Civilian Police Oversight Advisory Board

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

Minutes

Thursday, August 13, 2026, at 5:00 PM
Vincent E. Griego Chambers

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

Members Absent: No Board members were absent.

Others present In-Person: Diane McDermott, Executive Director, CPOA, Ali Abbasi, Deputy Director, CPOA, Gabe Remer, Policy Analyst, CPOA, Valerie Barela, Senior Administrative Assistant, CPOA, Tashia Baca, Administrative Assistant, CPOA, Kelly Mensah, Community Engagement Manager, CPC, Christ Sylvan, Council Services, Lindsey Rosebrough, Managing City Attorney, Legal, Jessica L. Nixon, Attorney, CPOA, APD Acting Commander Matthew Caplan, APD Deputy Commander, Troy Nicko, APD Lieutenant Sean Higdon, Paul Ripley, Foothills Command Member CPC, Garett Osborn Appellant, Melanie Johnson Hope Greenham, Appellant, Laura A. Alderete, Public Comment

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

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

II. **Pledge of Allegiance.** Chair Calderon led the Pledge of Allegiance.

III. **Approval of the Agenda**

   a. A motion was made by Chair Calderon to amend the agenda by moving the appeals IX.a.1 and IX.b.1 above the Use of Force Cases VII.a.1 and VII.b.1. The motion was seconded by Member Bolyanatz. The motion passed unanimously.

b. A motion was made by Chair Calderon to approve the amended agenda moving the appeals IX.a.1 and IX.b.1 above the Use of Force Cases VII.a.1 and VII.b.1. The motion was seconded by Vice Chair Budanauro. The motion was passed unanimously.

IV. Review and Approval of Minutes

a. July 9, 2026

1. Each Board member was provided a website link to review the draft minutes from the Civilian Police Oversight Advisory Board's regular meeting on July 9, 2026

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

V. Reports from City Departments:

a. APD

1. Internal Affairs Professional Standards (IAPS)– *Acting Commander Matthew Caplan*

i. A document titled "*Albuquerque Police Department Internal Affairs Professional Standards (IAPS) Division Monthly Report, July 2026*" was distributed electronically to CPOA Board members. For more information, Albuquerque Police Department Internal Affairs Professional Standards Monthly Reports, visit APD's website here: https://www.cabq.gov/police/public-reports

ii. Acting Commander Matthew Caplan verbally reported on the Total Investigations, Open and Completed investigation by Area Commands, Total Pending Cases and the Average Time Taken for case completion. Finalized his report with completed cases with Sustained Findings.

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

1. A document titled *Albuquerque Police Department Monthly Use of Force Report, July 2026*, was distributed to CPOA

Board members electronically. For more information on Albuquerque Police Department Monthly Use of Force Reports, visit APD's website here: https://www.cabq.gov/police/public-reports

2. Deputy Commander Troy Nicko verbally reported on Use of Force, Serious Use of Force and the current reduction of Serious Use of Force listed. He noted there have been eight Office Involved Shooting for the year. Deputy Commander Nicko finalized his report with the number of completed Sustained Investigations out of twenty-three all were withing policy.

3. **Academy-** *Lieutenant Seam Higdon*

   i. Lieutenant Sean Higdon verbally reported from the month of January 2026 until August 2026 the Academy has graduated forty-one cadets and Officers that have left the department to retirement, resignation or termination is thirty-seven. He stated a new Web Site being created will assist in recruiting Officers right now there has been ninety- two individuals that have submitted interest cards so far and the web site is not completed. Lieutenant Higdon finalized his report noting APD has cut ties with CNM for the training for PSA's and it will now be in house training

b. ACS- *Jefferey Bustamante, Deputy Director*

   i. Jefferey Bustamante, Deputy Director was not present to report for ACS

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

   i. Lindsey Rosebrough verbally reported City Attorney's Office started a new program in Metro Court in coordination with Metro Court, the Public Defender's Office and the District Attorney's Office called the CABQ Friday Arraignment Program. This program will assist in some of the citation

being filed by Officers for certain City Ordinances Violations. She finalized her report by stating the number or participants has gone up and is looking forward to the success of this program.

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

i. Chris Sylvan verbally reported at the August 3, 2026 City Council Meeting CPOA's 2025 July through December semiannual repost was heard was on the consent agenda and councilor had any questions it went through and was approved. He finalized his report stating Charm School is now scheduled on the calendar. He has been told the scenarios are different and if you want to attend invites are ready to send out.

e. City Council- *Chris Sylvan, Council Services Kelly Mensah, Community Engagement Manager*

i. Kelly Mensah verbally reported Sergeant Rachel Nakamura of the auto theft unit shared her knowledge. He noted two new series Director of Public Safety Raul Bujanda sharing information on his commitment to unify public safety Mr. Bujanda's philosophies about how APD, AFR and ACS will work together for the betterment of the city. Kelly Mensah added the Metro Court Series Chief Justice Joshua Sanchez and other judges speak about specialty courts where certain convicts in certain situation receive other options to serve lesser sentences. He noted he attended the National Night out and the APD vin-etching event a few weeks, there may be two new CPC members, finalizing his report with a reminder of the Year-End Dinner that will be held Saturday November 21, 2026.

f. CPOA– *Diane McDermott, Executive Director*

i. Diane McDermott verbally reported the CPOA August Report for number of complaint intakes, assigned

investigations either by CPOA or those appropriately already sent to IA and driving complaints that were resolved with the supervisors. She noted the miscellaneous complaints where either insufficient information, it was determined APD was not involved or we were able to resolve the citizens' concerns due to them seeking information and others submitted to the field which we considered informal mediation. Diane McDermott noted that we did not receive any commendations for the month of July, the new complaint form is on the Web Site, re-iterating the Boards semiannual report has been passed and approved by Council. She noting the Use of Force Training completed by the Board was July 29, 2026. The investigated staff have attended this training. She finalized her report noting the new session of Charm School is August 25, 2026 from 10-12 if the Board plans to attend please let our office know so we can place a notice of quorum on the Web Site.

VI. Public Comment: [Public comment is limited to three minutes unless extended by the Chairperson]

a. Laura Alderete

VII. Appeals

a. CPC 185-25

1. Hearing on CPC 185-25

2. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act.

i. Independent Counsel Jessica Nixon reviewed the rules and procedures that the Board and the appellee will follow during the hearing process.

ii. Appellant was provided 15 minutes to present his case.

iii. Executive Director CPOA Diane McDermott was provided 10 minutes to speak.

iv. APD Lieutenant James Ortiz was provided 10 minutes to speak.

v. APD Officer involved was not present.

vi. Appellant was provided an additional 5 minutes to speak.

1. **Motion.** Chair Calderon made a motion to close deliberation. The motion was seconded by Vice Chair Budanauro. The motion was passed by a unanimous vote.
2. **Motion.** Chair Calderon made a motion to come out of deliberation. The motion was seconded by Member Bolyanatz. The motion was passed by a unanimous vote.

*** **Closed** ***session discussions on administrative adjudicatory proceedings for CPC #185-25 began at approximately 6:16 p.m., and the meeting reconvened at approximately 6:37 p.m.*** ***

1. Vice Chair Budanauro provided the appellant with the CPOAB's response for CPC #185-25, The Board concluded the appeal did not meet the standards required to overturn the Executive Director's decision. Specifically, the Board did not find the appeal demonstrated the policy misapplied or the finding or recommendations were arbitrary or capricious or constituted abuse of discretion or the finding or recommendation were inconsistent with evidence obtained in the record the Board concurs with the uphold the findings of the CPOA Executive Director.

2. **Motion**. Chair Calderon moved that the Board affirm the findings of the CPOA for CPC #185-25 The motion was seconded by Vice Chair Budanauro. The motion was passed by a unanimous vote.

b. CPC 042-26

1. Hearing on CPC 042-26

2. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act

i. Independent Counsel Jessica Nixon reviewed the rules and procedures that the Board and the appellee will follow during the hearing process.

ii. Appellant was provided 15 minutes to present his case.

iii. Executive Director CPOA Diane McDermott was provided 10 minutes to speak.

iv. APD lieutenant James Ortiz was provided 10 minutes to speak.

v. APD Officer involved was not present.

vi. Appellant was provided an additional 5 minutes to speak.

1. **Motion.** Chair Calderon made a motion to close deliberation. The motion was seconded by Member Bolyanatz The motion was passed by a unanimous vote.
2. **Motion.** Chair Calderon made a motion to come out of deliberation. The motion was seconded by Member Bolyanatz. The motion was passed by a unanimous vote.

*** **Closed** ***session discussions on administrative adjudicatory proceedings for CPC #042-26 began at approximately 07:24 p.m., and the meeting reconvened at approximately 7:54 p.m.****

1. Chair Calderon provided the appellant with the CPOAB's response for CPC #042-26, The Board concluded the appeal did not meet the standards required to overturn the Executive Director's decision. Specifically, the Board did not find the appeal demonstrated the policy misapplied or the finding or recommendations were arbitrary or capricious or constituted abuse of discretion or the finding or recommendation were inconsistent with evidence obtained in the record the Board concurs with the uphold the findings of the CPOA Executive Director.
2. **Motion**. Chair Calderon moved that the Board affirm the findings of the CPOA for CPC #042-26 The motion was seconded by Vice Chair Budanauro. The motion was passed by a unanimous vote.

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

a. APD Case #25-0084921- *Eduardo Budanauro, Vice Chair*

1. Eduardo Budanauro gave a verbal overview of the Serious Use of Force case # 25-0084921
2. CPOA Deputy Director Ali Abbasi provided his review and findings.
3. Deputy Commander Troy Nicko had nothing additional to report.
4. Chair Calderon made a motion that the Civilian Police Oversight Advisory Board affirms and upholds the finding of the APD Internal

Affairs Force Division Investigation for APD Cas # 25-0084921 The Motion was seconded by Member Bolyanatz. The motion passed by a unanimous vote.

b. APD Case #25-0084871- *Ricardo Reichsfeld, Member*

1. Ricardo Reichsfeld gave a verbal overview of the Serious Use of Force case # 25-0084871

2. CPOA Deputy Director Ali Abbasi had nothing to add.

3. Deputy Commander Troy Nicko had nothing additional the report

4. Member Bolyanatz had a question on Force Announcement Deputy Commander Troy Nicko explained the Force Announcement Policy.

5. Chair Calderon made a motion that the Civilian Police Oversight Advisory Board affirms and upholds the finding of the APD Internal Affairs Force Division Investigation for APD Case # 25-0084871. The Motion was seconded by Vice Chair Budanauro The motion passed by a unanimous vote.

IX. Officer- Involved Shooting Case(s): [Standing Item

a. APD Case # 25-0058118- *Zander Bolyanatz, Member*

1. Member Bolyanatz, gave a verbal overview of the Officer Involved Shooting (OIS) case # 25-0058118

2. CPOA Deputy Director Ali Abbasi provided his review and findings.

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

4. Member Bolyanatz had a question why APD did not disengage in this situation if it has been done in the past. Deputy Commander Troy Nicko explained the determination of the situation to safely disengage stating every situation can change in an instant.

5. Chair Calderon made a motion that the Civilian Police Oversight Member Board affirms and upholds the finding of the APD Internal Affairs Force Division Investigation for APD Cas # 25-0058118. The

Motion was seconded by Member Bolyanatz. The motion passed by a unanimous vote.

b. APD Case # 25-0068673- *Georgia Duncan, Member*

1. Member Georgia Duncan gave a verbal overview of the Officer Involved Shooting (OIS) case # 25-0068673

2. CPOA Deputy Director Ali Abbasi provided his review and findings.

3. Deputy Commander Troy Nicko provided his review and findings.

4. Chair Calderon asked Lieutenant Seam Higdon for clarification on the use of a 40 Millimeter in this case Lieutenant Sean Higdon stated there is not enough 40 Millimeters on the force due to budget issues and the expensive price of that weapon.

5. Member Bolyanatz had question on the Officers ability to de-escalate the situation. Deputy Commander Troy Nicko noted there was an attempt to de-escalate and sometimes the pace advances quickly and the officers have to make a quick decision.

6. Chair Calderon made a motion that the Civilian Police Oversight Member Board affirms and upholds the finding of the APD Internal Affairs Force Division Investigation for APD Case # 25-0068673. The Motion was seconded by Vice Chair Budanauro. The motion passed by 4 to 1.

7. Member Bolyanatz stated he rejected the motion due to the review he felt there was time for the officers to use a taser on a split-second decision.

X. Reports from CPOAB Subcommittee:

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

1. A meeting was held on August 6, 2026 at 3 p.m.

2. Eduardo Budanauro reported from the Subcommittee

3. Next meeting, September 3, 2026, at 3 p.m.

XI. Discussion and Possible Action:

a. **Ad Hoc Audit Committee –** *Chair Calderon*
   1. Ad Hoc Audit Committee Disbandment
      i. **Motion:** Chair Calderon made a motion to Disband the Ad Hoc Audit Committee. The motion was seconded by Member Bolyanatz. The motion passed unanimously.

b. **APD Policy**
   1. **Recommendations –** *Gabe Remer, Policy Analyst*
      i. **SOP 1-6 Patrol Ride-Along Program**
         a. Gabe Remer recommended that SOP 1-6 to have the assigned Officer shall, before and throughout the ride-along communicate instructions and expectations as well as place the ride-along individual in a safe environment if the Officer believes there may be immediate danger and notify emergency communication center the location to arrange for safe pick up.
         b. **Motion:** Chair Calderon made a motion to direct the CPOA to forward the recommendation on the CPOA Board's behalf. The motion was seconded by Member Bolyanatz. The motion passed unanimously.

      ii. **SOP 1-9 Compliance and Oversight Section**
         a. Gabe Remer recommended to incorporate into policy for clarity to add to SOP 1-9 section 1-9-4-A-1 an f section addressing the responsibilities of supervisors to perform low-level control tactics to verify proper classification and reporting.
         b. **Motion:** Chair Calderon made a motion to direct the CPOA to forward the recommendation on the CPOA Board's behalf.

The motion was seconded by Vice Chair Budanauro. The motion passed unanimously.

2. **No Recommendations**

i. **SOP 1-15 Air Supply**
There were no policy recommendations for SOP 1-15

ii. **SOP 1-24 Burglary Unit**
There were no policy recommendations for SOP 1-24

iii. **SOP 1-53 Homicide Unit**
There were no policy recommendations for SOP 1-53.

iv. **SOP 1-61 Internal Affairs Force Division**
There were no policy recommendations for SOP 1-61.

v. **SOP 2-24 Hazardous Materials Incident Response**
There were no policy recommendations for SOP 2-24.

vi. **SOP 2-25 Bomb Threats and Bomb Emergencies**
There were no policy recommendations for SOP 2-25.

vii. **SOP 2-58 Force Review Board**
There were no policy recommendations for SOP 2-58.

viii. **SOP 2-76 Court**
There were no policy recommendations for SOP 2-76.

ix. **SOP 2-78 Domestic Abuse Investigations**
There were no policy recommendations for SOP 2-78.

x. **SOP 3-20 Timesheets, Overtime, Compensatory Time and Work Shift Designation**
There were no policy recommendations for SOP 3-20.

xi. **SOP 3-25 Bid Process**
There were no policy recommendations for SOP 3-25.

xii. **SOP 3-41 Complaints Involving Department Personnel**
There were no policy recommendations for SOP 3-41

c. **APD Response to Policy Recommendations(s):** [Standing Item]
1. None

XII. Other Business [Informational Only]

a. Member Bolyanatz would like to continue to receive a monthly report for low-level control tactic usage and shows of force to do the trending analysis around that.

XIII. Adjournment- *The next regularly scheduled Board meeting will be held on* ***Thursday, September 10, 2026, 5:00 p.m.***

a. Motion. A motion was made by Chair Calderon to adjourn the meeting. The motion was seconded by Member Duncan. The motion was passed by a unanimous vote.

b. The meeting was adjourned at approximately 8:54 p.m.

APPROVED:

Aaron Calderon, Chair
Civilian Police Oversight Advisory Board

9/10/2026
Date

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

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