Civilian Police Oversight Advisory Board

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

Minutes

Tuesday, October 6, 2026, at 5:00 PM
Vincent E. Griego Chambers

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

Members Absent:

Others present in person: Diane McDermott, Executive Director, CPOA, Ali Abbasi, Deputy Director, CPOA, Jessica L. Nixon, Attorney, CPOA, Gabe Remer, Policy Analyst, CPOA, Valerie Barela, Senior Administrative Assistant, CPOA, Tashia Baca, Administrative Assistant, CPOA, Kelly Mensah, Community Engagement Manager, CPC, Lindsey Rosebrough, Managing City Attorney, Legal, Christ Sylvan, Council Services, APD Acting Commander Matthew Caplan, APD Deputy Commander, Troy Nicko, APD Lieutenant Sean Higdon, Alma Domingo, Observer

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–** *Aaron Calderon, Chair*

   a. 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.**

   a. Chair Calderon led the Pledge of Allegiance.

III. **Approval of the Agenda**

   Motion: Chair Calderon moved to approve the agenda as written. The motion was seconded by Vice Chair Budanauro. The motion passed unanimously.

IV. **Review and Approval of Minutes**

   a. September 10, 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 September 10, 2026

   Motion: Chair Calderon moved 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)–** *Lieutenant Brian Herrera*

   i. A document titled "*Albuquerque Police Department Internal Affairs Professional Standards (IAPS) Division Monthly Report, September 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. Lieutenant Brian Herrera filling in for Acting Commander Matthew Caplan. Lieutenant Herrera verbally presented the Internal Affairs Professional Standards report, noting it reflects preliminary department data through 10-06-2026; the numbers are subject to change and will be updated as additional data becomes available. Lieutenant Herrera discussed the identified allegations and completed investigations, stating the average investigation completion goal has been met. He finalized his report, listing the most common sustained findings, with personal code of conduct and court issues being the most frequently occurring areas requiring attention.

1. Member Bolyanatz questioned the possible trend of searches and seizures without a warrant, noting that there were four in the month of September.
2. Lieutenant Herrera stated he did not have the answer and he will get back to the Board with that information.

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

   i. A document titled *Albuquerque Police Department Monthly Use of Force Report, September 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

   ii. Deputy Commander Nicko verbally gave a report on the Internal Affairs Force Division. Deputy Commander stated they had a thirteen-use-of-force decrease from the previous month; the highest force type was ECW (six), and there was a tie between empty-hand takedown and 40 millimeters. No OISs and shows of force went down we had twenty total. It was brought to our attention that in the system, handguns and rifles are encompassed within the firearms list. Also, the system will allow you to check the show of force box but will not require you to select a weapon type; we will address this through one of our trainings and IFD Newsletters. This is important information.

3. **Academy**- *Lieutenant Higdon- Not Present*

b. **ACS-** *Jefferey* Bustamante, *Deputy Director*

1. Mr. Bustamante stated they just completed the ACS September Report, and he will forward it to Executive Director McDermott. Mr. Bustamante gave a verbal report. In September, our 911 & 311 phone calls totaled over 4,000, with 80% coming from 911. We have another academy starting in a couple of weeks. School Base Expansion has a supporting group over 200 kids, and our Violence Intervention team, where we are there full time, supports over 400 kids. Chicago had a contingency to visit ACS and learn about us back in July. Last week we joined one of their meetings with their alderman, which is exciting; they are coming to us to learn about what we do. This month, we have the Trunk or Treat coming up on 10-30-2026 from 3 p.m. to 7 p.m. We are also on the ballot twice; we haven't been on the ballot often, and we look forward to changing the ACS boss title to Chief, a positive transition.

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

1. Ms. Rosebrough stated she sent out two recent quarterly litigation reports that were sent at the September 21, 2026 Council Meeting. They were the second-quarter and third-quarter 2026 litigation reports for your review. Within the report, you can see the other departments cases. If you have specific questions about any other cases, or questions about the document and how it is prepared, let me know. She informed the Board of the new City Attorney who was confirmed last month.

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

1. Chris Sylvan gave a verbal report on the council meeting's approval of OC 20-20 appointing Ms. Alma Domingo to the Board. Ms. Domingo is in the audience, observing. Next month, the Neighborhood Coordination division of City Council will hold our annual neighborhood summit meet-and-greet on October 24 at Los Duranes, 10 a.m. to 1 p.m.

e. **Community Policing Council (CPC)-** *Marteessa Billy, CPC Office Assistant*

1. Marteessa Billy, CPC Office Assistant, filling in for Kelly Mensah, Community Outreach Manager, gave a verbal report on how the Police Chief wrapped up all the meetings this month. The Northeast CPC is electing an office of the month every month for an award, trying something different. CPC moved to a smaller location, South East University Assistance League Thrift Shop, in the conference room. Northwest Chair resigned, and the Valley CPC continues to focus on the homelessness issues, which include care, storage of their belongings, animals, and alleged rude treatment. Ms. Billy finalized her report, and the new council chairs voted to permit buying a new owl camera; we have two new members.

f. **CPOA–** *Diane McDermott, Executive Director*

1. Diane McDermott, gave a verbal report the CPOA received eighty-four complaint intakes from September 1 to September 30 2026. Twenty-six were assigned for investigation between CPOA and Internal Affairs appropriately. Twenty driving complaints were resolved with supervisors; thirty-two were miscellaneous. Six were submitted for mediation; we received five commendations. Upcoming news: One Board member and seven staff members will travel to the NACoLE Conference in Kentucky in November. This is an annual conference where oversight entities from across the nation gather to discuss oversight in their communities, share their opinions from various classes, and network. We are still working with the Academy to schedule a training with the Board's request about PSAs. As already mentioned, Ms. Alma Domingo has been appointed to the Board; she is observing so she can sit in on the next board meeting next month.

VI. Public Comment: [Standing Item]

a. **Matthew**

b. **Thomas**

VII. **Appeals**

a. **CPC #054-26**

1. Hearing on CPC #054-26
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.
3. 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.

   Motion. Chair Calderon moved that the Board convene into closed session as authorized by the administrative adjudicatory proceedings to the Open Meetings Act for a limited purpose of discussing the matters presented in CPC #054-26 The motion was seconded

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

******Closed session discussions on administrative adjudicatory proceedings for* CPC #054-26 *began at approximately 5:58 p.m., and the meeting reconvened at approximately 6:21 p.m.******

Motion. Chair Calderon made a motion to come out of deliberation. Member Duncan seconded the motion. The motion was passed by a unanimous vote.

Vice Chair Budanauro provided the appellant with the CPOAB's response for CPC #054-26. The Board concurs with the CPOA Director finding and affirms those finding within the scope of this appeal the Board has considered your procedural objections and overrules them the board also uphold the previous issues a denial of your request for additional continuance thank you for your time, presentation to the board each appeal provides an opportunity to identify potential improvements in our process, communication and transparency and we will consider your feedback as part of that ongoing work.

Motion. Chair Calderon moved that the Board affirm the findings of the CPOA for CPC #054-26. Member Bolyanatz seconded the motion. The motion was passed by a unanimous vote.

b. CPC #313-23

4. Hearing on CPC #313-23
5. 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.

6. 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.

Motion. A motion was made by Chair Calderon that the Board convene into closed session as authorized by the administrative adjudicatory proceeding's exception to the open meeting act for a limited purpose of discussing the matters presented in CPC #313-23 The motion was seconded by. Member Bolyanatz
The motion was passed by a unanimous vote.

******Closed session discussions on administrative adjudicatory proceedings for* CPC #313-23 *began at approximately 6:46 p.m., and the meeting reconvened at approximately 7:10 p.m.******

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

Member Bolyanatz provided the appellant with the CPOAB's response for CPC #054-26. After review of the investigation's material and the consideration of your appeal, the CPOA and APD presentation, and your rebuttal, the Board affirms the finding of the CPOA Executive Director and the CPC #313-23. The Board considered your concerns of distinctions of the April 9, 2023 and other contacts: the records in the completeness reviewed based on records presented the boards finding insufficient grounds to modify. Overturn the directors finding so the finding will remain the same

Motion. Chair Calderon moved that the Board upholds the findings of the CPOA Executive Director for CPC #313-23. Vice Chair Budanauro seconded the motion. The motion was passed by a unanimous vote.

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

IX. Officer-Involved Shooting Case(s):

X. Report from CPOAB Subcommittee(s):

a. Policy and Procedure Review Subcommittee – *Eduardo Budanauro, Vice Chair*

1. A meeting was held on October 1, 2026, at 3 p.m.
2. Vice Chair Budanauro Report from Subcommittee
1. The meeting was attended by Commander Barraza to review Off-Cycle SOP 2-104 Civil Dispute.
2. The next meeting will remain on November 5, 2026, at 3 p.m.

XI. Discussion and Possible Action:

a. **APD Policy** – *Gabe Remer Policy Analysis*

1. **Recommendations**

i. SOP 2-104 Civil Disputes *(Off- Cycle)*

After discussion and review of SOP 2-104 a recommendation was made by Jessica L. Nixon, Attorney, CPOA for record and clarity's sake to table Off-Cycle SOP 2-104 Civil Dispute until next meeting and Mr. Remer gathers more information.

Motion. Chair Calderon to entered a motion to table this item until a date until next board meeting November 12, 2026 at 5:00 p.m. The motion was seconded by Vice Chair Budanauro. The motion passed unanimously

2. **No Recommendations**

i. **SOP 1-93 Telephone Reporting Unit (TRU)**

No recommendations for SOP 1-93 Telephone Reporting Unit (TRU)

ii. **SOP 2-47 Crashes Involving Department-Issued Vehicles**

No recommendations for SOP 2-47 Crashes Involving Department-Issued Vehicles

iii. **SOP 2-64 Violence Intervention Program (VIP) Custom Notification Deliveries**

No recommendations for SOP 2-64 Violence Intervention Program (VIP) Custom Notification Deliveries

iv. **SOP 2-67 Lineups and Field Identifications**

No recommendations for SOP 2-67 Lineups and Field Identifications

v. **SOP 2-71 Search and Seizure Without a Warrant**

No recommendations SOP 2-71 Search and Seizure Without a Warrant

vi. **SOP 2-111 Records Division Units**

No recommendations SOP 2-111 Records Division Units

vii. **SOP 3-21 Scheduled and Unscheduled Leave**

No recommendations SOP 3-21 Scheduled and Unscheduled Leave

b. APD Response to Policy Recommendation(s): [Standing Item]

1. The CPOAB received two responses from APD for two recommendations that were both accepted

i. SOP 1-3 Grooming Standards to remove the explicit prohibition on dreadlocks in section 1-3-4-D-1-a-iii and 1-3-4-E-1-a-iv was accepted.

ii. SOP 1-9 Compliance and Oversight recommendation was to incorporate 1-9-4-A-1 new section f-conduct audits of documented low-level control tactics to verify proper classification, reporting, and compliance with department policy. Recommendation was also accepted.

XII. Other Business

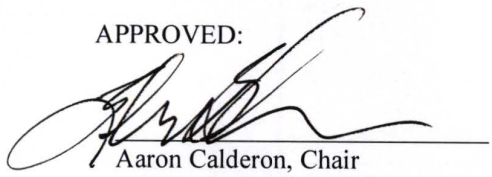
a. Chris Sylvan, Council Services, would like to add that he is going to start scheduling the Charm School training for new members and also send the agency the dates. A new section called Emotional Intelligence has been added.

XIII. Adjournment- *The next regularly scheduled Board meeting will be held on Thursday, November 12, 2026, at 5:00 P.M.*

a. Motion. Chair Calderon moved to adjourn the meeting. The motion was seconded by Vice Chair Budanauro. The motion passed unanimously.

b. The meeting was adjourned at approximately 7:26 P.M.

APPROVED:



Aaron Calderon, Chair
Civilian Police Oversight Advisory Board

11/12/2026
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