxdodgers/sorrystateofcorptaxes.php>) Citizens for Tax Justice  
 THE CONGRESSMAN (SENATOR?) LINDBERG, THE
- Don't Renew the Offshore Tax Loopholes,  
 ([http://ctj.org/ctjreports/2012/08/dont\\_renew\\_the\\_offshore\\_tax\\_loopholes.php#.U8LFpbGTF8H](http://ctj.org/ctjreports/2012/08/dont_renew_the_offshore_tax_loopholes.php#.U8LFpbGTF8H)) Citizens for Tax Justice  
 FATHER OF THE AVIATOR
- General Electric's Special Tax Loophole Lets Company Dodge Billions in Taxes, (<http://americansfortaxfairness.org/files/ATF-General-Electrics-Special-Tax-Loophole-Lets-Company-Dodge-Billions-In-Taxes-FINAL-4.docx>) Americans for Tax Fairness  
 CHARLES LINDBERG (REPORTEDLY AS I RECALLED SPOKE OUT AND WAS
- The Fiscal and Economic Risks of Territorial Taxation,  
 (<http://www.cbpp.org/cms/?fa=view&id=3895>) Center on Budget and Policy Priorities  
 PUNISHED BY THE KIDNAPPING OF HIS BABY GRANDSON. AFTER
- Repatriation Tax Holiday Would Lose Revenue and Is a Proven Policy Failure, (<http://www.cbpp.org/cms/?fa=view&id=4154>) Center on Budget and Policy Priorities  
 THE FAMILY PAID THE RANSOM THE
- Corporate Tax Rates And Economic Growth Since 1947, (<http://www.epi.org/files/2013/ib364-corporate-tax-rates-and-growth.pdf>) Economic Policy Institute  
 KIDNAPPERS ABANDONED THE BOY WHO
- Corporate Income Tax: Effective Tax Rates Can Differ Significantly from the Statutory Rate' (<http://www.gao.gov/products/GAO-13-520>) U.S. Government Accountability Office  
 DIED BEFORE HE COULD BE FOUND THAT SHUT UP CONGRESSMAN LINDBERG AND ANY OTHERS WHO MIGHT SPEAK OUT IN THE U.S. CONGRESS.

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Fact Sheet Offshore Corporate Loopholes - Americans For Tax Fairness

Download this document in PDF format.

(<http://americansfortaxfairness.org/files/9-ATF-Offshore-Corporate-Tax-Loopholes-fact-sheet.pdf>)

Drawn from Americans for Tax Fairness' 2014 Tax Fairness Briefing Booklet. (<http://americansfortaxfairness.org/tax-fairness-briefing-booklet/reports/2014/08/12/tax-fairness-briefing-booklet/>)

WHO WAS IT APPLY TO? (SIRIYKIV?)  
"IF WE DONT HANG TOGETHER  
WE SURELY WILL HANG SEPARATELY"

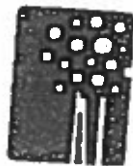
WRITTEN / ~~SCRATCHED~~  
SCRATCHED COMMENTS  
BY Geraldine Amato

message  
phone

available for lectures /  
to share what has been conversations  
learned in the last  
20 YEARS of my life

WHAT [WE] ALL OF US, -  
SHOULD HAVE BEEN  
TAUGHT IN THE FIRST  
20 YEARS OF OUR LIVES.

[AND ARE] NOT NOW [BEING] TAUGHT  
IN ANY INSTITUTION OF LEARNING.  
10(10)



Cuyahoga County  
Public Library

### PUBLIC FAX COVER SHEET

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Date: Nov 16 2020 Time: \_\_\_\_\_

Send to: Canton Police Oversight A

Attention: VALEIE BARRERA

Fax Number: 504 924 3775

From: Meralene Amato

Total Pages (including cover sheet): \_\_\_\_\_

**NOTES / COMMENTS FOR RECIPIENT:**

for Public Comment  
please next meeting

GERALDINE AMATO PUBLIC COMMENT

"INTERPOL" = "INTERNATIONAL POLICE."

THE U.S. DEPT. OF BOGUS JUSTICE AT THE HELM, WITH THEIR CONVOLUTED VERBIOUS <sup>VERBOSE</sup> "CONSENT" DECREES FOR THE ULTIMATE GAME OF SECURING TOTAL CONTROL OF ALL LOCAL POLICE POWERS. ONE

HISTORIAN APTLY SAID: HAVING CENTRAL COMMAND OF ALL LOCAL POLICE POWERS DOESN'T DICTATE AN AUTHORITARIAN REGIME BUT YOU CAN'T HAVE A DICTATORIAL-TOTALITARIAN REGIME WITHOUT ABSOLUTE COMMAND OF ALL <sup>POLICE</sup> POWERS.

IF THE "REPUBLIC" EXISTED, THE "U.S. DEPT. OF BOGUS JUSTICE" WOULD NOT.

UNTAUGHT HISTORY WOULD HAVE POINTED OUT THAT WITH THE PASSAGE OF THE "FEDERAL GOVERNMENT'S CONSTITUTION", CAME THE DEATH BLOW TO WHAT-WAS-TO-BE THE REPUBLIC.

VESTIGES OF A REPUBLIC'S ATTRIBUTES SHROUDED WITH FALSE HISTORICAL MISINTERPRETATIONS WERE SHREWDLY MAINTAINED TO GIVE AN ILLUSION.

TO THIS DATE, THE FEDERAL FLAG IS WORSHIPED AS "STAND"ING FOR THE "REPUBLIC". THE "STARS AND STRIPES" STANDS FOR AN INTERNATIONAL PRIVATE COMMERCIAL JURISDICTION.

PREZ GEO. WASHINGTON SIGNED THE "FIRST JUDICIARY ACT" PASSED BY THE 1ST FEDERAL CONGRESS. THE BRITISH ARISTOCRACY RULES BY DECREE.

THE "REPUBLIC'S" JURY TRIALS ARE TRASHED BY A BAR, CONTROLLED COUNTERFEIT. <sup>BAR ASSOCIATION CONTROLLED OPERATIVES</sup> BEST NOT TRY TO UPHOLD THE LAW OF THE REPUBLIC!

A DUTY, LAWFULLY AUTHORIZED OFFICE OF SHERIFF WOULD PREVAIL IF THE "REPUBLIC" EXISTED. EACH LAWFULLY ELECTED SHERIFF WOULD BE BACKED BY THE <sup>LAWFUL</sup>

POSSE COMMITATUS ALL MEN OF AGE AND CAPABLE - IN THE DEPUTY RESERVE - AN AGE CLOSER TO FIFTEEN YEARS WOULD BE RECOGNIZED AS ADULT. NOT LIKE IN THIS COMMERCIAL JURISDICTION, SUCC,

ETC. ETC. ETC.

Submitted by GERALDINE AMATO 2021  
AUTHOR'S I CAME ACROSS IN THE 1990'S  
RE: POLICE WORK USA

RETIRED MINNEAPOLIS POLICE CHIEF TONY BOUZA  
IN HIS POWDER PUFF CRITIQUE: "THE POLICE MYSTIQUE"  
HE CAME REAL CLOSE TO THE TRUTH WHEN HE SAID  
"THE STREET CRIMINAL EXISTS AGAINST  
A BACKDROP OF CORPORATE AND GOVERNMENT  
MORALITY THAT RAISES TROUBLING  
QUESTIONS FOR THE FATE OF THE REPUBLIC"  
BETTER TO HAVE SAID "CRIMINALITY" <sup>THE "REPUBLIC" IS  
ALREADY DEAD</sup>

ONE RETIRED FBI SPECIAL AGENT-IN-CHARGE OF  
L.A. OFFICE TED GUNDERSON DETERMINED  
CRIMINAL ACTIVITY AS A "PRIVATE INVESTIGATOR"  
HE TESTIFIED HE NEVER NOTICED AS AN FBI AGENT, LIKE  
IN THE MARTIN LUTHER KING DAY CARE L.A. CASE THAT WAS  
COVERED UP AS HE AS PRIVATE "I" TRIED TO EXPOSE IT.

"DEFROCKED" PHOENIX POLICE DEPARTMENT  
OFFICER JACK McCLAMB PUBLISHED WITH HIS  
PERSONAL "OPERATION VAMPIRE 2000"  
INTERESTINGLY, THE ARIZ. COURTS REINSTATED  
McCLAMB'S RETIREMENT THAT P.P.D. CANCELLED

D.E.A. UNDERCOVER COP MIKE LEVINE'S  
BOOK "DEEP COVER" WHICH GOT LOW/NO  
(MINIMAL) COVERAGE IN THE MAINSTREAM  
PRESS, DESCRIBED HOW HIS WORK IN TRYING  
TO "NAB" KINGPINS IN S.A. DRUG CARTELS  
WAS UNDONE (AT THE RISK OF LIFE AND  
LIMB TO FOLKS SUPPORTING LEVINE) BY DEA  
"SUITS" (ADMINISTRATORS).

RALPH BORSEWSKI'S NY STATE COP  
FIRST BOOK "THE CONSTITUTION THAT NEVER WAS:  
HOW THE AMERICAN PEOPLE HAVE BEEN CONNED  
BY "LAWYERS" HAD NO PUBLISHING HOUSE WILLING  
TO PRINT IT. AUTHOR PRINTED & HAD IT PUT OUT IN  
BOOK FORM. [THIS WAS BEFORE AVAILABILITY OF "WEB" PUBLISH]  
(NOTE BY AMATO) BETTER SAID "BORASSO CONTROLLED OPERATIVES"  
BORSEWSKI'S FINAL BOOK MAY HAVE ONLY BEEN  
PUBLISHED INTERNATIONAL "NET" EASY TO EDIT  
EASIER TO DISAPPEAR. NO BOOK BURNING REQUIRED

"THE AMERICAN BENCH AND BAR:  
A HISTORY OF ORGANIZED CRIME."



11(a)  
NOV 20 21

WHAT DOES "VETERAN'S DAY" HAVE IN COMMON WITH THE "KLU KLUX KLAN"? → THE NUMBER "11"  
<sup>TIMES</sup> ADDING UP TO THE SIGNATURE OF THE SCOTTISH RITE FRENCH MASONRY → A SECRET SOCIETY OF SATAN. WORSHIPERS. 33.

"K" IS THE 11<sup>TH</sup> LETTER OF THE ALPHABET. KKK <sup>KNIGHTS OF THE GOLDEN CIRCLE: GREEK: KUKLOS?</sup>

ARMISTICE DAY AT THE 11<sup>TH</sup> HOUR (11<sup>TH</sup> DAY) 11<sup>TH</sup> MONTH VETERAN'S DAY

ISO WHAT? TELLING WHO HAS BEEN BEHIND THE PENTAGON'S WAR MACHINE AND WHO RUNS THE KKK.

WHAT'S WHAT? AND IT AINT INSIGNIFICANT YOU "LA LA LAND"ERS!

NOV 20 21 AMATD PUBLIC COMMENT

12(a)  
NOV 20 21

THE SCOTTISH RITE COVERT BROTHERHOOD - ALONG WITH THE LESS SHOWY YORK RITE - HAS TAKEN OVER THE HELM OF EVERY FORMALLY ORGANIZED ANYTHING IN THE U.S. A / WITHOUT THE MAJORITY OF FOLKS WITHIN THE CONTROLLED - FROM - THE TOP ORGANIZATIONS "KNOWING" "IT" CLUBS, CHURCHES, SYNAGOGUES, MOSQUES, PARTYS, CAMPAIGNS, POLITICAL MOVEMENTS ETC ETC WERE YOU EVER TOLD IN ANY SCHOOL? THAT THE FIRST 3RD POLITICAL PARTY WAS

THE ANTI-MASONIC PARTY? OR THAT MANY ASSASSINATIONS OF PROMINANT FIGURES HAVE BEEN MASONIC RITUAL MURDERS?

PUBLIC COMMENT  
NOV 20 21  
AMATD

AMATO NOV 2021 3

IT CAN BE REASONABLY CONCLUDED THAT THESE "WAR" ENGAGEMENTS ARE HUMAN SACRIFICE RITUALS. WERE THESE "WARS" ARMED FIGHTING BETWEEN DECLARED ENEMIES, THERE WOULD BE A CONTEST WITH WARRIORS DOING "BATTLE" WITH EACH OTHER, DETERMINING WHO WOULD PREVAIL IN MAKING TERMS FOR TRUCE AND NEGOTIATION. THE WANTON SLAUGHTER OF "CIVILIANS," NOT ENGAGED IN BATTLE, IS WHAT? BUT BLOOD SACRIFICE OF HUMANS! HOW TO STOP THIS TREACHERY WOULD REQUIRE AN ARMED OPPOSITION ~~WAR~~ AGAINST THE MURDEROUS PERPETRATORS.

WAR AGAINST

AMATO NOV 2021 1

Come across a note that articulated WAR STATS THAT SHOULD BE "COMMON KNOWLEDGE" DWJARENOT

KAHNERT, M. D. PITT ET AL, EDITORS (1983) GENEVA AND HELSINKI. GENEVA INTERNATIONAL PEACE RESEARCH INSTITUTE, I P B AND PEACE UNION of FINLAND. P. 5, WHICH STATES IN OF

THE HUMAN VICTIMS IN THE FIRST WORLD WAR ONLY 5% WERE CIVILIANS, IN THE SECOND WORLD WAR ALREADY 50%, IN VIETNAM WAR BETWEEN 50-90% AND ACCORDING TO SOME INFORMATION IN LE BANON 97%. IT HAS BEEN APPRAISED THAT IN A CONVENTIONAL WAR IN EUROPE UP TO 99% OF VICTIMS WOULD BE CIVILIANS. "

PUBLIC COMMENT

Public COMMENT. FOR GOVERNMENT OFFICE HOLDERS AND "GENERAL" PUBLIC SUBMITTED FOR YOUR CONSIDERATION PLEASE.  
 1-30-647-1937 GERALDINE AMATO HOUSER AT 3016 Brookview

# "PUBLIC" COURT "HEARINGS"

OUR COURT PROCEEDINGS IN THIS NATION ARE ESSENTIALLY SECRET. WITH THE PLETHORA OF WIRELESS AND OTHER "COMMUNICATIONS" NETWORKS, "COURT" SESSIONS ARE NOT "PUT OUT" ANYWHERE. LATELY WE ARE, HOWEVER, DELUGED WITH PARTICULARLY CHOSEN BY THOSE WHO CONTROL THE PUBLICITY MACHINE "COURT TRIALS." WHY? YOU SHOULD BE ASKING TO STIR UP CONTROVERSY THAT IS USEFUL! TO THOSE REPROBATES AT THE HELM! DIVIDE AND CONQUER! THE CONSTANT REFRAIN ABOUT "PEOPLE OF COLOR" GETTING THE "SHAFT" HAS ABSOLUTELY NOTHING TO DO WITH ADVANCING STATUS IN A CORRUPT SOCIETY BUT TO KEEP DIVISION AND CONFLICT "GOING" MY FAMILY IN THE EARLY 1990'S ENDURED VICTIMIZATION BY AN ORGANIZED "CRIMINAL SYNDICATE IN THE "FAMILY" "COURT" OF THE "SECOND" JUDICIAL DISTRICT OF BERNALILLO COUNTY ALBUQUERQUE NEW MEXICO. CORRUPT "JUDGES" QUESTIONED MY PRESENCE IN THE COURT PROCEEDINGS BECAUSE I HAD A "PUBLIC" "ACCESS" T.V. PROGRAM ON "CABLE TV" AND WAS "PUBLICIZING" MY FAMILY'S ORDEAL IN "COURT". AT THAT TIME ALBUQUERQUE'S "COURT" AUDIO TAPED "FAMILY" COURT PROCEEDINGS AND OFFERED AUDIO TAPES TO "PROSE" LITIGANTS. IT PLAYED EXCERPTS ON TV 27 IN 1995. OF BARASSO CRIMINAL PLAYERS LIKE G.A.L. ATTY SHENANIGAN SOME WHO WAS "UP" FOR A "JUDGE" APPOINTMENT. GARY JOHNSON, GOVERNOR-NOT A TOP "PLAYER" WAS CONTACTED BY ME TV 27 VIEWERS NOT TO APPOINT RIOUX FOR JUDGE.

DEC 3 2021 Geraldine Amato

IT IS MY TRUE TESTIMONY THAT I WILL NEVER INITIATE NOR COOPERATE WITH ANY LEGAL SUIT IN ANY COURT OF THIS NATION AGAINST ANYONE FOR ANY CAUSE NOR "REASON!"

MY CONTEMPT FOR THE AMERICAN BAR ASSOCIATION PREVENTS ME FROM ANY SUCH CONSIDERATION. I DO KNOW THAT INDIVIDUALS WHO GRADUATE FROM "LAW" SCHOOLS, MAY HAVE IN MIND THE UPHOLDING OF "LAW" WITH HONOR AND INTEGRITY, BUT THE A.B.A. PROHIBITS THAT. IN FACT IT RIDES IT'S RANKS OF ANY "ATTORNEY" WHO PERSISTENTLY "ROCKS THE BOAT" BY ALL METHODS OF TREACHERY! THE "FIRST JUDICIARY ACT" PASSED BY THE FIRST FEDERAL CONGRESS, SIGNED BY THE FIRST <sup>YEAR 1789</sup> FDRL PREZ, GEO. WASHINGTON, SET UP THE BRITISH ARISTOCRACY IN THE "COURTS." THE REPUBLIC DOES NOT EXIST. Geraldine Amato

SUBMITTED FOR PUBLIC COMMENT RE: PRINCIPLES ARTICULATED

**THE REPUBLIC DOES NOT EXIST.**

IF THE REPUBLIC EXISTED, THE A.M.A., THE A.B.A., THE A.D.A., ETC. WOULD NOT. THE "OUR" DEMOCRACY WOULD NOT. THE INCORPORATED STATE OF "NEW COLUMBIA", IE WASH. D.C., WOULD NOT. THE PENTAGON WOULD NOT. THE FEDERAL RESERVE BANK, WOULD NOT. THE BRITISH MONARCH'S ARISTOCRATIC "COURT" NETWORKS WOULD NOT. THE ACLU, THE ADL, THE SPLC, THE NAACP, ETC WOULD NOT. THE INCORPORATED STATE AND LOCAL "MUNICIPAL" "CORPORATIONS WOULD NOT. THE MAYOR AND POLICE CHIEFS WOULD NOT. THE "DISTRICT" AND "PROSECUTING" ATTORNEYS WOULD NOT. THE "STATE" ATTORNEYS WOULD NOT. THE ARISTOCRATIC "HIGHER" COURTS WOULD NOT. THE "U.S. SUPREME" COURT WOULD NOT (HEARING ABOUT 10% OF THE "APPEALS" SENT TO THEIR DESK.) COURT PROCEEDINGS KEPT SECRET EXCEPT BY THE WILL OF THE OVERLORDS' WOULD NOT. "BAR" CONTROLLED ATTORNEYS WOULD NOT. THE "PRESIDENT" OF THE "UNITED STATES" WOULD NOT. (AND ON AND ON) THERE

WOULD EXIST FREE AGENT GOVERNORS, FREE AGENT LAWYERS, GENUINE FREE AGENT JURIES IN LAWFULLY PERFORMING COURTS, AT EVERY "LEVEL", HEARING ALL APPEALS. LAWFULLY ELECTED SHERIFFS WITH LAWFULLY PERFORMING FREE AGENT DEPUTIES, A LAWFUL POSSE COMMITATUS EXECUTING JUSTICE WITH HONOR. LAND AND AIR AND SEA MUST NOW FULFILL THE POTENTIAL.

Public Comment Remedy Courts

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**From:** Jim Larson  
**Sent:** Wednesday, December 8, 2021 2:00 AM  
**To:** POB  
**Subject:** Public Comment regarding CPC#115-21 Request to Reopen the Complaint

**External**

The Agenda for the CPOA Board meeting on December 9, 2021 provides the following instructions for making general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 pm on Thursday, December 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 am submitting these comments early in hopes they will be distributed to the Board with sufficient time for them to receive them prior to considering their position on the reopen request for CPC #115-21 that is on the agenda. I am also requesting that the comments be included as part of the published minutes. This comment was written to comply with the 5 minute presentation were I to have verbally presented it.

Chairman Olivas and Honorable Board Members,

Thank you for the opportunity to submit this public comment summarizing my concerns supporting the request to reopen CPC #115-21.

The Board response to my original request to reopen this complaint referred instead to a request for reconsideration for a hearing. I submitted a second email restating the request to re-open the complaint, not for a hearing. Both emails contain detailed support for the reopening and further investigation.

**Administratively Closing the Complaint**

- The Monitor's admonition in IMR-14 captures the essence of the CASA, requirements reflected in the city ordinance and Board policy and procedures for administratively closing a case when he said, "once again stressed that the administrative closing practice should only be utilized where the preliminary investigation shows, by clear and convincing evidence, that the allegations of misconduct did not occur and shows no indication of misconduct not related to the original complaint that would require further investigation."
- The city ordinance, and Board's policies also consistently cite similarly established requirements for administrative closure from the CASA that require in addition to determining if personnel the alleged misconduct, administrative investigations shall assess and document [...] whether the incident suggests the need for a change in policy, procedure, or training."
- A single incident was an 80-word paragraph selected and used by the CPOA to summarize the entire complaint from among other issues and incidents in the complaint. And in that incident the officer no longer worked for APD, and that fact was used to justify administratively closing the entire complaint. The CPOA report also states "Mr. Larson provided several other dates in reference to APD Officers having interaction with Ms. Cruz and James" and closed with "In reference to the other concerns, they were reviewed, and additional information is located in the investigative file."

- This closure does not fall within clearly defined circumstances of when its use is allowed. Its use also circumvents the additional requirements to evaluate a need for a change in policy, procedure, or training.
- The Board's use of admin closure in this case misapplied policies in the evaluation of the complaint. The Board's failure to ensure conduct of further investigation consistent with clearly defined requirements in admin closure complaints was arbitrary, capricious, and constituted an abuse of discretion. I am not requesting a reconsideration for a hearing.

#### The CPOA Investigative Letter

- The City Ordinance requires that "In addition to the findings and recommendation, each investigation report shall at a minimum also include: a section outlining any relevant background and facts relating to the matter, a listing of any relevant policies, procedures, or practices that are at issue, and an analysis of the issues in the case.
- The CASA and Board Policy and Procedures adds to the ordinance the additional investigative requirement to assess and document whether the action(s) under review were in compliance with training and legal standards, and whether the incident suggests the need for a change in policy, procedure, or training.
- The CPOA report also states "Mr. Larson provided several other dates in reference to APD Officers having interaction with Ms. Cruz and James" and closed with "In reference to the other concerns, they were reviewed, and additional information is located in the investigative file."
- The Board can gain access to the full investigative file when it deems it necessary. I found no request for access to review the CPOA investigative file in the past Board minutes. I assume the investigative file was not reviewed.
- This complaint along with three others were a single agenda item, Administratively Closed Cases. Without any discussion, the Board approved the administrative closure of all four, in 52 seconds. 52 seconds to consider the APD responses to numerous calls involving abuse and neglect ultimately resulting in the beating death of a 4-year-old boy.
- It is my view the Board decision to approve the CPOA report in this case did not have the meaningful information needed to make a reasoned judgment for approval.
- The IMR-14 monitoring team expressed that "the Board can offer valuable insight and community perspective to policy, training, and data and trend analysis that would be a very positive development in enhancing civilian oversight of police matters. We [the monitoring team] urge the Board to find the time to increase its efforts in this regard."
- I urge the Board to re-open this complaint and request the CPOA provide a new report, consistent with CASA, city ordinance, and Board policies, including new information from the RTCC CADS I provided as well as addressing the reference to the other concerns, that were reviewed but not reported.
- I also urge the Board to review the investigative file before considering any further report from the CPOA regarding this complaint.

What you allow, you condone.

Thank you.  
Jim Larson



<b>Number</b>	<b>Title</b>	<b>Disposition</b>	<b>Recommendation</b>
<b>1-5</b>	Harassment/Sexual Harassment in the Workplace	Advanced	No Rec
<b>1-67</b>	MATF	Advanced	No Rec
<b>1-82</b>	(Currently 4-8) Property Crimes Reporting Technician	Archived, duties transferred	No rec
<b>1-85</b>	(Currently 6-2) Recruiting Unit	Advanced	No Rec
<b>1-93</b>	Telephone Reporting Unit	Advanced	No Rec
<b>2-87</b>	Graffiti	Archived, not used	No Rec
<b>2-90</b>	(Currently 6-2) Background Investigations	Advanced	No Rec

**CIVILIAN POLICE OVERSIGHT AGENCY**

**Civilian Police Oversight Agency Board**

*Chantal M. Galloway, Chair*

*Jesse Crawford*

*Patricia French*

*Dr. William J. Kass*

*Eric Nixon*

Diane McDermott, Interim Executive Director

December 9, 2021

Harold Medina, Chief of Police  
Albuquerque Police Department  
400 Roma NW  
Albuquerque, NM 87102

*Recommendation: SOP 3-41 Complaints Involving Department Personnel*

Dear Chief Medina:

The Civilian Police Oversight Agency Board (CPOAB) is recommending several changes to SOP 3-41 which will allow the Civilian Police Oversight Agency (CPOA) to refer minor civilian police complaints (class sanction 6 or 7), at the discretion of the Executive Director, to the respective Area Command for investigation. This would only include first and second offense violations of class 6 and 7 that involves minimum, presumptive and maximum discipline to not include suspension. Minor policy violations involve conduct, that if sustained, would result in discipline or corrective action less severe than a suspension based on the Chart of Sanctions identified in SOP 3-46 Discipline System.

The CPOA receives significant number of complaints that even if investigated, will lead to minor discipline (verbal or written reprimand). The current CPOA investigative team is short staffed that does not allow a timely investigation for all complaints received. This practice will allow the CPOA to focus on more severe allegations and will help alleviate the concerns regarding investigative timelines. The timeliness for completing complaint investigations has been criticized by the Independent Monitoring Team in the recent monitoring reports. Also, this will benefit APD since the monitor criticized several investigations conducted by the area command as 'deficient' in the most recent report. The final review of the civilian complaint investigations by area command will be done by the CPOA, which in turn will allow for another set of eyes to review the final work product of the area command investigation. The CPOA Board hereby recommend changes in SOP 3-41 that will allow the CPOA to have the same criteria for assignment of civilian complaints as done by the Internal Affairs Professional Standards. Recommended language and placement of the language in SOP 3-41 will include the following;

**In section 3-41-5 (Civilian Police Complaints), to add C. "Assignment of Civilian Police Complaints (CPC)" to include;**

*1. All civilian complaints shall be investigated by a CPOA Investigator, an IA Investigator, a designated supervisor, or an external contract investigator approved by the City of Albuquerque purchasing guidelines.*

*2. The CPOA has the discretion to refer complaints involving minor policy violations to a commander/division head for investigation and recommended findings.*

*a- A complaint requiring the interviews of multiple witnesses and Department personnel from various assignments or extensive documentation retrieval shall be investigated by the CPOA.*

*b- If the subject employee's record demonstrates that a sustained violation could result in suspension, the CPOA shall investigate the complaint.*

*c- Rules regarding supervisory investigations of minor policy violations include:*

*i. A supervisor shall not investigate the complaint if the supervisor:*

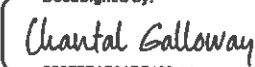
- 1- was involved in the incident, including use of force incidents;*
- 2- was involved in the actions that are the subject of the complaint;*
- 3- authorized the actions that are the subject of the complaint; or*
- 4- is a witness to the incident that is the subject of the complaint.*

*ii. If a supervisor has been assigned an investigation and falls under one of these rules, the supervisor shall notify the CPOA in order to have the investigation reassigned.*

*d- Review and final approval of the investigative findings and recommendations of the appropriate discipline shall be completed by the CPOA Director and approved by the CPOAB.*

Thank you for your consideration. We look forward to your response to our recommendations above, in compliance with your obligations under §9-4-1-4(C) (5) (c) of the Civilian Police Oversight Agency Ordinance.

Sincerely,  
The Civilian Police Oversight Agency Board by

DocuSigned by:  
  
558F7EAF01DF408  
Chantal M. Galloway, Chair

cc: Civilian Police Oversight Agency

**MEMORANDUM OF UNDERSTANDING BETWEEN ALBUQUERQUE POLICE OFFICERS ASSOCIATION AND THE CITY OF ALBUQUERQUE REGARDING CIVILIAN POLICE OVERSIGHT BOARD ACCESS TO OFFICER IDENTIFYING INFORMATION**

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**THIS MEMORANDUM OF UNDERSTANDING (“MOU”)** is entered into by and between the City of Albuquerque (“City”), the Albuquerque Police Officers’ Association (“APOA”), the Civilian Police Oversight Agency (“CPOA”), and the Civilian Police Oversight Agency Board (“Board”) (collectively referred to as the “Parties”).

**WHEREAS**, the City and APOA have entered into a Collective Bargaining Agreement (“CBA”);

**WHEREAS**, pursuant to the Police Oversight Ordinance, Revised Ordinances of Albuquerque, New Mexico, 1994, §§ 9-4-1-1 to 9-4-1-14 (“Ordinance”), the CPOA was established “as an independent agency of city government, not part of either the city administration or City Council [which] consists of the Civilian Police Oversight Agency Board (the ‘Board’) and an Administrative Office led by the CPOA Executive Director”;

**WHEREAS**, the CBA allows the City and APOA to enter into written MOUs to change or amend policies that would be in conflict with the CBA (CBA, Section 32.3);

**WHEREAS**, the Parties desire to enter into an agreement that: protects officer identifying information from disclosure to the public; enables the City, CPOA, and Board to comply with the Ordinance; enables the City, CPOA and Board to comply with the requirements of the Court-Approved Settlement Agreement (“CASA”) entered in *United States v. City of Albuquerque*, 14-cv-1025 (Doc. 465-1); and does not jeopardize any criminal investigation due to public disclosure of information obtained by administrative investigators but precluded from use in criminal proceedings pursuant to *Garrity v. New Jersey*, 385 U.S. 493 (1967);

**WHEREAS**, a compelled statement is a statement provided by an officer to an officer’s employer if the statement is compelled under threat of dismissal from employment or any other employment sanction (*State v. Chavarria*, 2001-NMCA-095); compelled statements cannot be used in subsequent criminal prosecutions (*Garrity v. New Jersey*, 385 U.S. 493 (1967)); and the CBA states that information from a compelled statement shall not be made public by the City (CBA, Section 20.1.10);

**WHEREAS**, the CBA further states that any information released to the Board shall not contain information that identifies sworn department personnel (CBA, Section 20.1.10);

**WHEREAS**, pursuant to Ordinance, the “Board shall . . . review and approve or amend the findings and conclusions of all investigations completed by the Administrative Office” (Ordinance, § 9-4-1-4);

**WHEREAS**, pursuant to the Ordinance, the Albuquerque Police Department (“APD”) “shall provide Board members, the Director, and CPOA staff reasonable access to APD premises, files,

documents, reports and other materials that are reasonably necessary for the agency to perform thorough, independent . . . reviews of serious uses of force and officer-involved shootings” (Ordinance, § 9-4-1-4(C)(3)(b));

**WHEREAS**, the CASA requires the CPOA to conduct thorough and independent reviews of APD’s serious uses of force and officer-involved shootings, and further requires all of the findings made by the Executive Director in conjunction with such reviews to be forwarded to, and reviewed by, the Board (CASA, ¶¶279 – 282);

**WHEREAS**, the CASA requires that the “City shall provide the agency, its investigative staff, and the Executive Director access to . . . the identities of officers involved in incidents under review” (CASA, ¶ 282(b));

**WHEREAS**, so that the Board may conduct its reviews, the CASA requires the City to “provide reasonable access to APD premises, files, documents, reports, and other materials for inspection by those appointed to the agency, its investigative staff, and the Executive Director upon reasonable notice” (CASA, ¶ 283);

**WHEREAS**, the CASA further requires the following: “The City, APD, and the agency shall develop protocols to ensure the confidentiality of internal investigative files and to ensure that materials protected from disclosure remain within the custody and control of APD at all times” (CASA, ¶ 284);

**WHEREAS**, the attempts by APD to redact officers’ faces, name tags, and oral references to officers’ names from on-body recording device recordings has been excessively burdensome and time consuming; and

**WHEREAS**, the City and the APOA have agreed to supplement the CBA currently in effect, and the Parties have agreed to enter into this inter-departmental agreement to further the goals of compliance with the CBA, Ordinance, and CASA, and to ensure protection of officer identities while also ensuring the prompt required sharing of records and materials between APD and the CPOA and Board;

**NOW, THEREFORE**, the parties agree to the following:

**I. TERM OF MOU.**

The Parties agree that, so long as all Parties sign this MOU, the “effective date” is the date that the last party executes this MOU and shall remain in full force until February 1, 2023, but may be extended or incorporated into a successor CBA.

**II. RELEASE OF INFORMATION BY THE CITY TO THE CPOA AND BOARD.**

- A. Prior to the Force Review Board (“FRB”), APD will provide to the CPOA Executive Director all documents provided to the FRB, including investigative recordings that contain compelled statements . The Executive Director shall not submit any documents

or evidence containing compelled statements to the Board; instead, the Board shall comply with the provisions of § 9-4-1-4(C)(3)(d) to review these recordings.

- B. After the FRB completes its review of any serious use of force or officer-involved shooting, APD shall provide the following information to the CPOA Executive Director, who shall release such information to the Board:
  - 1. All written documents and evidence provided to the FRB, excluding administrative interview(s) of the officer(s) under investigation.
    - a. All documents will be redacted by APD in accordance with *Garrity* and the Ordinance, § 9-4-1-4(C)(3)(b) and (d), prior to being provided to the Executive Director for production to the Board; and
  - 2. On-Body Recording Device (“OBRD”) recordings, security recordings, other audio-visual recordings, and audio recordings that do not contain compelled statements.
    - a. Officer names, nametags, and faces will not be redacted from these videos unless the officers are working under cover.

### **III. CONFIDENTIALITY OF INFORMATION.**

- A. The Parties agree that Section 20.1.10 of the CBA, which states that information from a compelled statement shall not be made public by the City, applies to the CPOA and Board, as agencies of the City.
- B. The Parties agree each of them shall maintain the confidentiality of the identities of all officers as required by the CBA, Ordinance, and CASA, to the extent allowed by law. Accordingly, the CPOA and Board shall not:
  - 1. Release any records containing officer identities;
    - i. Any access to information provided to the CPOA and Board as set forth in this MOU must be obtained through a public records request. If the CPOA or Board receives a request, they will forward said request to the City Clerk’s Office.
    - ii. Nothing in this paragraph shall inhibit the City Clerk’s office from complying with the provisions of the Inspection of Public Records Act, N.M.S.A. 1978, §§ 14-2-1 to 14-2-12;
  - 2. Intentionally identify any officer during a public meeting;
  - 3. Play, display, quote from, cite from, or otherwise discuss any recording, document or evidence in a public meeting if doing so would show any officer’s face or disclose any officer’s identity; or
  - 4. Download, record, copy, or retain access to OBRD videos used to conduct reviews of serious uses of force or officer-involved shootings.

### **IV. NO FURTHER AGREEMENT.**

This MOU incorporates all the agreements, covenants, and understandings between the Parties hereto concerning the matters addressed in this agreement, and all such agreements, covenants and understandings have been merged into this MOU. This MOU expresses the entire MOU and understanding between the parties on the matters described above. No prior agreement or understanding, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this MOU.

**V. SEVERABILITY.**

In case any one or more of the provisions contained in this MOU or any application thereof shall be invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein and any other application thereof shall not in any way be affected or impaired thereby.

**VI. Review, Revision, or Termination of MOU**

This MOU shall remain in effect unless and until it is terminated by the Parties. Any request to modify or revise this agreement must be submitted in writing and any modification or revision must be agreed to in writing by the Parties' representatives. Any Party may terminate this agreement by written notification submitted to all participating Parties.

WITNESS WHEREOF, the Parties have executed this agreement which becomes effective as of the date of approval of the final signatory.

\_\_\_\_\_  
Esteban A. Aguilar, Jr.  
City Attorney

\_\_\_\_\_  
DATE

\_\_\_\_\_  
John J. D'Amato  
Counsel for APOA

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Fred Mowrer  
Counsel for APOA

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Dianne McDermott  
Acting Director, CPOA

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Eric Olivas  
President, CPOA Board Chair

\_\_\_\_\_  
DATE

# CITY OF ALBUQUERQUE



## **CIVILIAN POLICE OVERSIGHT AGENCY**

### **Civilian Police Oversight Agency Board**

*Chantal M. Galloway, Chair*

*Jesse Crawford*

*Patricia French*

*Dr. William J. Kass*

*Eric Nixon*

**Diane McDermott, Interim Executive Director**

December 9, 2021

Honorable James O. Browning  
United States District Court  
Pete V. Domenici United States Courthouse  
333 Lomas Blvd NW, Suite 660  
Albuquerque, New Mexico 87102

**Re: CPOA Board Issues for Consideration in Anticipation of December 16, 2021  
Public Hearing**

Dear Judge Browning:

We are writing on behalf of the Civilian Police Oversight Agency (CPOA) Board. Thank you for this opportunity to address some significant issues that continue to pose long-term concerns (i.e. unfilled CPOA Board positions and deteriorating Board morale), and challenges the CPOA Board is currently experiencing regarding accessing specialized training and APD's Serious Use of Force (SUOF) materials. All of these issues are being evaluated by the Monitor, and, with regard to the Board composition issues, have been ongoing concerns for years.

PO Box 1293

Albuquerque

### **CPOA BOARD MORALE**

NM 87103

[www.cabq.gov](http://www.cabq.gov)

The CPOA Board's morale is at a recent low. Particularly concerning are the statements and efforts of the City. The City has made inaccurate public statements, including statements by both the City Attorney and City Councilors, to the effect that the CPOA Board holds the lives and livelihoods of officers in their hands. These claims are ill-informed and undermine an already weak oversight process. Further, the CPOA Board has no power to affect officer discipline or APD policy beyond advisory recommendations.

The CPOA Board's perception is that the CASA parties' actions have undermined its independence by offering criticism of the Board, its members, and its operations. For example, despite providing evidence to the contrary, the City Attorney produced and presented a report on CPOA Board member training to the City Council that was inconsistent with records provided by the CPOA Board. In IMR-14, the Monitor has questioned the authenticity of CPOA Board Members' verification of having completed required training when approximate dates were provided. Given that in some cases it had been over 2 years since Board members completed the initial training and the records maintained by CPOA of these trainings were incomplete, this seems to be a form over substance position.



The CPOA Board recognizes and embraces its role in the reform process. It acknowledges its shortcomings and has implemented meaningful solutions to address real issues with its performance and compliance. The CPOA Board recognizes that it must be in a position to function as the monitor when the CASA is complete and it is committed to achieving this goal. It implores those involved in the process to work with it to ensure that the CPOA Board can assume this role when the time comes.

### TIMELY ACCESS TO SUOF MATERIALS

The CPOA Board reviews all SUOF investigations. CASA, ¶ 280; *see also generally* Albuquerque Ordinance, § 9-4-1-4(C). Both the CASA and Albuquerque Ordinance specifically require that the CPOA Board be provided “access to all APD documents, reports, and other materials that are reasonably necessary for the agency to perform thorough, independent investigations of civilian complaints and reviews of serious uses of force and officer-involved shootings.” CASA, ¶ 280; *see also* Albuquerque Ordinance, § 9-4-1-4(C)(3) (“APD shall provide Board members, the Director, and CPOA staff with reasonable access to APD premises, files, documents, reports and other materials that are reasonably necessary for the agency to perform thorough, independent investigations of civilian complaints and reviews of serious uses of force and officer-involved shootings.”).

The CPOA Board is pleased to report that the technology issues that originally arose with CPOA Board review of FRB presentations and SUOF investigations have largely been remedied. Still, the APOA has demanded that the City redact the OBRD videos—which takes a tremendous amount of APD time and resources. As they were during IMR-13, the City, APOA, and CPOA Board are still in the process of working towards acceptable solutions for SUOF cases. If these discussions are not successful, this is an issue that will warrant increased focus moving forward.

### CPOA/CPOA BOARD STAFFING

The City’s oversight ordinance states the CPOA Board shall have nine (9) volunteer members from a broad cross-section of the community (Albuquerque Ordinance 9-4-1-5(A)). It is the City Council’s responsibility to appoint Board members (Albuquerque Ordinance, § 9-4-1-5(C)). For the better parts of 2018, 2019, 2020, and through March 2021, the Board had been operating with only six (6) members. While the CPOA Board was fully staffed for a short period of time during IMR-14, there are currently four unfilled positions and the selection process is not transparent. The appointment process for CPOA Board members needs to be clearly defined for the benefit of the public and for prospective CPOA Board members. Transparency should be of paramount importance. This Board requires a full complement to operate as effectively and efficiently as possible.

The CPOA also has significant staffing needs that need to be timely addressed—i.e. investigator positions, policy analyst, community engagement specialist. While it is the CPOA Board’s understanding that the CPOA has diligently worked to fill these positions, it is facing delay and other procedural issues with City HR processes. Thus,


while the Monitor has expressed the need to fill these positions during IMR-15, it is unlikely that this will occur. The CPOA Board is hopeful that the City will take steps to remedy these delays so that the positions are filled during the IMR-16 period.

### **CPOA BOARD TRAINING**

It is clear from IMR-14 that the CPOA Board training reporting process was lacking, and that training deficiencies cannot continue to occur. To ensure this is not an issue moving forward, the Board has implemented new training processes and procedures, along with a renewed focus on trying to streamline required trainings through ongoing Ordinance amendments. The CPOA Board is hopeful that these changes ensure this issue is remedied.

Again, the CPOA Board appreciates the opportunity to address the Court and will be available to address any questions or concerns at the upcoming status conference.

Sincerely,

DocuSigned by:  
  
Chantal M. Galloway, Chair  
Civilian Police Oversight Agency

cc via email:

AUSA Elizabeth M. Martinez  
DOJ Trial Attorney Corey M. Sanders  
Steve Aguilar, City Attorney  
Frederick Mowrer, Counsel for APOA  
James Ginger, Ph.D, Independent Monitor

# CITY OF ALBUQUERQUE



## **Civilian Police Oversight Agency Board**

### **Civilian Police Oversight Agency Board**

*Chantal M. Galloway, Chair*

*Jesse Crawford*

*Patricia J. French*

*Dr. William J. Kass*

*Eric Nixon*

Diane McDermott, Interim Executive Director

12/10/21

To Edward Harness,

This letter shall serve as acknowledgement indicating that the CPOA Board has accepted your resignation and any request to rescind or modify your resignation must be done according to City Personnel Rules and Regulations Section 801.

Thank you,

-Eric Olivas

CPOAB Chair

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)