

## 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, February 10, 2022 - 5:00 p.m.**

**Members Present:**

Dr. William Kass, Acting Chair  
Jesse Crawford  
Patricia French  
Eric Nixon

**Members Absent:**

Chantal M. Galloway  
(excused)

**Others Present:**

Diane McDermott, CPOA  
Katrina Sigala, CPOA  
Valerie Barela, CPOA  
Ali Abbasi, CPOA  
Tina Gooch, Atty  
Elizabeth Martinez, DOJ  
Jared Hager, DOJ  
Acting Cdr. Carl Vigil, APD  
Acting Cdr. Richard Evans, APD  
Acting Cdr. Jason Sanchez, APD  
Carlos Pacheco, Sr. Managing City Atty  
Chris Sylvan, City Council  
Kelly Mensah, CPC  
Marteessa Billy, CPC  
Michael Wartell, Perspective Board Appointee  
Amanda Chino-Zamora, Perspective Board Appointee

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, February 10, 2022 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-02-10-2022>.

(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, February 7, 2022 at [www.cabq.gov/cpoa](http://www.cabq.gov/cpoa).

Civilian Police Oversight Agency Board

Minutes – February 10, 2022

Page 1

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, February 10, 2022. 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.** Acting Chair Dr. Kass called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:01 p.m. Acting Chair Dr. Kass also noted that Chair Galloway was excused from the meeting.
- II. Mission Statement.** Acting Chair Dr. Kass read aloud the Civilian Police Oversight Agency Board's mission statement.
- III. Approval of the Agenda**
  - a. Motion.** A motion by Member French to approve the agenda. Roll call vote taken. Motion passed.

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

- IV. Public Comments**
  - a. None.**
- V. Review and Approval of Minutes.** 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 January 31, 2022.** Draft minutes from the Civilian Police Oversight Board January 31, 2022 special meeting was distributed to each Board Member electronically via a weblink.
  - b. Motion.** A motion by Member French to approve the minutes as written. Roll call vote taken. Motion passed.

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

## VI. Reports from City Departments

### a. APD

1. **IA Professional Standards Division (SOP 7-1, SOP 3-41, SOP 3-46)** – Acting Commander Carl Vigil reported on the Statistical Data for the month of January 2022. A document titled *Civilian Police Oversight Board, Internal Affairs Professional Standards Division Statistical Data for the Month of January 2022* was distributed to the CPOA Board members electronically. (see attached)
2. **IA Force Division (SOP 2-52 through SOP 2-57)** – Acting Commander Richard Evans reported on the Statistical Data for the month of January 2022. A document titled *Civilian Police Oversight Board, Internal Affairs Force Division Statistical Data for the Month of January 2022* was distributed to the CPOA Board members electronically. (see attached)
3. **APD Training Semi-Annual Report** – Acting Chair Dr. Kass noted that the APD Training Semi-Annual Report was postponed for this month.

### b. City Council – Chris Sylvan

1. **City Council Representative** - Chris Sylvan presented his report and highlighted that City Council meetings will be moving back to the original start time of 5:00 p.m. and will remain via Zoom and that the CPOA Ordinance will be heard at the full City Council meeting on Wednesday, February 23, 2022. He also acknowledged two perspective CPOA Board Members that were present and observing the meeting.

### c. Public Safety Committee - Chris Sylvan

1. **Public Safety Representative** - Chris Sylvan presented his report and noted that the first Public Safety Committee meeting of the year will be held on February 15, 2022 at 3:00 p.m. via Zoom.

**d. Mayor's Office**

1. There was no Report.

**e. City Attorney**

1. **Senior Managing Attorney** – Carlos Pacheco presented his report.

**f. CPC – Kelly Mensah**

1. **Community Policing Council Liaison** - Kelly Mensah presented his report.

**g. CPOA – Diane McDermott, Interim Executive Director**

1. **Interim Executive Director** – Diane McDermott presented her report. (see attached)

**VII. Non-Concurrence Cases**

**a. CPC 038-21**

**b. CPC 093-21**

**c. CPC 109-21**

**d. CPC 249-20**

**e. CPC 250-20**

1. Acting Chair Dr. Kass introduced the Non-Concurrence cases and Interim Director McDermott provided a review of APD's Non-Concurrence findings for CPC 038-21, 093-21, 109-21, 249-20 and 250-20 and provided an overview of the process.

**VIII. CAO Review Update**

**a. 122-21**

1. Acting Chair Dr. Kass read into record a paraphrase of CPC 122-21 complaint and the full Non-Concurrence letter received by the CPOA from CAO Sarita Nair.

**IX. Requests for Reconsideration**

**a. 134-21**

1. Tina Gooch, CPOA Board Legal Counsel read the criteria for which the Board can grant a request for reconsideration.

2. **Motion.** A motion by Member Crawford to not grant a Request for Reconsideration for CPC 134-21. Roll call vote taken. Motion passed.

**For: 3 - Crawford, Kass, Nixon**

**Against: 1 - French**

**b. 135-21**

1. **Motion.** A motion by Member French to not grant a Request for Reconsideration for CPC 135-21. Roll call vote taken. Motion passed.

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

- X. Review of Cases:** The CPOA's findings in each case listed on the agenda have been reviewed and approved by the CPOA Board. The findings become part of the officer's file, if applicable. Copies of the full findings letters to the citizens are located at <http://www.cabq.gov/cpoa/findings-letters/civilian-complaints-pob-findings>

**a. Administratively Closed**

**178-21      210-21      225-21**

1. **Motion.** A motion by Member Nixon to accept the CPOA Findings of Administratively Closed cases CPC 178-21, 210-21 and 225-21 as presented. Roll call vote taken. Motion passed.

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

**b. Unfounded**

**183-21      185-21**

1. **Motion.** A motion by Member Nixon to accept the CPOA Findings of Unfounded cases CPC 183-21 and 185-21 as presented. Roll call vote taken. Motion passed.

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

**c. Unfounded and Not Sustained**

**193-21**

- 1. Motion.** A motion by Acting Chair Dr. Kass to accept the CPOA Findings of Unfounded and Not Sustained case CPC 193-21. Roll call vote taken. Motion passed.

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

**d. Exonerated**

**172-21      179-21      181-21      182-21**  
**184-21      200-21      212-21      221-21**

- 1. Motion.** A motion by Member French to accept the CPOA Findings of Exonerated cases CPC 172-21, 179-21, 181-21, 182-21, 184-21, 200-21, 212-21 and 221-21. Roll call vote taken. Motion passed.

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

**e. Exonerated and Unfounded**

**167-21      194-21      204-21      205-21**

- 1. Motion.** A motion by Acting Chair Dr. Kass to accept the CPOA Findings of Exonerated and Unfounded cases CPC 167-21, 194-21, 204-21 and 205-21. Roll call vote taken. Motion passed.

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

**f. Exonerated, Not Sustained and Administratively Closed**

**189-21**

- 1. Motion.** A motion by Acting Chair Dr. Kass to accept the CPOA Findings of Exonerated, Not Sustained and Administratively Closed case CPC 189-21. Roll call vote taken. Motion passed.

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

**g. Sustained**

**191-21**

- 1. Motion.** A motion by Acting Chair Dr. Kass to accept the CPOA Findings of Sustained case CPC 191-21. Roll call vote taken. Motion passed.

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

**h. Sustained and Exonerated**

**202-21**

1. **Motion.** A motion by Acting Chair Dr. Kass to accept the CPOA Findings of Sustained and Exonerated case CPC 202-21. Roll call vote taken. Motion passed.

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

**i. Not Sustained**

**197-21**

1. **Motion.** A motion by Acting Chair Dr. Kass to accept the CPOA Findings of Not Sustained case CPC 197-21. Roll call vote taken. Motion passed.

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

**\*\*\*Fifteen-minute break began at 7:20 pm and the meeting reconvened at 7:35 pm\*\*\***

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

- a. **20-0041385**
- b. **20-0085317**
- c. **21-0002324**
- d. **21-0009559**
- e. **18-0105978**

1. Acting Chair Dr. Kass provided a background and status of the Board's review of the Serious Use of Force and Officer Involved Shooting cases and the Board discussed the review process.
2. The CPOA Board recommends that CPOA Legal Counsel provide a legal opinion on continuing to review SUOF and OIS cases without an Executive Director's recommendation and finding.
3. **Motion.** A motion by Member Crawford to table review of APD SUOF/OIS cases 20-0041385, 20-0085317, 21-0002324, 21-0009559 and 18-0105978 until the next regularly scheduled CPOA meeting. Roll call vote taken. Motion passed.

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

**f. File Requests:**

1. None.

**g. Proposed Case(s) for March 2022 Review:**

1. 18-0110490
2. 21-0015116
3. 21-0049436
4. 21-0057653
5. 21-0059035
6. 21-0060354

- i. The proposed cases listed for March 2022 review will not be reviewed at the March CPOA Board meeting.

**XII. Reports from Subcommittees**

**a. Community Outreach Subcommittee**

1. January 25, 2022 (video Conference)
2. Chair Galloway submitted a written report (*see attached*)
3. Next meeting February 22, 2022 at 3:00 p.m.

**b. Policy and Procedure Review Subcommittee – *Dr. William Kass***

1. February 3, 2022 Meeting was Cancelled
2. Chair Dr. Kass submitted a written report (*see attached*)
3. Next meeting March 3, 2022 at 4:30 p.m.

**c. Case Review Subcommittee – *Patricia J. French***

1. January 24, 2022 Meeting was Cancelled and  
Met January 27, 2022 (video conference)
2. Chair French gave a verbal report.
3. February 14, 2022 at 3:30 p.m. meeting will be cancelled.

**d. Personnel Subcommittee**

1. Met January 31, 2022 at 3:00 p.m. (video conference)
2. Chair French gave a verbal report and Member Galloway submitted a written report. (*see attached*)
3. Next meeting February 28, 2022 at 4:00 p.m.



**XIII. Discussion and Possible Action:**

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

1. Tina Gooch CPOA Counsel provided an update on the Proposed MOU between the City of Albuquerque, CPOA/CPOAB and APOA on OIS/SUOF Materials and intends to have a meeting next week and will provide an update at the next regularly scheduled CPOA Board meeting.

**b. Draft January – June 2021 Semi-Annual Report – *Diane McDermott, Interim Executive Director and Ali Abbasi, CPOA Data Analyst***

1. **Motion.** A motion by Acting Chair Dr. Kass to accept the Draft January - June 2021 Semi-Annual Report. Roll call vote taken. Motion passed.

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

**c. IMR-14 and Status Conference Update – *Tina Gooch, CPOA Counsel***

1. Tina Gooch CPOA Counsel provided a summary email to the CPOA Board on the IMR-14 status conference.

**d. Executive Director Selection Process – *Patricia J. French***

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

- i. **Motion.** A motion by Member French to accept the Supplemental Questions as modified for the CPOA Executive Director Applicants. Roll call vote taken. Motion passed.

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

- ii. Interim Director McDermott will forward the Board approved Supplemental Questions to City HR.

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

- i. **Motion.** A motion by Member French to accept the Proposed Timeline and Process for CPOA Director as a guide for hiring an Executive Director. Roll call vote taken. Motion passed.

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

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

- i. **Motion.** A motion Member French to accept the Communications to Stakeholder Groups on CPOA Executive Director Appointment letter. Roll call vote taken. Motion passed.

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

- ii. **Motion.** A second motion by Member French to accept the Communications to CPOA staff on Executive Director Appointment letter.
- iii. Interim Executive Director McDermott will forward the Board approved letters to the AMICI's and CPOA staff.

**XIV. Other Business**

- a. Member French and Acting Chair Dr. Kass acknowledged the perspective CPOA Board appointees for observing the meeting in its entirety.

**XV. Adjournment.**

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

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

- b. The meeting was adjourned at 9:14 p.m.

APPROVED:

DocuSigned by:

*Chantal Galloway*

558F7EAF01DF408...

Chantal M. Galloway, Chair  
Civilian Police Oversight Agency Board

March 10, 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

**CIVILIAN POLICE OVERSIGHT BOARD**

**INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION  
STATISTICAL DATA FOR THE MONTH OF **January 2022****

---

**INTERNAL CASES FOR THE MONTH OF **January 2022****

Total Internal Cases Completed in the month of **January 2022**- 17

**14 completed cases (sent out to the area command)**

1. IA Cases opened in the month of **January 2022**: 24
  2. Area Command IA cases opened for the month of **January 2022**: 30
  3. Pending IA Cases for the month of **January 2022**: 22
  4. Internal Cases Mediated: 0
- 

**DISCIPLINE IMPOSED FOR INTERNAL CLOSED CASES IN **January 2022****

**I-293-21**

2-57-3D3c Supervisor Documentation of UOF  
Sustained  
NDCA

2-57-3D3b Supervisor Documentation of UOF  
Sustained  
Letter of Reprimand

2-57-3C1c On-Scene Responsibilities of Supervisors Reviewing Use of Force  
Exonerated  
No Disciplinary Action  
2-57-3D3a Supervisor Documentation of UOF  
Exonerated

**I-319-21**

2-45-4A1a Initiating-Primary Pursuit Unit  
Sustained  
Suspension

**I-422-21**

1-1-5E4 Department Issued Property

Sustained

Suspension

1-1-4A2d Authority of Federal, State, and Local Laws and Regulations

Sustained

2-5-3H1 Use of Seat Belts

Sustained

Verbal Reprimand

**I-427-21**

1-1-6C1 Professional Conduct While On- and Off-Duty

Sustained/NBOOC

Written Reprimand

2-56-5C1 Officer's Obligations Following Level 1 Use of Force

Sustained

Verbal Reprimand

1-1-6A1 Honesty, Integrity, and Accountability

Sustained/NBOOC

Suspension

1-1-6C3 Obey all Department and Supervisory Orders

Sustained/NBOOC

1-1-6C3 Obey all Department and Supervisory Orders

Sustained/NBOOC

Suspension

3-14-4A1 Supervisory Leadership

Sustained/NBOOC

Written Reprimand

**I-430-21**

2-57-4B1c Level 2 and Level 3 Use of Force Investigations by the force Investigation section

Sustained

Suspension- Not issued- Employee no longer with the Department

2-8-5A Mandatory Recording  
Sustained  
Written Reprimand

**I-435-21**

2-54-5C2c ECW Restrictions  
Sustained  
Suspension- Not Issued- Employee no longer with the department

2-57-4D2 Level 2 and Level 3 UoF Investigation Review by the Force Investigation section  
Sustained  
Written Reprimand

2-57-4B1k Level 2 and Level 3 UoF Investigation Review by the Force Investigation section  
Sustained  
Letter of Reprimand

3-14-4A6 Supervisory Issues  
Sustained  
No Disciplinary Action

**I-436-21**

3-14-4A6 Procedure  
Sustained  
Letter of Reprimand

2-57-4B1k Level 2 and Level 3 UOF investigations by the force investigation  
Sustained  
Letter of Reprimand

2-54-5C2c ECW Restrictions  
Sustained  
NDCA

2-60-4A5f Preliminary Investigations  
Admin Closed  
No Disciplinary Action

2-56-5D2 Officers Obligations Following Level 2 or Level 3 Use of Force  
Sustained  
Letter of Reprimand

**I-462-21**

2-54-5H1 ECW Guidelines

Sustained

Suspension

2-54-5H2 ECW Guidelines

Sustained

**I-496-21**

1-1-4A2a Authority of Federal, State, and Local Laws and Regulations

Unfounded

No Disciplinary Action

1-1-4A2a Authority of Federal, State, and Local Laws and Regulations

Unfounded

No Disciplinary Action

1-1-4A2a Authority of Federal, State, and Local Laws and Regulations

Unfounded

No Disciplinary Action

**I-498-21**

1-1-6G5 Controlled Substances

Sustained

Suspension – Not issued- Employee no longer with department

1-1-6G6a Controlled Substances

Sustained/NBOOC

1-1-6C3 Obey all Department and Supervisory Orders

Sustained/NBOOC

**I-502-21**

1-1-5D1 Reporting for Duty

Sustained

Suspension- Not Issued- Employee no longer with the Department



3-41-9A Cooperation with Investigation

Sustained

Dismissal – Not Issued- Employee no longer with the Department

**I-504-21**

1-1-4A Authority of Federal, State, and Local Laws and Regulations

Unfounded

No Disciplinary Action

2-68-4C1b Rules and Procedures

Sustained

NDCA

**I-520-21**

1-1-6C4 Honesty, Integrity, and Accountability

Sustained

Suspension

**I-528-21**

4-26-2A5 Wild/Dangerous Animals

Exonerated

No Disciplinary Action

2-60-4A5 Preliminary Investigations

Unfounded

No Disciplinary Action

**I-561-21**

3-14-4A6 Supervisor Duties

Sustained

Verbal Reprimand

2-57-3D3a Supervisor Documentation of Level 1 UOF

Exonerated

No Disciplinary Action

2-57-3C1c On-Scene responsibilities of Supervisors Reviewing Use of force

Sustained

Verbal reprimand  
2-8-4F Use of OBRD  
Sustained  
Letter of Reprimand

**I-582-21**

1-1-6C1 Professional Conduct while On- and Off-Duty  
Sustained  
Suspension –Not issued- Employee no longer with department  
3-41-9A Cooperation with Investigation  
Sustained  
Dismissal

**I-26-22**

2-8-4F1 Rules  
Admin Closed  
No Disciplinary Action

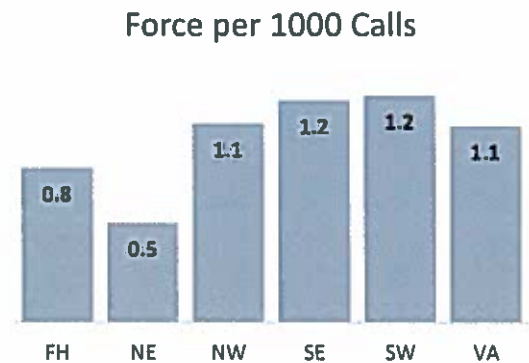
---

# Civilian Police Oversight Agency Board

## INTERNAL AFFAIRS FORCE DIVISION

### STATISTICAL DATA FOR THE MONTH OF JANUARY 2022

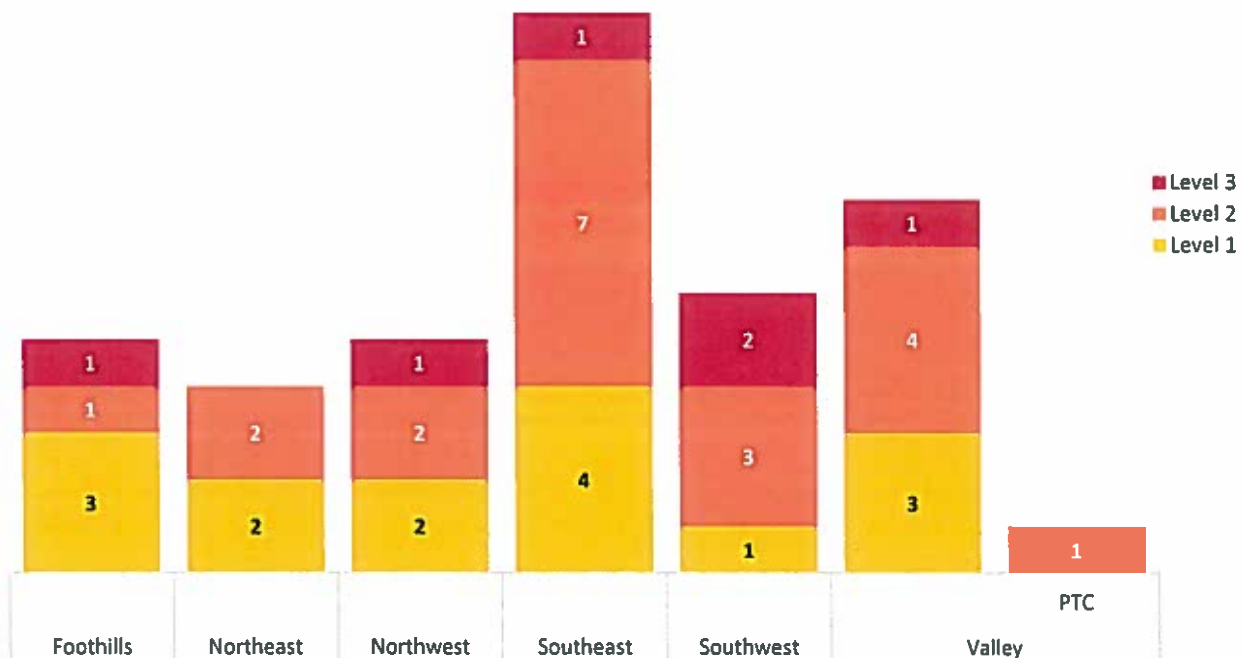
	Level 1	Level 2	Level 3	Total	CAD
Foothills	3	1	1	5	5887
Northeast	2	2		4	7300
Northwest	2	2	1	5	4569
Southeast	4	7	1	12	9821
Southwest	1	3	2	6	4813
Valley	3	4	1	9	8325
PTC		1			
<b>Total</b>	<b>15</b>	<b>20</b>	<b>6</b>	<b>41</b>	



Force cases are now categorized by three levels. If a case involves multiple applications of force, it is categorized as the most serious at the case level. These counts are not considered final as investigations are continuously updated.

- Level 1 is force that is likely to cause only transitory pain, disorientation, or discomfort during its application as a means of gaining compliance. This includes techniques which are not reasonably expected to cause injury, do not result in actual injury, and are not likely to result in a complaint of injury (i.e., pain compliance techniques and resisted handcuffing). Pointing a firearm, beanbag shotgun, or 40 millimeter launcher at a subject, or using an ECW to "paint" a subject with the laser sight, as a show of force are reportable as Level 1 force. Level 1 force does not include interaction meant to guide, assist, or control a subject who is offering minimal resistance.
- Level 2 is force that causes injury, could reasonably be expected to cause injury, or results in a complaint of injury. Level 2 force includes use of an ECW, including where an ECW is fired at a subject but misses; use of a beanbag shotgun or 40 millimeter launcher, including where it is fired at a subject but misses; OC Spray application; empty hand techniques (i.e., strikes, kicks, takedowns, distraction techniques, or leg sweeps); and strikes with impact weapons, except strikes to the head, neck, or throat, which would be considered a Level 3 use of force.
- Level 3 is force that results in, or could reasonably result in, serious physical injury, hospitalization, or death. Level 3 force includes all lethal force; critical firearms discharges; all head, neck, and throat strikes with an object; neck holds; canine bites; three or more uses of an ECW on an individual during a single interaction regardless of mode or duration or an ECW application for longer than 15 seconds, whether continuous or consecutive; four or more strikes with a baton; any strike, blow, kick, ECW application, or similar use of force against a handcuffed subject; and uses of force resulting in a loss of consciousness.

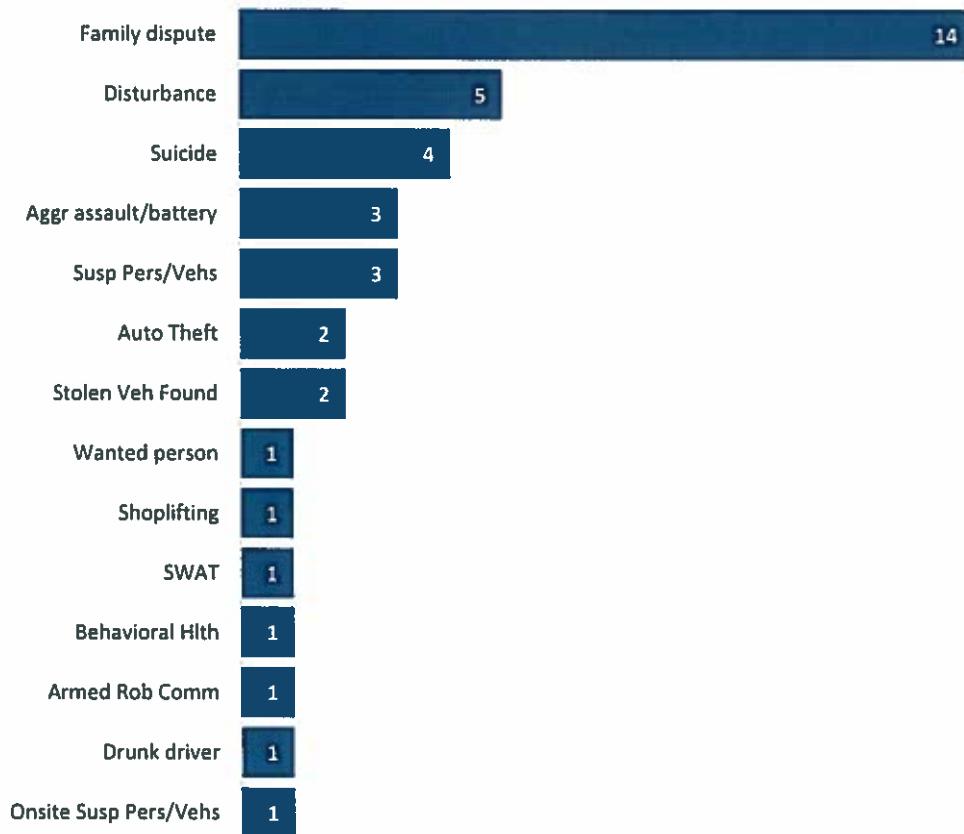
### January 2022 Force Events



Civilian Police Oversight Agency Board  
INTERNAL AFFAIRS FORCE DIVISION  
STATISTICAL DATA FOR THE MONTH OF JANUARY 2022

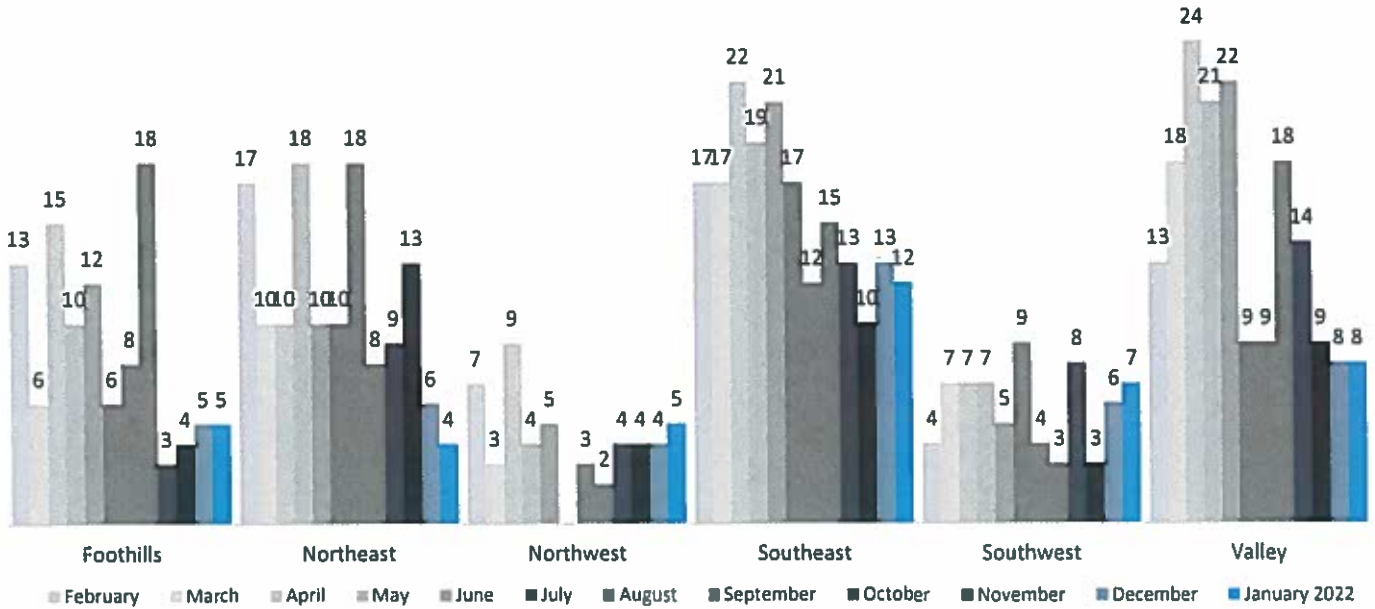
---

**Call Types Associated with January 2022 Force Events**

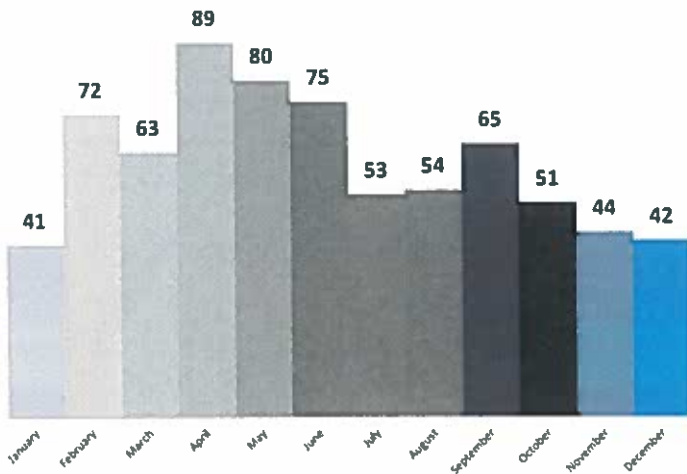


**Civilian Police Oversight Agency Board**  
**INTERNAL AFFAIRS FORCE DIVISION**  
**STATISTICAL DATA FOR THE MONTH OF JANUARY 2022**

**Twelve Months of Force Data**



**Twelve Months of Force Data**  
 (Includes Out of Area)



## CPOA Report 2/10/22

We opened 17 CPCs since the date of the last meeting 1/13/22

We received information on 13 driving complaints since the date of the last meeting. These predominately came from 311.

We received 2 commendations since the date of the last meeting.

Recommended discipline for the cases this month:

CPC 191-21 SOP 2-60-4A5f Verbal Reprimand

CPC 202-21 SOPs 1-1-5C3, 2-40-3B1aiii, 2-17-2 40hr suspension and written reprimand

During one of the FRB meetings a new enhancement was discussed with the Computer Aided Dispatch System. Previously historical information and hazards were able to be linked only to addresses. Now such information can be linked to an individual as well. If the officers have the benefit of knowing the person or obtaining the ID they can potentially have more information about the individual if entered in the system. This could aid in knowing what was successful in the past for de-escalation as an example.

All investigator positions are filled. One investigator's start date was delayed due to illness. Training is ongoing, the two newest investigators are getting cases, but not a full load yet.

At the advice of HR community engagement specialist applications have been reviewed and names provided to see if any of those candidates are still interested in the position. If none or very few are still interested, the position will be reposted.

Member Nixon requested data be provided at the 1-13-22 meeting regarding staffing at APD, which was to include:

- New hires,
- cadets in academy,
- cadets graduating the academy,
- terminations,
- retirements,
- resignations

Ms. Martinez from the DOJ provided a report, that provided this information, but it was deemed too voluminous by board members so Mr. Abbasi distilled down the information requested into a visual report. The link to this information was provided to members on 1/26/22

<https://my.visme.co/view/8r0dxdnv-d3o26vovx867lgxw>

Chair Galloway and I spoke at the supplemental court hearing for the Amici to present their letters and concerns to the Court. Counselor Gooch provided a very good brief summary of the proceedings to the Board in an email after the hearing.

My comments to the Court for those that were unable to attend consisted of:

- The intended plan to request a stipulated order to suspend paragraph 184 regarding the mediation program assuming that the City grants the funding required to have direct contracts with mediators.
- The importance of having a minimum funding amount established by Ordinance to protect against underfunding

- The fact that timeliness of investigations is directly related to staff availability, which has been impacted by delays in the hiring process, but that some of those are being or have been resolved so that will improve.
- The Board is currently hindered from doing its work due to the open positions, but that it is equally important to ensure the selection process is revised and that potential members recognize the level of work and time commitment involved. The additional mention that training should also be revised to make sure what is being required is actually necessary to be effective. These would all be done through Ordinance changes.
- Chair Galloway in her presentation discussed the request for modification of the types of complaints. I echoed the concerns as having an impact on agency work. Ms. Martinez from the DOJ, if I understood correctly, mentioned the DOJ wanted to contemplate the Ordinance revisions before the DOJ would take some formal action to revise the CASA.

A new APOA Collective Bargaining Agreement was signed. Some highlights:

- A preliminary investigation is allowed for up to 15 days
- The investigation will be concluded within 120 days (this is the same amount of time that we had it just eliminates the need for an extension) There is no extension in the new CBA.
- There is a 40-day review period by the Chain., up from 30
- If there are additional allegations that arise out of the investigation the investigation into those need to be within the original 120 days.
- The final notice of determination to an officer with findings will be sent within 20 days, up from I believe 14
- If an investigation is completed out of time no discipline will take place and will not be used for progressive discipline. However, any re-training, policy recommendations, reassignment, promotion consideration, and considered an aggravating circumstance is still possible

During the Court hearing there was some discussion of this. The APOA seemed reluctant to define this as a new CBA, but based on the information provided to the CPOA it is the new CBA, many of which the same elements stayed the same. There was the assertion that timelines have been extended, but the investigative timelines are essentially the same with some preliminary time added. The investigative timeframe is still significantly shorter than the standard among other agencies.

The monitoring period concluded January 31, 2022. If there is anything outstanding that I need to be aware of please provide it to me for the Monitor's review. The annual trainings provided by Members Galloway, Kass, and Nixon have been provided to the Monitor. Members French and Crawford did not have annual trainings due during this past monitoring period.

Chair Galloway and I will be meeting with prospective Board members provided by Mr. Sylvan this Friday.

## **CPOA Board – Outreach Subcommittee Report**

The Outreach committee met via Zoom on January 25, 2022.

1. Marteesa Billy provided a CPC update on the following topics:
  - We had a meeting to welcome David Walker to the CPC as he will be working with us on getting recommendations reviewed by the city.
  - In the NW Marsella Durarte became the new NW chair, and they added 2 new council members
  - The NE Vicki Williams stepped down as chair and adopted a model for co-chairs in the NE Roy Turpen and Francine Lopez.
  - We have a new Vice Chair in the Foothills, Idalia Lechuga-Tena  
1 new council member
  - SW chair is Robbie Vigil and vice-chair is Teresa Garcia  
In the process of adding new members and going forward with interviews
  - The Valley co-chairs are still Edwina Kiro and Rowan Wymark
  - In the SE Mike Kruchoski is chair and Suzy Sanchez Beg is vice chair
  - At the next Council of Chairs we will discuss recommendations, and letter to the judge for the February 9th, 2022 hearing.
  
2. There was some discussion as to possible outreach opportunities. Immediate opportunities are new and existing councilors as well as an opportunity ID McDermott is exploring with Big Brothers/Big Sisters for a youth mentorship program.
  
3. There was limited discussion regarding job ad placements for the ED position that will be carried over to Personnel.

The next meeting of the Outreach Subcommittee will be held via Zoom on February 22, 2022 at 3:00.



The Policy and Procedures Subcommittee for February 3, 2022 was cancelled due to weather. The following APD related policy activities occurred since the January PnP meeting. Next meeting is scheduled for March 3, 2022 at 4:30 pm.

12 Jan 2022 Policy Review Unit

SOP	Title	Presenter	Action
SOP 1-59	SOP 1-59 (Formerly 4-4) Impact Team	A/Commander Aaron Jones	15 Day
SOP 1-60	SOP 1-60 (Currently 5-3-6) Interagency Task Force Operations	Lieutenant Ryan Nelson	15 Day
SOP 1-66	SOP 1-66 (Formerly 5-3) Missing Persons Unit	Sergeant Bobby Pholphiboun	15 Day
SOP 1-70	SOP 1-70 (Currently 6-11) Open Space Unit	Sergeant Chris Schroeder	15 Day
SOP 2-26	SOP 2-26 (Currently 4-20) Event Application and Permit	Sergeant Ryan Stone	15 Day
SOP 2-44	SOP 2-44 Traffic and Roadway Services	Lieutenant Nick Wheeler	15 Day
SOP 2-46	SOP 2-46 Response to Traffic Crashes	Sergeant Ryan Stone	15 Day
SOP 2-51	SOP 2-51 Safe Driver Award Program	Lieutenant Nick Wheeler	15 Day
SOP 2-73	SOP 2-73 Collection, Submission, and Disposition of Evidence and Property	Lieutenant Matthew McElroy	15 Day

2 Feb 2022 Policy Review Unit

SOP	Title	Presenter	Action
SOP 1-59	1-59 (Formerly 4-4) Impact Team	A/Commander Aaron Jones	15 Day
SOP 2-34	2-34 Notification of Significant Events	D/Commander Mark Torres	15 Day
SOP 2-40	2-40 Misdemeanor Traffic and City Ordinance	Lt. Nick Wheeler	15 Day
SOP 2-80	2-80 Arrests, Arrest Warrants, and Booking Procedures	Commander Luke Languit	15 Day
SOP 2-83	2-83 Hospital Procedures and Rules	Gregory Mondragon	15 Day
SOP 2-103	2-103 (Currently 4-23) Trespass Notification	Sgt. Andrew Wickline	15 Day
SOP 3-01	3-1 Dispatch and Radio Procedures	Officer Tanya La Force	15 Day

9 Feb 2022 Policy Review Unit

SOP	Title	Presenter	Action
SOP 1-87	1-87 (Currently 5-5) Scientific Evidence Division	Lieutenant Matthew McElroy	
SOP 2-18	2-18 Contact with Persons with Disabilities	Lieutenant Jennifer Garcia and Detective David Nix	
SOP 2-42	2-42 DWI Investigations and Revoked/Suspended License	Officer Timothy McCarson	
SOP 2-43	2-43 Roadblocks and Checkpoints	Officer Timothy McCarson	
SOP 2-76	2-76 Court	Sergeant Andrew Wickline	
SOP 2-96	2-96 Clandestine Drug Laboratory and Indoor Marijuana Grow Investigations	Deputy Commander Jason Janopoulos	

19 Jan 2022 Policy and Procedures Review Unit

SOP	Title	Date	Action
SOP 1-16	1-16 Auto Theft Unit PPRB Draft 01-19-22 Patch	2022/01/19	Advanced
SOP 1-20	1-20 (Formerly 1-11) Behavioral Sciences Section PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 1-28	1-28 (Formerly 4-3) Downtown Unit PPRB Draft 01-19-22		Rescheduled
SOP 1-37	1-37 Crisis Intervention Division and Program PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 1-58	1-58 Crime Gun Intelligence Center PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 2-08	2-8 Use of On-Body Recording Devices (OBRD) PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 2-19	2-19 Response to Behavioral Health Issues PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 2-22	2-22 Juvenile Delinquency PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 2-35	2-35 (Formerly 2-29) Emergency Response Team (ERT) PPRB Draft 01-19-22	2022/01/19	Advanced
SOP 2-71	2-71 Search and Seizure Without a Warrant PPRB Draft 01-19-22		Tabled

26 Jan 2022 Policy and Procedures Review Unit

<b>SOP</b>	<b>Title</b>	<b>Date</b>	<b>Action</b>
<b>SOP 1-25</b>	<b>1-25 Chaplain Unit PPRB Draft 01-26-22</b>	<b>2022/01/26</b>	<b>Advanced</b>
<b>SOP 1-39</b>	<b>1-39 (Formerly 6-4) DWI Unit PPRB Draft 01-26-22</b>	<b>2022/01/26</b>	<b>Advanced</b>
<b>SOP 2-02</b>	<b>2-2 Department Property PPRB Draft 01-26-22</b>	<b>2022/01/26</b>	<b>Advanced</b>
<b>SOP 2-41</b>	<b>2-41 Traffic Stops PPRB Draft 01-26-22</b>	<b>2022/01/26</b>	<b>Advanced</b>

## **CPOA Board – Personnel Subcommittee Report**

The Personnel committee met via Zoom on January 31, 2022.

1. The Investigative positions are filled. The most recent hire has a start delay of two weeks for medical reasons.
2. The Outreach Coordinator/Community Engagement position has 6 candidates that will be reviewed by Lonnie Ben for possible interviews.
3. The Policy Analyst job description is being reviewed by the City.
4. There is a plan to reclassify an existing Admin position to that of Executive Administrator.
5. Posting of the ED Position is as follows:
  - a. Continuous with the City
  - b. 12/1 with NACOLE and will be renewed for another 60 days in February.
  - c. 12/1 with the State Bar
6. There have been 14 total candidates, 8 of whom did not pass the preliminary qualifiers.
  - a. 5 candidate applications were distributed to the Board for review.
7. The salary range for the ED position is low compared to similar positions within the City and in comparable positions around the country. This is being reviewed by the committee, City HR, and the City's budget office. Estimated to be in the neighborhood of \$20,000/year.
8. In order for the Board to utilize the services of a headhunter, we would need approval of City Council. Ms. Ben indicated that they are less than please with the results of the use of a headhunter to fill the Deputy CAO/Superintendent position for APD.
9. Supplemental interview questions were reduced to 4 that the committee recommends the Board approve. They will then be sent to Lonnie Ben to distribute to interested applicants who have already applied and included in the application for future candidates. Member French will provide those questions to the Board.
10. Member French has revised the stakeholder letter originally drafted by former member Olivas for review and approval by the Board.
11. The timeline has also been updated and will be presented by Member French.
12. Member French has agreed to chair the Personnel subcommittee.

The next meeting of the Personnel Subcommittee will be held via Zoom on February 28, 2022 at 4:00 pm.