### POB Case Review Subcommittee

**10/30/2018**

**Meeting called by:** St John  
**Type of meeting:** Case Review  
**Facilitator:** Katrina  
**Note taker:** Katrina  
**Timekeeper:** Katrina  
**Attendees:** Chair Valerie St John, Joanne Fine, Chelsea Van Deventer (late) and Charles Arasim

#### Administratively Closed Cases

**Chair St. John**  
**Discussion:** Reviewed and discussed Administratively Closed cases.

**Conclusions:** Case Review Committee recommends to move all Administratively Closed cases to the consent agenda for the next POB meeting to exclude CPC 238-18, 246-18, 250-18 and 228-17. Member Van Deventer arrived at 3:27 pm

#### Unfounded/Sustained Cases

**Valerie St. John**  
**Discussion:** Reviewed and discussed 132-18

**Conclusions:** CRC feels investigation was incomplete and didn’t examine all policies.

#### Exonerated/Sustained not based on original complaint

**Valerie St. John**  
**Discussion:** Case Review Committee will schedule with CPOA to view case file CPC 128-18 on Use of Force.

**Conclusions:** 1. A motion was made by Member Van Deventer to table for the next CRC Meeting. Member Fine second

**The motion.**

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Not Sustained Investigation by IA

Valerie St. John

**Discussion**
Discussion on CPC 144-18 of the process for a case investigated by Internal Affairs.

**Conclusions**
Motion by Member Fine to send back 144-18 to CP0A for their analysis of the IA investigation and Recommendations of how to proceed. Member Van Deventer second the motion.

**Action Items**

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Review of Appeals

Valerie St. John

**Discussion**
Member Van Deventer reviewed the request for appeal on CPC 353-18 and discussed with other Members on her findings.

**Conclusions**
Motion by Member Van Deventer to grant an appeal and place on the next POB Agenda to make a recommendation to the full board. Member Fine second the motion.

**Action Items**

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Other Business

Valerie St. John

**Discussion**
1. Driving complaints received on APD Officers 2. Update on APD Academy testing and Lt. G. 3. Crime Against Childs Unit.

**Conclusions**
1. Place driving complaints as a discussion item on the next CRC agenda 2. Place on next POB agenda- APD Academy testing and Update on Lt. G. 3. Invite someone from Crime Against Childs Unit to speak at the next CRC meeting.

**Action Items**

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Next meeting November 27, 2018, at 2:30pm, Plaza Del Sol Basement Hearing Rm
Minutes

APPROVED:  
Valerie St. John, Chair  
Case Review Subcommittee

CC:  Julian Moya, City Council Staff  
     Katy Duhigg, City Clerk  
     Ken Sanchez, City Council President (via email)

Minutes drafted and submitted by:  
Katrina Sigala, Senior Administrative Assistant
CRC members,
I notice CPC 228-17 is on the consent agenda for Administratively Closed for the meeting today. I am writing to be sure that the concerns I raised at the POB meeting and my motion, unanimously approved, to send the case back for further investigation have been adequately addressed by the committee when approving the case for the consent agenda and when subsequently approved by the POB.

I note the letter to the complainant is dated November 11, 2018 but each of the subsequent pages are dated May 17, 2018, two days after the POB meeting when the case was voted to be sent back to the CPOA. These dates as well as the new letter with only two changes in response to the concerns raises questions for me of the depth of board evaluation of the CPOA further investigation. Most concerns did not result in any changes to the letter or record of discussion in CRC minutes. I have highlighted the entire letter in this email with blue text regarding my original concerns which were read in their entirety at the May 16, 2018 board meeting. I added some additional comments regarding my concerns and they are in green text.

As a board member I spent a great deal of time reviewing the complainant letters and when I found concerns as serious as I believed these to be I assume the committee would at a minimum expect a sufficient explanation of each identified concern before returning the letter to the POB for approval. I cannot find in the CRC minutes such a prior review although I believe there was a discussion and a request for some answers.

I am submitting this as a public comment and request it be included as an attachment to the CRC minutes and provided to the POB when the case is considered for their approval.

When I presented my concerns, Director Harness basically accused me of a failure to diligently review the CPOA case file before making my comments. Given such an accusation, I believe the CRC has reviewed the CPOA case file as part of their review of the new letter.

Civilian Police Oversight Agency
Police Oversight Board  Leonard Waites, Chair  Chantal M. Galloway, Vice Chair Joanne
Fine  Dr. William J. Kass
Valerie St. John  Chelsea Van Deventer
Edward Harness, Executive Director

November 11, 2018
Via Certified Mail

Donna Hutchins
4820 Benton Ave NW
Albuquerque, NM 87114

Re: CPC #228-17

Dear Ms. Hutchins:
We received your complaint on July 1, 2017 A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint against Officers of the Albuquerque Police Department (APD) on December 19, 2017, regarding an incident that occurred on or about June 25, 2017. Original comment: What this introductory paragraph leaves out is the fact the email citizen complaint was sent on Saturday, July 01, 2017 at 9:37PM. By not reporting fact that the emailed citizen complaint was sent on Saturday, July 01, 2017 at 9:37PM, fasten questions regarding transparency on the part of the...
A complaint referred to the police department for investigation was received on July 4, 2017, regarding an incident that occurred on about June 27, 2017. The report indicates that a domestic violence incident involved an assault and there were injuries sustained by the victim. The officer responding to the call stated that the victim was not cooperative during the investigation due to the emotional state caused by the incident.

The complaint alleged that the victim was physically attacked by an acquaintance. The victim stated that the attacker entered the residence and began attacking the victim. The officer observed injuries and took statements from the victim. The officer also took a statement from the witness who observed the incident.

The report states that the victim was transported to the hospital for treatment of injuries. The victim received medical attention and was treated for injuries sustained in the incident.

The police department has conducted an investigation of the incident and has interviewed witnesses and gathered evidence. The investigation is ongoing and furtherinformation will be provided as it becomes available.
Field off the form. According to the length of time it took to begin and complete the investigation, Additionally, there is no way

that the officers were not asked if they

... PSN REFERRAL at the top of the pre-

SO 2-19-85-162. If the individual is not appropriate for jail diversion, the officer should ensure that the individual is

complied by 43-1-10. As stated previously, the jail holds were blank.

Further Investigation: Any such promises would be unlikely because whether or not someone is requested to hold up to the judge and the

contract would have the appropriate action taken. He would be sent to the jail. If he is arrested in jail, he would be

would be considered in the jail. If he is the jail, while being held in jail, he would be asked if he was ready to

he would be asked if he was ready to


further investigation. All of such promises would be unlikely, because whether or not someone is requested to hold up to the judge and the

promised, as per the court's order. The only other option available would be a court order for the defendant.

he would be placed in jail. If he is in jail, he would be asked if he was ready to

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The Civilian Police Oversight Agency by

Sincerely,

[Signature]

Improving the process.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and

If you have a computer available, we would greatly appreciate your completing our client survey form at https://www.cpoa.org/survey.

Recommendations to the Police Oversight Policy Subcommittee will be made in order to forward these recommendations to APD.

The APD has made the decision to ADMINISTRATIVELY CLOSE the complaint as Ms. Hutchings' concern about how the jail handled her son's

III. CONCLUSION

Information into NIOC. The case for Mr. Hutchings' arrest did not fit the criteria for jail division.

Ms. Hutchings wrote APD did nothing to help when she reported her son missing, but officers took a missing person's report and entered Mr. Hutchings'

Records Required.

The CPOA made several attempts to retrieve the booking records from MDC but was unable to do so. The CPOA has no ability to compel MDC to

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Records Required.
This message has been analyzed by Deep Discovery Email Inspector.

Jim Larson

Respectfully

Unread Message

10/30/2018