

Civilian Police Oversight Agency Board

Eric Olivas, Chair

Tara Armijo-Prewitt

Dr. William J. Kass

Edward Harness, Executive Director

Chantal M. Galloway, Vice-Chair

Patricia J. French *Richard Johnson*

Eric Nixon

Gionne Ralph

Thursday, October 14, 2021 - 5:00 p.m.

Members Present:

Eric Olivas, Chair

Chantal M. Galloway, Vice-Chair

Patricia French

Dr. William Kass

Eric Nixon

Gionne Ralph (late)

Members Absent:

Tara Armijo-Prewitt

Richard Johnson

Others Present:

Edward Harness, CPOA

Katrina Sigala, CPOA

Tina Gooch, Atty

Deputy Chief JJ Griego, APD

Cdr. Zak Cottrell, APD

Cdr. Renae McDermott, APD

Acting Cdr. Richard Evans, APD

Acting Cdr. Jason Sanchez, APD

Acting Cdr. Nick Wheeler, APD

Deputy Cdr. Mark Torres, APD

Elizabeth Martinez, DOJ

Mariela Ruiz-Angel, ACS

Carlos Pacheco, Sr. Managing City Atty

Ian Stoker, Asst. City Atty

Chris Sylvan, City Council

Pastor David Walker, Mayor's Office

Kelly Mensah, CPC

Marteessa Billy, CPC

Jesse Crawford, CPOA Board Appointee

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, October 14, 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-october-14-2021>.

(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

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during normal business hours. Please email 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, October 11, 2021 at 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, October 14, 2021. Submit your public comments to: POB@cabq.gov. These comments will be distributed to all CPOA Board members for review.

Minutes

- I. Welcome and call to order.** Chair Olivas called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:02 p.m. and announced that Member Armijo-Prewitt and Member French are attending a required CPOA Board training.
- II. Mission Statement.** Chair Olivas read aloud the Civilian Police Oversight Agency Board's mission statement.
- III. Approval of the Agenda**
 - a. Motion.** Motion by Member French to approve the agenda as drafted.
Roll call vote taken. Motion passed.

For: 5 - French, Galloway, Kass, Nixon, Olivas

- 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 September 9, 2021.** Draft minutes from the September 9, 2021 Civilian Police Oversight Agency Board meeting was distributed to each Board Member electronically via a weblink.
 - b. Motion.** A motion by Vice-Chair Galloway to approve the minutes as written. Roll call vote taken. Motion passed.

For: 5 – French, Galloway, Kass, Nixon, Olivas

Reports from City Departments

a. APD

1. **IA Professional Standards Division (SOP 7-1, SOP 3-41, SOP 3-46)** – Commander Zak Cottrell reported on the Statistical Data for the month of September 2021. A document titled *Civilian Police Oversight Board, Internal Affairs Professional Standards Division Statistical Data for the Month of September 2021* 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 September 2021. A document titled *Civilian Police Oversight Board, Internal Affairs Force Division Statistical Data for the Month of September 2021* was distributed to the CPOA Board members electronically. (*see attached*)

Member French left the meeting for required CPOA Training at 5:20 pm

*******Member Ralph joined the meeting at 5:21 pm*******

3. **ShotSpotter Program Briefing (SOP 2-98)** – Deputy Commander Mark Torres shared a PowerPoint Presentation titled *Gunshot Detection System at APD and Deputy Chief JJ Griego provided feedback on how APD utilizes the data provided by ShotSpotter*.
4. **Crash Review Board Presentation (SOP 2-50)** – Acting Commander Nick Wheeler presented his report and submitted a PowerPoint presentation titled *APD Crash Review Board Update July 1, 2021- September 30, 2021(Q1; FY 21)* and the document was distributed to CPOA Board Members electronically. (*see attached*)

b. Albuquerque Community Safety Department – Director Community Safety, Mariela Ruiz-Angel

- 1. Director of ACS** – Mariela Ruiz-Angel shared a PowerPoint presentation titled *Albuquerque Community Safety. The Right Response at the Right Time.* (see attached)

c. City Council – Chris Sylvan

- 1. City Council Representative** - Chris Sylvan presented his report.

d. Public Safety Committee - Chris Sylvan

- 1. Public Safety Representative** - Chris Sylvan presented his report.

e. Mayor’s Office – Pastor David Walker

- 1. APD Community Outreach Liaison** - Pastor David Walker presented his report.

f. City Attorney

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

g. CPC – Kelly Mensah

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

h. CPOA – Edward Harness, Executive Director

- 1. Executive Director** – Edward Harness tendered his resignation.

VI. Requests for Reconsideration

a. 120-21

- 1. Motion.** A motion by Vice-Chair Galloway to deny a Request for Reconsideration for CPC 120-21. Roll call vote taken. Motion passed

For: 4 – Galloway, Kass, Olivas, Ralph

Against: 1 - Nixon

VII. 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

116-21 123-21 142-21 160-21 169-21
186-21 188-21 195-21

1. Complainant for CPC 123-21 provided a written statement.

2. Motion. A motion by Member Dr. Kass to accept the findings of Administratively Closed CPC 116-21, 123-21, 142-21, 160-21, 169-21, 186-21, 188-21 and 195-21 cases as presented. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

b. Exonerated and Administratively Closed

102-21

1. **Motion.** A motion by Vice-Chair Galloway to accept the findings of Exonerated and Administratively Closed CPC 102-21 case as presented. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

c. Exonerated

067-21 101-21

1. The complainant for CPC 101-21 attended the meeting but was not present at the time the case was to heard by the Board.

2. Motion. A motion by Vice-Chair Galloway to accept the findings of Exonerated CPC 101-21 case as presented. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

3. Motion. A second motion by Vice-Chair Galloway to adopt an additional sustained finding (1-1-5-A-1 for CPC 067-21) Roll call vote taken. Motion passed.

For: 4 - Galloway, Kass, Nixon, Ralph

Against: 1 – Olivas

d. Exonerated and Unfounded

088-21 128-21

1. Motion. A motion by Member Dr. Kass to accept the findings of Exonerated and Unfounded CPC 088-21 and 128-21 cases as presented. Roll call vote taken. Motion passed.

For: 4 - Galloway, Kass, Olivas, Ralph

Against: 1 – Nixon

e. Exonerated, Sustained and Unfounded

122-21

1. Motion. A motion by Vice-Chair Galloway to accept the findings of Exonerated, Sustained and Unfounded CPC 122-21 case as presented. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

f. Sustained, Not Sustained and Administratively Closed

081-21

1. Motion. A motion by Member Dr. Kass to accept the findings of Sustained, Not Sustained and Administratively Closed CPC 081-21 case as presented. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

g. Sustained

093-21 100-21 118-21 152-21

1. Complainant for CPC 118-21 attended the meeting and provided a statement.

2. Motion. A motion by Member Dr. Kass to accept the findings of Sustained CPC 093-21, 100-21, 118-21 and 152-21 cases as presented. Roll call vote taken. Motion passed.

For: 4 - Galloway, Kass, Nixon, Ralph

Against: 1 – Olivas

h. Unfounded

113-21 119-21 129-21 130-21 133-21

1.Motion. A motion by Member Dr. Kass to accept the findings of Unfounded CPC 113-21, 119-21, 129-21, 130-21 and 133-21 cases as presented. Roll call vote taken. Motion passed.

For: 3 - Kass, Nixon, Olivas

Against: 2 – Galloway, Ralph

i. Unfounded and Sustained

094-21

1.Motion. A motion by Vice-Chair Galloway to accept the findings of Unfounded and Sustained CPC 094-21 case as presented. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

Fifteen-minute break began at 7:40 pm and the meeting reconvened at 7:55 pm

VIII. Non-Concurrence Cases

- a. CPC 109-21**
- b. CPC 093-21**
- c. CPC 038-21**
- d. CPC 249-20**
- e. CPC 250-20**

1. Motion. Motion by Chair Olivas to delegate the Chair of the Case Review Subcommittee, Eric Nixon to draft a letter to APD Chief requesting non-concurrence responses for CPC 109-21, CPC 093-21, CPC 038-21 and CPC 249-20. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

IX. Serious Use of Force Cases/Officer Involved Shooting

a. APD Response to Board:

1. 19-0077270 Officer Involved Shooting

- i.** Director Harness reported that Deputy Chief JJ Griego would be available to report on OIS 19-0077270.

- ii. Member Dr. Kass reported that there was a request submitted to APD and that the CPOA Board should renew the request for a response at the regularly scheduled November 4, 2021 Board Meeting.
- iii. **Motion.** A Motion by Member Dr. Kass to renew the request for a response from APD on OIS 19-0077270 and place on the November 4, 2021 Board agenda. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

b. CPOA Board Review:

1. 20-0004795 Handcuffing

- i. Director Harness provided his findings for SUOF 20-0004795 Handcuffing case.

- ii. **Motion.** A motion by Member Dr. Kass to accept the Serious Use of Force Case SUOF 20-0004795 Handcuffing findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

2. 21-0000606 Handcuffing

- i. Director Harness provided his findings for SUOF 21-0000606 Handcuffing case.

- ii. **Motion.** A motion by Member Dr. Kass to accept the Serious Use of Force Case SUOF 21-0000606 Handcuffing findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

3. 20-0064745 Handcuffing

- i. Director Harness provided his findings for SUOF 20-0064745 Handcuffing case.

- ii. **Motion.** A motion Vice-Chair Galloway to accept the Serious Use of Force Case SUOF 20-0064745 Handcuffing findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

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4. 20-0014745 / 20-0014813 K9 Deployment

- i. Director Harness provided his findings for SUOF 20-0014745 / 20-0014813 K9 Deployment case.
- ii. **Motion.** A motion Member Dr. Kass to accept the Serious Use of Force Case SUOF 20-0014745 / 20-0014813 K9 Deployment findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

*******Member French re-joined the meeting at 8:30 p.m.*******

5. 20-0026269 / 20-0026264 K9 Deployment

- i. Director Harness provided his findings for SUOF 20-0026269 / 20-0026264 K9 Deployment case.
- ii. **Motion.** A motion Vice-Chair Galloway to accept the Serious Use of Force Case SUOF 20-0026269 / 20-0026264 K9 Deployment findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 5 - Galloway, Kass, Nixon, Olivas, Ralph

Against: 1 – French

6. 20-0047022 Electronic Control Weapon (ECW) Deployment

- i. Director Harness provided his findings for SUOF 20-0047022 Electronic Control Weapon (ECW) Deployment case.
- ii. **Motion.** A motion Member Dr. Kass to accept the Serious Use of Force Case SUOF 20-0047022 Electronic Control Weapon (ECW) Deployment findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 6 – French, Galloway, Kass, Nixon, Olivas, Ralph

c. File Requests:

- i. None.

d. Proposed Case(s) for November 2021 Review:

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1. 19-0094605 OIS – File requested 08/12/2021

- i. November meeting

X. Reports from Subcommittees

a. Community Outreach Subcommittee – *Chantal Galloway*

1. Met September 28, 2021 at 3:00 p.m. (video conference)
2. Member Galloway gave a verbal and submitted a written report.
(see attached)
3. Next meeting October 26, 2021 at 3:00 p.m.

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

1. Met October 7, 2021, 2021 at 4:30 pm (video conference)
2. Member Dr. Kass gave a verbal and submitted a written report *(see attached)*
3. Next meeting October 28, 2021 at 4:30 p.m.

c. Case Review Subcommittee – *Eric Nixon*

1. Next meeting TBD

d. Personnel Subcommittee – *Eric Olivas*

1. Met September 27, 2021 at 4:00 pm (video Conference)
2. Member Olivas gave a verbal and provided a written report *(see attached)*.
3. Next meeting October 25, 2021 4:00 p.m.

****Fifteen-minute break began at 6:48 p.m. and the
meeting reconvened at 7:05 p.m.****

*****Member Armijo-Prewitt left the meeting at 7:05 p.m.*****

XI. Discussion and Possible Action:

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

- 1. Motion.** Motion by Member Dr. Kass to submit a “No Recommendation” recommendation list to CPOA Data Analyst Ali Abbasi. Roll call vote taken. Motion passed.

For: 6- French, Galloway, Dr. Kass, Nixon, Olivas, Ralph

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

1. CPOA Legal Counsel Tina Gooch and Senior Managing Attorney Carlos Pacheco provided an update on the status of the MOU.

c. Use of Force Policy (SOP 2-52 through SOP 2-55) and Discipline System (SOP 3-46) – *Dr. William Kass*

1. Member Dr. Kass provided an update on the review process for the SOP's and shared Data Analyst Ali Abbasi's list of recommendations for future consideration. Member Dr. Kass recommends that Board Members also review the SOP's and submit suggestions they may have for future recommendations.

d. ShotSpotter (SOP 2-98) Chief's Response – *Dr. William Kass*

1. Member Dr. Kass and Chair Olivas shared their concerns related to SOP 2-98. (see attached Chief's Response)

e. Proposal for Case Review Process and Materials – *Eric Olivas*

1. Chair Olivas provided a background on the Boards Case Review Process and presented the proposal for Case Review Process.

2. **Motion.** A Motion by Chair Olivas to amend the Civilian Police Oversight Agency Policies and Procedures as drafted and delegated to CPOA Legal Counsel for final edits. (see attached)

Roll call vote taken. Motion failed

For: 2 - Dr. Kass, Olivas

Against: 4 - French, Galloway, Nixon, Ralph

3. **Motion.** A second motion Vice-Chair Galloway to amend to modify the language section b. to insert the words "individual Board Members"
Roll call vote taken. Motion passed.

For: 6- French, Galloway, Dr. Kass, Nixon, Olivas, Ralph

f. Consideration of Special Meeting for Public Input on Board Goal Setting and Long-Term Planning – *Eric Olivas*

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1. Chair Olivas announced that a Special CPOA Board meeting will be held on Tuesday, October 19, 2021 at 5:00 p.m.
- g. Ordinance Changes and City Council Appointments – *Eric Olivas and Chantal Galloway***
1. Chair Olivas and Vice-Chair Olivas noted that CPOA Ordinance changes are likely to be introduced at an upcoming City Council meeting and will be discussed at a later time.
- h. New Board Member Onboarding Process – *Chantal Galloway***
1. Vice-Chair Galloway shared a PowerPoint on CPOA Board Member Onboarding Process and would like to start utilizing the process with the newest Board Member.
- i. Board Member Responsibilities - *Eric Olivas***
- **New Member Training Requirements**
 - **8-Hour Annual Training Requirement**
 - **City Attorney’s Training Proposal**
 - **Meeting Attendance Report**
1. Chair Olivas reminded Board Members of their responsibilities and encouraged Members to attend the upcoming City Council Meeting on Monday, October 18, 2021 to address any concerns they have related to the training report.
 2. Director Harness reported that the new Member trainings are now available through the City of Albuquerque’s PSU portal.
- j. Update on Traffic Stop Study – *Edward Harness, CPOA Director***
1. Director Harness provided an update on the Traffic Stop Study request to APD and reported that the CPOA has not received a response to the Board’s request. CPOA Data Analyst Ali Abbasi will follow up on the request.
- k. Update on Specialized Diversity Training for Board Members – *Chantal Galloway and Eric Olivas***

1. Chair Olivas provided an update on the Special Diversity Training for Board Members and requests that Members attend the Ordinance required trainings provided by Office of Equity and Inclusion.

l. CPOA Board Calendar and Scheduling Tool – *Chantal Galloway and Eric Olivas*

1. Vice-Chair Galloway provided an update on the status of the CPOA Board Calendar and Scheduling Tool.

m. 2022 Executive Director’s Evaluation Goals and Criteria – *Eric Olivas*

1. Chair Olivas briefed the CPOA Board on the intent to utilize the 2021 Evaluations tools for the 2022 Executive Director’s evaluation and to have Board Members review the evaluation tools.

n. Executive Director Job Posting – *Eric Olivas*

1. Chair Olivas announced that the Job posting for the Executive Director has been posted on the City of Albuquerque’s website and is in the process to also post the position on the NM State Bar and NACOLE websites.

o. CPOA Board Subcommittee Assignments – *Eric Olivas*

1. Chair Olivas announced Board Member subcommittee assignments. (see attached)

p. 2022 CPOA Board Meeting Schedule – *Edward Harness, CPOA Director*

1. **Motion.** A motion by Member French to accept the 2022 CPOA Board Meeting Schedule. Roll call vote taken. Motion passed.

For: 6- French, Galloway, Dr. Kass, Nixon, Olivas, Ralph

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. Executive Director Appointment/Contract

- i. **Motion.** A motion by Vice-Chair Galloway to take a member by member vote to move into closed session for the limited purpose of discussing a personnel matter.
Roll call vote taken. Motion passed.

For: 6 – French, Galloway, Kass, Nixon, Olivas, Ralph

*****Meeting on Personnel matters began at 10:44 p.m. and the meeting reconvened at 11:12 p.m.*****

- ii. **Motion.** A motion by Vice-Chair Galloway to reconvene into open session and that no matters other than Personnel matters were discussed in closed session.
Roll call vote taken. Motion passed.

For: 6 – French, Galloway, Kass, Nixon, Olivas, Ralph

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

- b. **Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7)**

**1. *Miller v. City of Albuquerque et al.*,
1:21-cv-00473**

- i. None.

XIII. Other Business

- a. None.

XIV. Adjournment-

- a. **Motion.** A motion by Vice-Chair Galloway to adjourn the meeting. Roll call vote taken. Motion passed.

APPROVED:

DocuSigned by:

Eric Olivas, Chair
Civilian Police Oversight Agency Board

November 4, 2021
Date

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

Minutes drafted and submitted by:
Katrina Sigala Senior, Administrative Assistant and
Valerie Barela, Administrative Assistant

ATTACHMENTS

CIVILIAN POLICE OVERSIGHT BOARD

INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION
STATISTICAL DATA FOR THE MONTH OF **September 2021**

INTERNAL CASES FOR THE MONTH OF September 2021

Total Internal Cases Completed in the month of September- **21**

31 completed cases (sent out to the area command)

1. IA Cases opened in the month of September 2021: **16**
 2. Area Command IA cases opened for the month of September 2021: **41**
 3. Pending IA Cases for the month of September 2021: **15**
 4. Internal Cases Mediated: **0**
-

DISCIPLINE IMPOSED FOR INTERNAL CLOSED CASES IN September 2021

I-146-21

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

Suspension

2-8-4A Rules

Unfounded

No Disciplinary Action

2-8-5A Mandatory Recording

Unfounded

2-8-5B Mandatory Recording

Unfounded

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

Letter of Reprimand

1-1-4B6 Compliance with Laws, Rules and Regulations

Not Sustained

No Disciplinary Action

I-194-21

2-8-5E3 Management of OBRD recordings

Sustained

NDCA

2-54-5B1f Intermediate Weapon System

Sustained

Suspension

2-8-5E3 Use of OBRD

Sustained

Written Reprimand

3-14-4A1 Supervisory Leadership

Sustained

2-8-5E3 Management of OBRD recordings

Exonerated

No Disciplinary Action

2-8-5E3 Management of OBRD recordings

Sustained

Verbal Reprimand

2-54-5E1 Review of Supervisory Force Investigations

Sustained

Suspension – Employee no longer with the department

I-228-21

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

Letter of Reprimand

1-1-4B7 Compliance with Laws, Rules and Regulations

Not Sustained

No Disciplinary Action

1-1-4D19 On-Duty Conduct

Not Sustained

I-236-21

3-14-4A6 Procedure

Sustained

No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

Written Reprimand

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

No Disciplinary Action

3-14-4A6 Procedure

Sustained

No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

Written Reprimand

I-253-21

2-73-2B2 Submission of Evidence, Confiscated Property, and Found Items

Sustained

Written Reprimand

2-16-2C10 Records
Sustained
Suspension

I-257-21

2-56-4A1 General Requirements of Officers Who use Force
Sustained
Written Reprimand

2-56-4A1 General Requirements of Officers Who use Force
Sustained
Written Reprimand

I-258-21

2-8-5B Mandatory Recording
Sustained
Suspension

1-1-4B7a Compliance with Laws, Rules and Regulations
Sustained

1-1-4B7b Compliance with Laws, Rules and Regulations
Sustained

1-1-4B7c Compliance with Laws, Rules and Regulations
Sustained

1-1-4D19 On-Duty Conduct
Sustained

I-259-21

2-56-4A3 General Requirements of Officers Who use force
Not Sustained
No Disciplinary Action

2-56-4A1 Use of Force Reporting Procedures
Not Sustained
No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations
Exonerated
No Disciplinary Action

I-292-21

1-1-4B2 Compliance with Laws, Rules and Regulations
Unfounded
No Disciplinary Action

1-1-4B2 Compliance with Laws, Rules and Regulations
Unfounded
No Disciplinary Action

3-14-4A1 Supervisory Leadership
Sustained/NBOOC
NDCA

1-1-4B2 Compliance with Laws, Rules and Regulations
Unfounded
No Disciplinary Action

I-298-21

2-8-5A Mandatory Recording
Sustained
Suspension
2-19-6D Response
Sustained

I-299-21

1-1-4B2 Compliance with Laws, Rules and Regulations
Sustained
Termination-Retired
1-1-4B7b On and Off Duty Conduct
Sustained
Suspension

3-41-4H1

Cooperation with Investigation

Sustained/ NBOOC

Termination- Retired

I-300-21

1-1-4D4 On-Duty Conduct

Sustained

Written Reprimand

I-318-21

1-1-4B7b Compliance with Laws, Rules and Regulations

Sustained

Suspension

I-320-21

1-1-4D10a Insubordination

Not Sustained

No Disciplinary Action

2-56-5C2 Officer's Obligations Following Level 1 Use of Force

Not Sustained

No Disciplinary Action

3-14-4A2 Supervisory Leadership

Not Sustained

No Disciplinary Action

I-339-21

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

Not Sustained

No Disciplinary Action

I-353-21

1-1-6C1 Obey all Department and Supervisory Orders

Sustained

Suspension- Employee no longer with department

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

Sustained

1-1-6C4 Obey all Department and Supervisory Orders

Sustained

3-41-4H1 Cooperation with Investigation

Sustained/NBOOC

Dismissal

I-356-21

1-1-6C2 Professional Conduct while On and Off-duty

Unfounded

No Disciplinary Action

3-14-4A1 Supervisory Leadership

Unfounded

No Disciplinary Action

I-358-21

2-8-4F1 Management of OBRD Recordings

Sustained

NDCA

2-8-5A Use of OBRD

Exonerated

No Disciplinary Action

2-56-4A3 General Requirements of Officers Who use Force

Exonerated

I-360-21

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

Not Sustained

No Disciplinary Action

I-379-21

1-1-5D5 Reporting for Duty

Sustained

Letter of Reprimand- Employee no longer with the Department

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

Sustained

Suspension – Employee no longer with the Department

I-420-21

1-1-4E3 On and Off Duty Conduct

Not Sustained

No Disciplinary Action

1-1-6B2 Personnel Code of Conduct

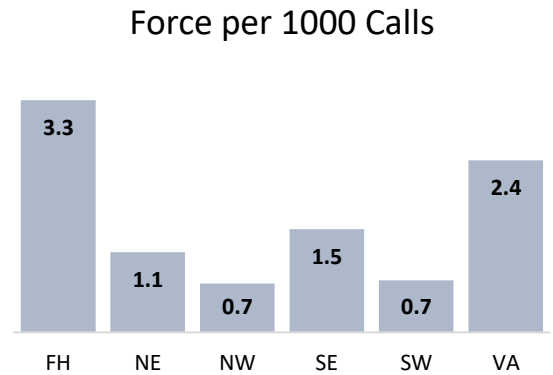
Not Sustained

Civilian Police Oversight Agency Board

INTERNAL AFFAIRS FORCE DIVISION

STATISTICAL DATA FOR THE MONTH OF SEPTEMBER 2021

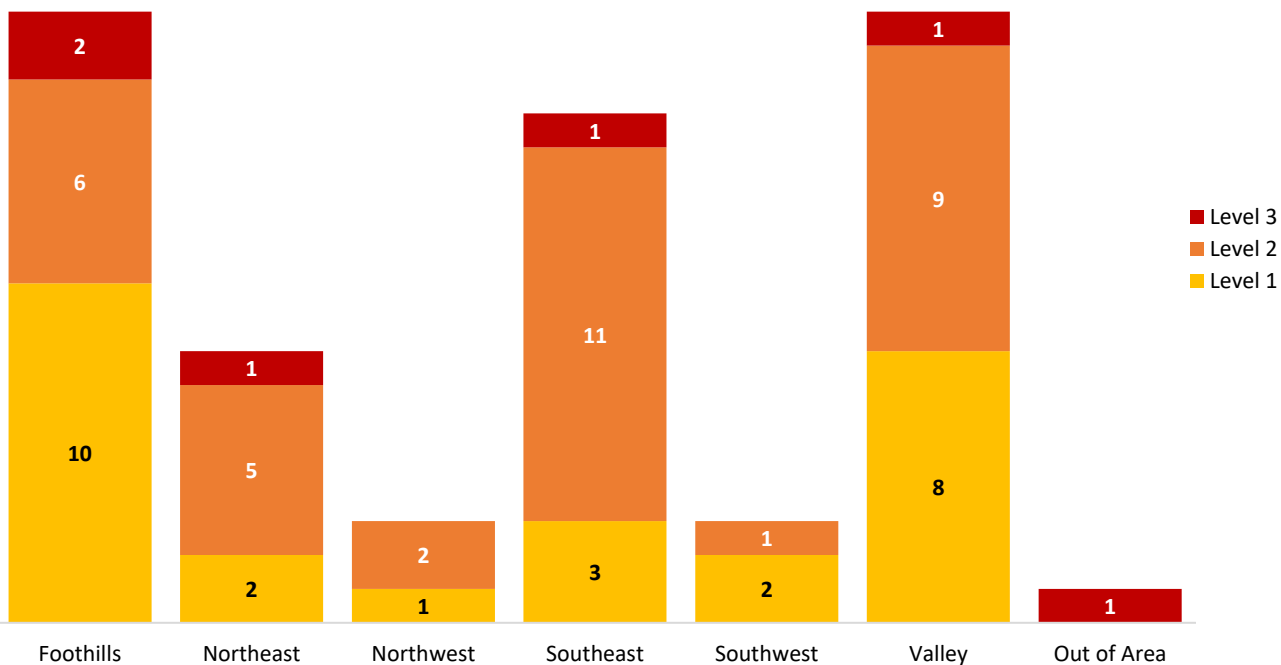
	Level 1	Level 2	Level 3	Total	CAD
Foothills	10	6	2	18	5496
Northeast	2	5	1	8	7073
Northwest	1	2		3	4371
Southeast	3	11	1	15	10292
Southwest	2	1		3	4101
Valley	8	9	1	18	7420
Out of Area			1	1	
Total	26	34	6	66	



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.

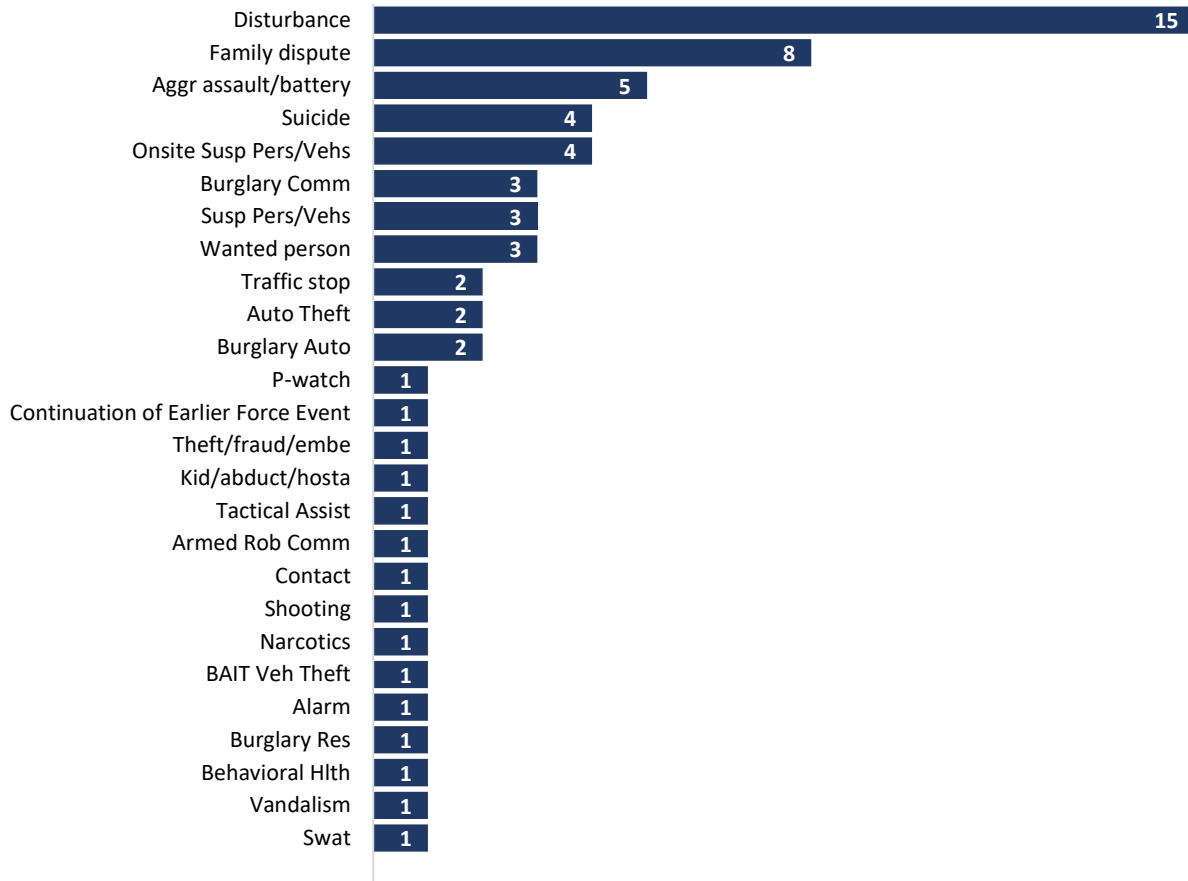
- Level 1 is force that is likely to cause only transitory pain, disorientation, or discomfort during its application as a means of gaining compliance. This includes techniques which are not reasonably expected to cause injury, do not result in actual injury, and are not likely to result in a complaint 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.

September 2021 Force Events



Civilian Police Oversight Agency Board
INTERNAL AFFAIRS FORCE DIVISION
STATISTICAL DATA FOR THE MONTH OF SEPTEMBER 2021

Call Types Associated with September 2021 Force Events

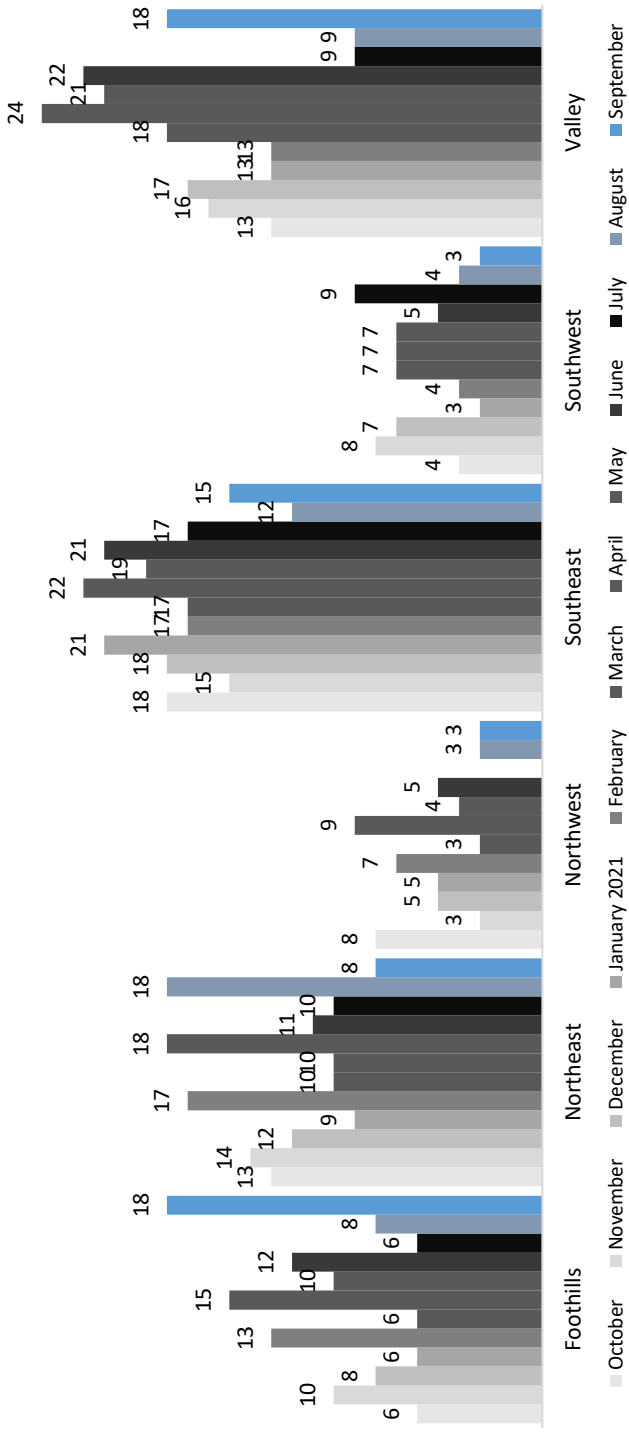


Civilian Police Oversight Agency Board

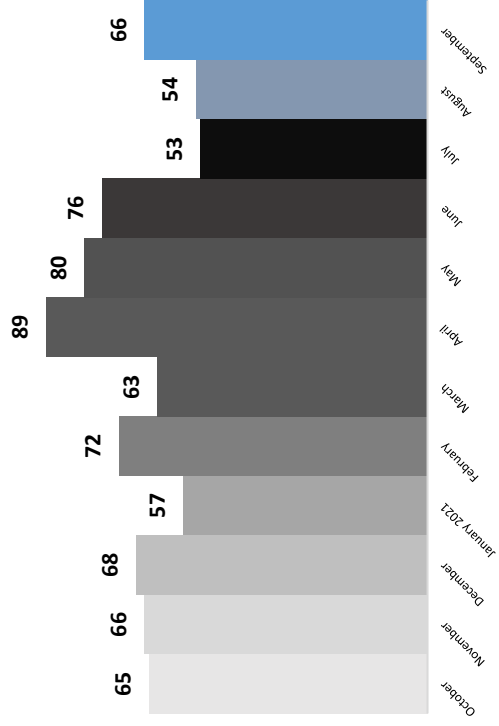
INTERNAL AFFAIRS FORCE DIVISION

STATISTICAL DATA FOR THE MONTH OF SEPTEMBER 2021

Twelve Months of Force Data



Twelve Months of Force Data
(Includes Out of Area)





Albuquerque Police Department Crash Review Board Update

DATA IS FOR DEPARTMENT PERSONNEL INVOLVED IN CRASHES FROM:
JULY 1, 2021 – SEPTEMBER 30, 2021 (Q1; FY 21)

APD Crashes and Claims:

- ▶ Two categories are being tracked by the department related to claims paid.
- ▶ 3rd party claim payouts are related to bodily injury and property damage
- ▶ 1st party claim payouts are related to damage to City property. Usually a single vehicle crash (fixed object, curb) and City vehicle vs. City vehicle.

Crash Review Board Members

- ▶ The Crash Review Board is comprised of the Traffic Division Commander, Traffic Lieutenant, a Motor Sergeant and a Motor Officer. All are crash reconstruction certified. The Operations Review Fleet Detective and the APD Safety Officer are also on the board.
- ▶ The board reviews crash reports, photographs of the crash and will hear statements from those involved if they so choose to present their case.

Crash Review Board Decision Categories

- ▶ There are three categories a crash will fall under:
 - ▶ Non-Preventable
 - ▶ Preventable
 - ▶ Non-Crash

- ▶ The Crash Review Board will also identify employees who have had 2 or more preventable crashes within a 12 month period.

Non-Preventable Crashes

- ▶ Q2 (October 1, 2020 – December 31, 2020) 34
- ▶ Q3 (January 1, 2020 – March 31, 2021) 23
- ▶ Q4 (April 1, 2020 – June 30, 2021) 9
- ▶ Q1 (July 1, 2021 – September 30, 2021) 24

Preventable Crashes

- ▶ Q2 (October 1, 2020 – December 31, 2020) 22
- ▶ Q3 (January 1, 2020 – March 31, 2021) 30
- ▶ Q4 (April 1, 2020 – June 30, 2021) 21
- ▶ Q1 (July 1, 2021 – September 30, 2021) 16

Non-Crash

- ▶ Q2 (October 1, 2020 – December 31, 2020) 1
- ▶ Q3 (January 1, 2020 – March 31, 2021) 1
- ▶ Q4 (April 1, 2020 – June 30, 2021) 1
- ▶ Q1 (July 1, 2021 – September 30, 2021) 1

Previous Preventable Crash within a 12 month period

- ▶ Q2 (October 1, 2020 – December 31, 2020) 5
- ▶ Q3 (January 1, 2020 – March 31, 2021) 9
- ▶ Q4 (April 1, 2020 – June 30, 2021) 3
- ▶ Q1 (July 1, 2021 – September 30, 2021) 2

3rd Party Claim Payout

- ▶ Q2 (October 1, 2020 – December 31, 2020) \$74,473.58 (23 Claims)
- ▶ Q3 (January 1, 2020 – March 31, 2021) \$114,049.52 (21 Claims)
- ▶ Q4 (April 1, 2020 – June 30, 2021) \$189,272.65 (23 Claims)
- ▶ Q1 (July 1, 2021 – September 30, 2021) \$86,550.11 (30 Claims)

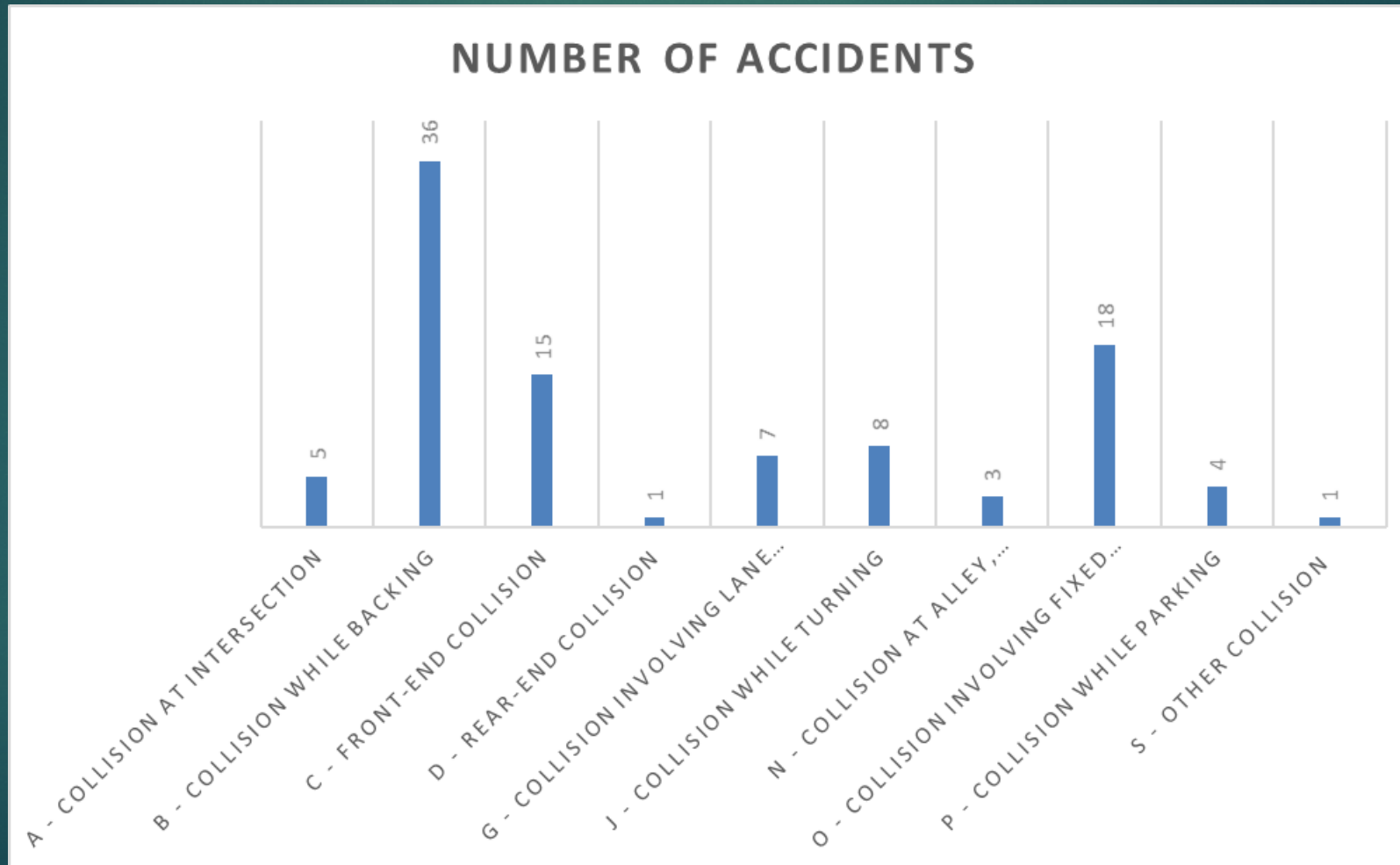
1st Party Claim Payout

- ▶ Q2 (October 1, 2020 – December 31, 2020) \$274,749.91 (43 Claims)
- ▶ Q3 (January 1, 2020 – March 31, 2021) \$258,154.324 (51 Claims)
- ▶ Q4 (April 1, 2020 – June 30, 2021) \$172,903.01 (33 Claims)
- ▶ Q1 (July 1, 2021 – September 30, 2021) \$132,232.26 (38 Claims)

Top 3 preventable crash contributing Factors

- ▶ #1 Collision while backing
- ▶ #2 Collision with fixed object
- ▶ #3 Front-end collision

All contributing crash factors for previous 12 months



Albuquerque Community Safety

The Right Response at the Right Time

Mariela Ruiz-Angel, MSW, MBA
Director | ACS
mra@cabq.gov
505-768-3036

ONE
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ACS

COMMUNITY SAFETY

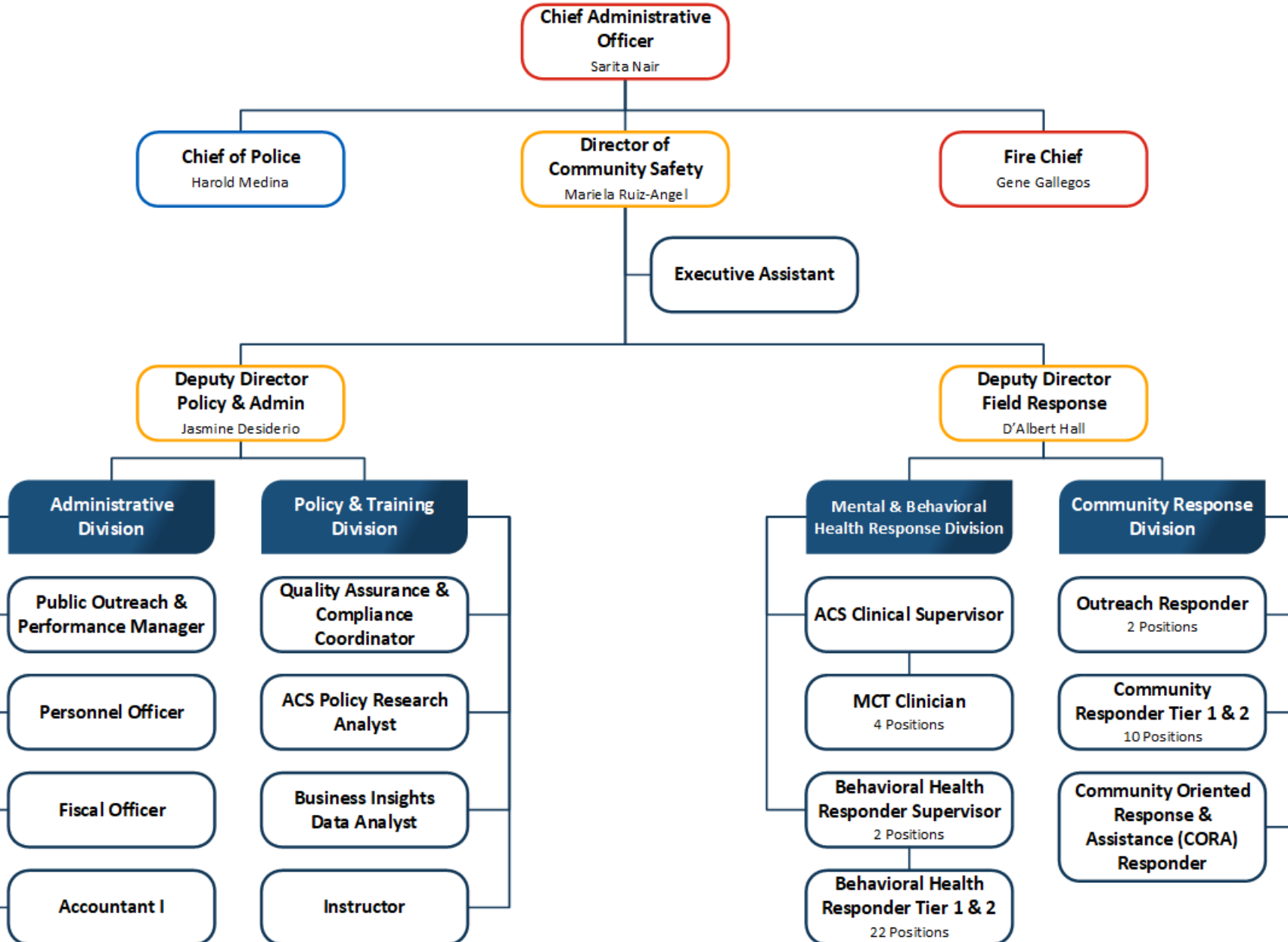


www.cabq.gov/acs

The Albuquerque Community Safety department (ACS) is the third branch of the City's public safety system.

ACS sends trained professionals to non-violent and non-medical 911 calls for service involving issues such as mental/behavioral health, homelessness, and addiction as well as non-behavioral issues such as abandoned vehicles and needle pick ups.

Albuquerque
Community Safety
FY22 Org Chart



ACS Field Responders

COMMUNITY RESPONDERS

Respond to minor injuries or incapacitation, abandoned vehicles, non-injury accidents, or other calls for service in the community.

BEHAVIORAL HEALTH RESPONDERS

Respond in person in pairs or by phone to requests for assistance with individuals experiencing issues with mental and behavioral health, inebriation, homelessness, addiction, chronic mental illness as well as other issues that do not require Police, Fire or EMT response.

STREET OUTREACH AND RESOURCE COORDINATOR

Provide street outreach in coordination with City departments and organizations to individuals experiencing homelessness in encampments; conduct in-person assessments; assist with screening, organizing and prioritizing reports regarding homeless encampments.

MOBILE CRISIS TEAM (MCT) LICENSED CLINICIANS

Provide professional behavioral health services in a co-response model with Albuquerque Police officers, Sheriff's deputies, and other first responders.

#	Within Date	Training Name	Provider	Hours	Type	Delivery	Responder
1	2 wks	NEO—mandatory training	CABQ				ALL
2	30-days	Data Fidelity		8			ALL
3	30-days	Crisis Intervention Training CIT	C-Worx	40	role play	In-person	ALL
4	30-days	Motivational Interviewing	NM MITC	13	role play	In-person	ALL
5	30-days	MI Coaching Sessions (5)	NM MITC	10	role play	In-person	As needed
6	30-days	Wellness Check: live saving/cpr/narcan	AFR	5	presentation	In-person	1,2,3
7	30-days	Disengagement/MH Law/Safety	APD	8	presentation	In-person	ALL
8	30-days	Child Abuse & referrals (SCI)	CYFD	1	presentation	virtual	ALL
9	45-days	Resilience	Carol Brusca	2	presentation	In-person	ALL
10	45-days	Self-compassion/self-care	Carol Brusca	1.5	presentation	In-person	ALL
11	45-days	Vicarious Trauma	Carol Brusca	3	presentation	In-person	ALL
12	45-days	De-escalation	Carol Brusca	4	presentation	In-person	ALL
13	45-days	Trauma Informed Care	Carol Brusca	3	presentation	In-person	ALL
14	45-days	Emotional Intelligence	Carol Brusca	2	presentation	In-person	ALL
15	45-days	How to work with systems	Carol Brusca	2	presentation	In-person	ALL
16	45-days	Compassion Fatigue	Carol Brusca	1.5	presentation	In-person	ALL
17	45-days	Symptoms of Brain injury/Dementia	APD-Nils	1	presentation	In-person	ALL
18	45-days	Symptoms of Substance Abuse & Misuse	APD-Nils	1	presentation	In-person	ALL
19	45-days	Communications	APD-Nils	2	presentation	In-person	ALL
20	45-days	Sharps handling/safe disposal/drop off	Parks/Rec	1	presentation	In-person	1,2
21	45-days	Homeless Specific (FCS-outreach training)	FCS	4-8		virtual	1,2
22	45-days	American Red Cross-Emergency Medical Response Training	AFR/Red Cross	56		In-person	2
23	60-days	Culture Sensitivity	OEI and partners	4	Presentation	In-person	ALL
24	60-days	Implicit Bias	OEI	4	Presentation	In-person	ALL
25	60-days	Language Access	Waiting RFP Process	4	Presentation	online	ALL
26	MCT	Mobile Crisis Team: APD training	APD				4

Training Plan

Dispatch Process



Call

911 operators will qualify call with ACS codes

1



Dispatch

ACS will be dispatched by AFR, but call will not be re-qualified

2



Response

ACS responders will use the CAD and radio system

Call description	Existing APD/AFR call type	Assigned ACS call type	ACS Priority Level
BHR: Behavioral Health Responders			
Suicide	APD: 10-43-1	CSSUIC	1
Behavioral health issue	APD: 10-40	CSBH	1
Disturbance	APD: 10-39	CSD	1
Suspicious/intoxicated subject	APD: 10-31D/31S/31	CSSP	2
Down and out (intoxicated)	AFR: 32B3	CSWELD	2
Down and out	AFR: 32B1	CSWELF	2
Panhandler	APD: 10-39-5	CSPH	3
Welfare check	APD: 10-0-1	CSWC	3
Message for delivery	APD: 10-51	CSMD	3
CR: Community Responders			
Down and out (intoxicated)	AFR: 32B3	CSWELD	1
Down and out	AFR: 32B1	CSWELF	1
Abandoned vehicle	APD: 24	CSAV	2
Abandoned vehicle	311 ticket	CSAV	3
Needles	311 ticket	CSPU	3
SO: Street Outreach and Resource Coordinators			
Unsheltered individual	311 ticket	CSUI	1
Needles	311 ticket	CSPU	1
Mobile Crisis Team (MCT): ACS call types do not apply to MCT clinicians. This team will respond to all high-acuity behavioral health related calls with a sworn officer. These units are dispatched by APD dispatchers only.			
Community-Oriented Response and Assistance (CORA): ACS call types do not apply to CORA. These ACS responders will organize outreach to communities affected by tragedy and violence in Albuquerque.			

- Starting with lower acuity calls
- About 3,000 to 3,500 calls a month
- Calls will be received via 911 dispatch, 311 ticket, self-dispatch, direct calls, and starting in 2022 via 988.

ALBUQUERQUE COMMUNITY SAFETY TIMELINE



PHASE I

JUNE 2020

ACS announced by Mayor Keller. Planning Team formed.

JULY - NOV 2020

Community Engagement campaign and data analysis performed to determine need.

DEC 2020

Multi-stakeholder Planning Committee created.

JAN 2021

Community Engagement Report and official update given to City Council and Community.

PHASE II

FEB - MAR 2021

Mobile Crisis Team clinicians hired and launched. City-County Gap Analysis contract implemented.

APR - MAY 2021

Leadership team hired. Hiring plan, training plan, policies, and dispatch processes begin to be developed.

JUNE 2021

ACS' interim location established at City Hall.

PHASE III

AUG - SEPT 2021

BHx Responders and Street Outreach & Resource Coordinators hired, trained, and launched. Strategic plan to be released. Planning Committee to transition into public Advisory Committee.

OCT - DEC 2021

Community Responders to be hired, trained, and launched. ACS Open House to be held. Progress report to be released.

WHAT DOES ACS'S STAFFING LEVEL LOOK LIKE?

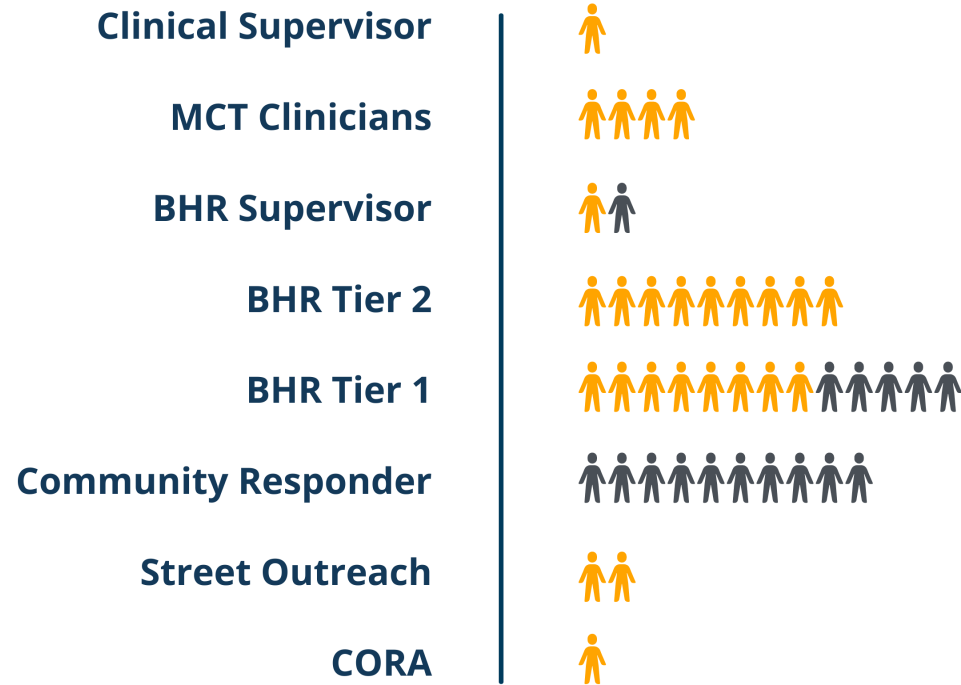
8 of 12
administrative staff hired
or in hiring process



26 of 42
field staff hired
or in hiring process



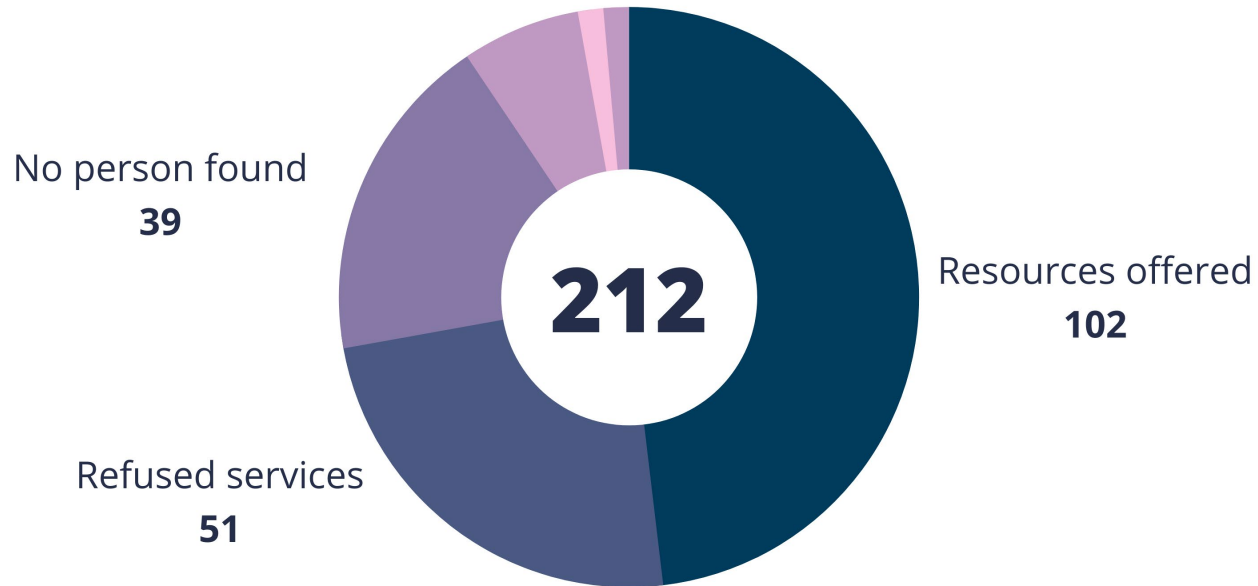
- Hired or in hiring process
- Vacant or position not yet created



HOW MANY CALLS HAS ACS TAKEN?

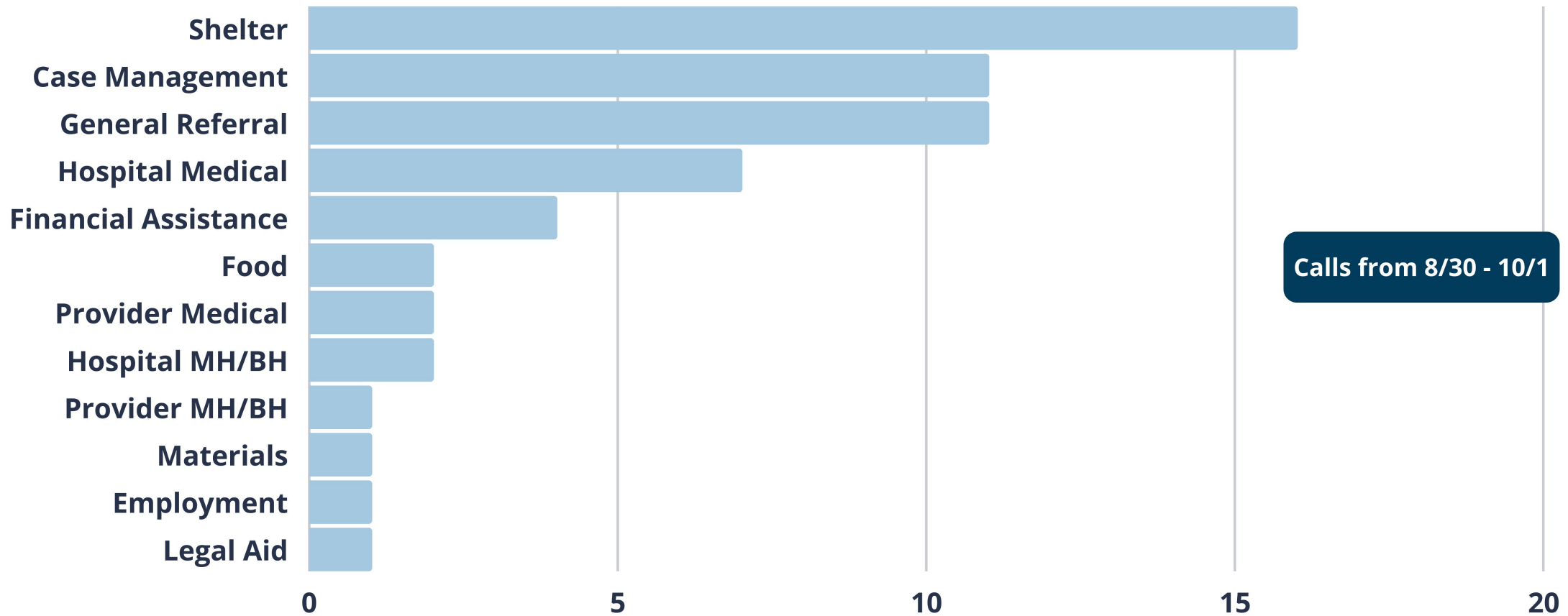
Transport 3
APD called out 3
AFR called out 14

Calls from 8/30 - 10/1

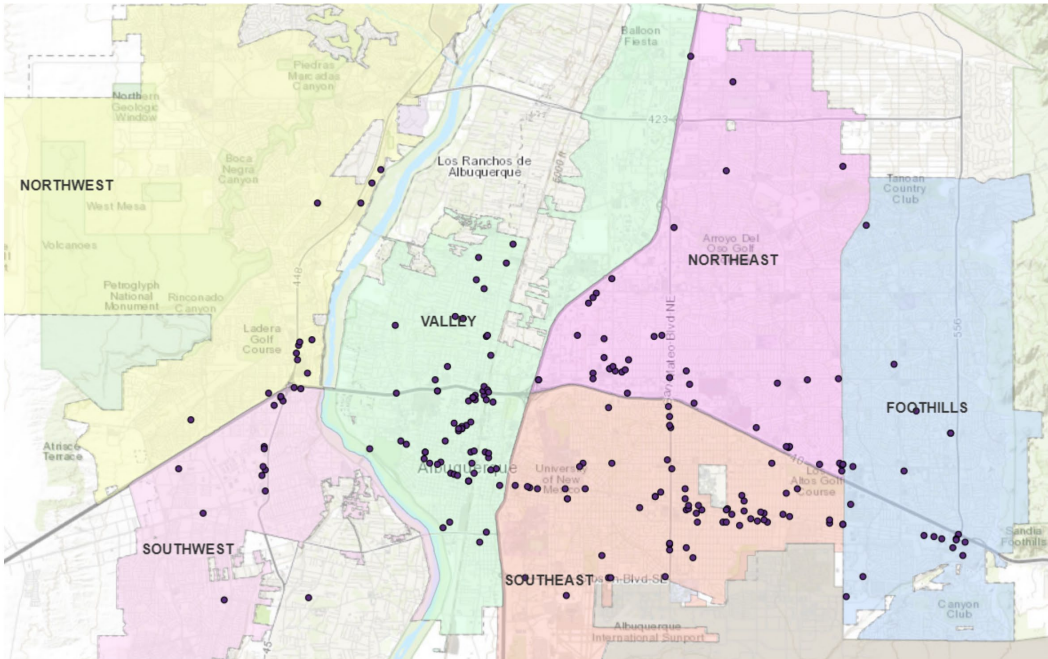


9
calls/day
on avg

WHAT TYPE OF RESOURCES ARE WE REFERRING TO?



WHERE ARE CALLS OCCURRING?

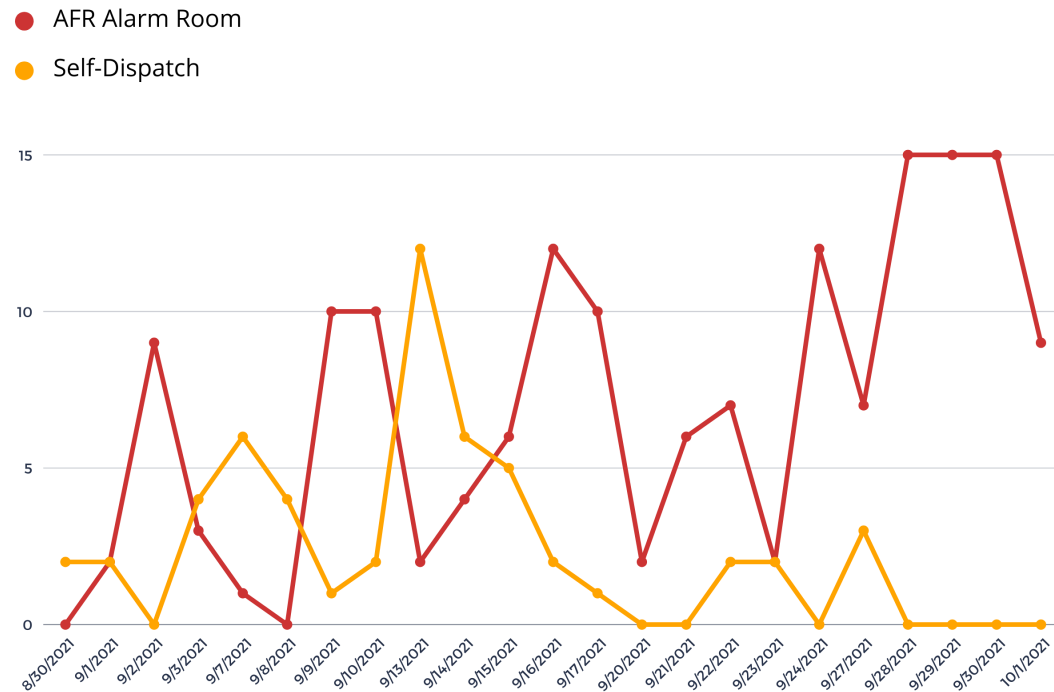


HOW LONG ARE OUR CALLS TAKING?

Timeframe	Avg of 9/1 - 10/1
Dispatch to unit en route	0:01:59
Dispatch to on-scene	0:14:04
On-scene to call cleared	0:22:42

On average, calls are
on hold for only 2 minutes
before an ACS unit
takes them

HOW ARE OUR CALLS BEING DISPATCHED?

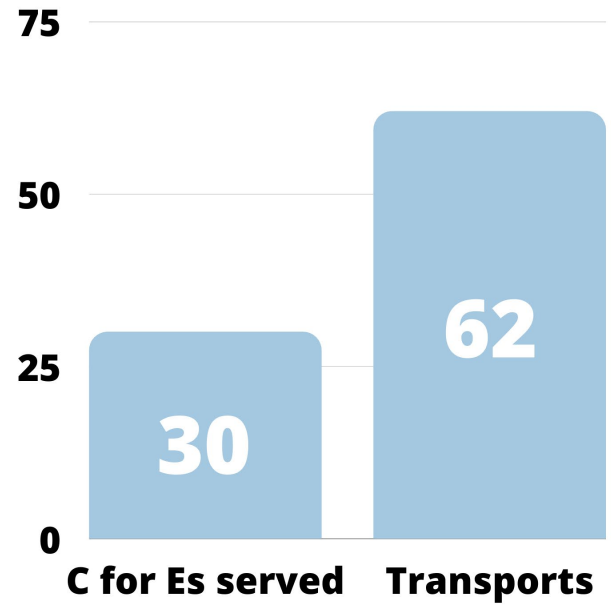


Call Type	AFR	Self-Dispatch	Total
Unsheltered individual - CSUI	96	39	135
Welfare Check - CSWC	29	8	37
Down and out - CSWELF	8	4	12
Panhandler - CSPH	10	0	10
Behavioral health issue - CSBH	7	1	8
Suspicious/intoxicated subject - CSSP	7	1	8
Down and out (intoxicated) - CSWELD	0	1	1
Suicide - CSSUIC	1	0	1
Total	158	54	212

HOW MANY CALLS ARE MCT UNITS TAKING?



September 2021



Thank you.

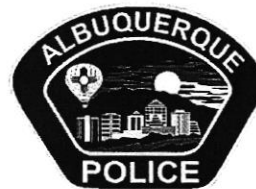
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Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Harold J. Medina
Chief of Police

June 4th, 2021

Interoffice Memorandum

To: CPOA Board
From: Harold J. Medina, Chief of Police
Subject: Non concurrence CPC – 250-20

I have reviewed the above listed case and concur in part and do not concur in part with the findings of the CPOA investigation. The sustained charges in this case are predicated on an alleged use of force. If this case was believed to contain a use of force, it should be sent to IAFD for a thorough evaluation and determination. The factors of minimal, necessary, reasonable and proportionate force can then be evaluated by investigators who are trained in and specialize in use of force. This would follow the same practice as criminal allegations made to the CPOA being referred for a criminal investigation to the appropriate unit.

In determining if a use of force occurred one must look at the policy in its entirety and not in part. The policy section below was cited by the CPOA investigation as the determining factor that this was a use of force;

Level 1 Use of Force: Force that is likely to cause only transitory pain, disorientation, and/or discomfort during its application as a means of gaining compliance.

- 1. This includes techniques that are not reasonably expected to cause injury, do not result in an actual injury, and are not likely to result in a complaint of injury (i.e., pain compliance techniques and resisted handcuffing).*

There are two more subsections to this policy which were omitted;

b. Shows of force, including: pointing a firearm, beanbag shotgun, 40 millimeter impact launcher, OC spray, or ECW at an individual, or using an ECW to "paint" an individual with the laser sight or utilizing a warning arc. A show of force is reportable as a Level 1 use of force.

- c. Level 1 use of force does not include interaction meant to guide, assist, or control an individual who is offering minimal resistance. (Emphasis added)*

Moreover one must examine what is not a use of force. In the policy cited below, that is defined;

O. Low-Level Control Tactics

1. *Physical interactions meant to guide and/or control an individual that do not constitute a reportable use of force. Low-level control tactics include, but are not limited to:*

a. *Escort techniques, touching, use of control holds, or **handcuffing an individual with no or minimal resistance (e.g., tensing of arm muscles or turning or pulling away that does not escalate to a reportable use of force)** which does not cause pain and is not reasonably likely to cause pain or injury; and*

b. *Using hands or equipment to stop, push back, separate, or escort a person in a manner that does not cause pain, and is not reasonably likely to cause any pain or injury.*

The video depicts the complainant having slipped one hand out of her handcuffs. The complainant states that they “fell off”. In any event the subject officers proceed to re handcuff the complainant. The complainant is moving around and screaming the entire time and at one point complains about the handcuffs hurting her. The handcuffs are being adjusted when the complainant attempts to turn toward the officer on her left side. The officer on her right side grabs her upper bicep and pulls her back facing forward. This occurs a second time and the officer tells the complainant to stop turning around. It is the grabbing of the complainants bicep that the investigation determined to be a use of force. The complainant never mentioned pain from the officer holding her in the video or in her complaint.

When the complainant is released back into the cell, it is apparent on video that the handcuffs move freely and are around the distal portion of the wrist. Moreover the handcuff on her left wrist is over her shirt cuff.

In examining if a use of force occurred I looked at policy, circumstance and intent. The policy states;

Escort techniques, touching, use of control holds, or handcuffing an individual with no or minimal resistance (e.g., tensing of arm muscles or turning or pulling away that does not escalate to a reportable use of force) which does not cause pain and is not reasonably likely to cause pain or injury

The complainant was clearly turning and pulling away. The question is whether the officers’ actions caused pain or reasonably likely to cause pain. Pulling on someone’s upper arm and holding it in the manner depicted is not reasonably likely to cause pain or injury. It is a quasi-escort hold which is also defined to not be a use of force. I then examined the intent associated with the action. The officers were trying to adjust the handcuffs and the complainant kept turning. The officer’s statement affirms that his apparent intent was to keep the complainant from turning so the handcuffs could be applied. I then looked at the resistance the complainant was offering. To determine this I looked at the policy stated above which says in part, “*handcuffing an individual with no or minimal resistance (e.g., tensing of arm muscles or turning or pulling away that does not escalate to a reportable use of force)*”. The actions of the complainant are clearly within this definition.

Since the handcuffs do not appear improperly applied on video, this coincides with the officer’s statement that they were properly applied.

While the complainants screaming is quite dramatic, the case in its entirety must be evaluated. For the reasons stated above, the preponderance of evidence indicates that this was not a use of force. The mechanisms employed meet the definition of low level control tactics.

CPOA Board – Outreach Subcommittee Report

The Outreach committee met via Zoom on September 28, 2021.

1. Marteesa Billy provided a CPC update on the following topics:
 - 9/4 We had a Marketing and Branding Committee, in which we decided to order a tent and tablecloth to support live events.
 - 9/7 We had A diversity meeting in which we discussed ways to appeal to nontraditional communities to get them more involved
 - 9/17 We supported NW Coffee with a Cop at Chick Fil A on Coors and got to meet some of the local police and invited a few attendees to the workshops.
 - On 9/22 we presented an event hosted by the Westside Democrats on Community Policing with Cmdr. Sanchez. Also David Reza from the SW CPC attended to give his opinion on what he has experienced with the CPC.
 - We received an invitation to support Community block parties, hosted by the Office of Diversity and Inclusion every Saturday from Oct to Feb. We have ordered clothing and will update signup sheets and brochures to prepare for the event.
 - We have nailed down a date of 11/18 for our Appreciation Event sponsored by Dianne Gibson. We are now working on a venue.

2. The subcommittee also discussed and recommends the Board proceed with a proposal on a new on-boarding procedure that will break down training obligations as well as assign a board member to assist a new member through the process of joining the Board (slides attached)

The next meeting of the Outreach Subcommittee will be held via Zoom on October 26th, 2021 at 3:00 PM.

The Policy and Procedure Review Subcommittee met October 7, 2021. Members present were Tara Armijo-Prewitt, Patricia French, and Chair William Kass. Richard Johnson was absent.

Policies presented at P&P Unit 15 September 2021

SOP Number and Title	Presenter
SOP 1-58 Crime Gun Intelligence Center	Sgt. Richard Ingram
SOP 2-16 Reports	Officer Tanya La Force
SOP 2-30 Emergency Command Post	Sgt. Xavier Chacon
SOP 2-71 Search and Seizure without a Warrant	D/Commander Jason Janopoulos
SOP 2-87 Graffiti Cases (To Be Archived)	D/Commander Jason Janopoulos
SOP 2-100 (Currently 2-01/9-1) Emergency Communications Center Division	Sofia Clingenpeel and Yvonne Fox

Policies presented at P&P Unit 22 September 2021

SOP Number and Title	Presenter
SOP 1-5 Harassment/Sexual Harassment in the Workplace	Karmela Ortiz
SOP 1-42 (Formerly 6-7) Bomb Squad (Formerly Explosive Ordnance Disposal (EOD) Unit)	Commander Terysa Bowie, Sgt. Bonnie Briones, Sgt. Matthew Groff
SOP 1-67 (Currently 7-2 and 7-3) Multi-Agency Task Force (MATF)	D/Commander Hartsock
SOP 1-85 (Currently 6-2) Recruiting Unit	Sgt. Pete Silva
SOP 1-88 Sex Crimes Unit	Lt. Juan Cabrera
SOP 2-24 Hazardous Material Incident Response	Frank Galanis
SOP 2-82 Restraints and Transportation of Individuals	Gregory Mondragon
SOP 2-90 (Currently 6-2) Background Investigations	Sgt. Jacob Hoisington
SOP 3-17 Duty Assignments and Transfers	Lt. Paul Haugh

Policies presented at P&P Unit 6 Oct 2021

SOP Number and Title	Presented By
SOP 1-62 (Current 7-1) Internal Affairs Professional Standards (IAPS)	Sgt. Jeffrey Abernathy
SOP 1-82 (Current 4-8) Property Crimes Reporting Technicians (PSA II)	Lt. Matthew McElroy
SOP 2-3 Firearms and Ammunition Authorization	Lt. Amy Sedler
SOP 2-29 Child Exploitation Detail (CED)	Lt. Juan Cabrera
SOP 2-35 Emergency Response Team (ERT)	Commander Espinosa
SOP 2-106 (Currently 4-27) Lost and Found ID Cards and Driver's Licenses	Sgt. Xavier Chacon
3-42 Criminal Investigation of Police Personnel	Commander Zak Cottrell
3-47 Acceptance of Disciplinary Action and Right to Appeal	Commander Zak Cottrell

PPRB 8 September 2021

Presentation of Use-of-force Policies - Cancelled,

Policies reviewed at APD Policies and Procedures Review Board (PPRB) 29 September 2021

Number	Title	Presented By	Disposition
SOP 1-26 (Currently 5-4)	Special Victims Section	Lt. Juan Cabrera	Advanced
SOP 2-9	Use of Computer Systems	Anthony Ballo	Advanced
SOP 2-20	Hostage Situations, Barricaded Individuals, and Tactical Threat Assessments	Commander Terysa Bowie and Sgt. Bonnie Briones	Advanced
SOP 2-45	Pursuit by Motor Vehicle	Commander Johnny Yara	Advanced
SOP 2-81	Off-Duty; Power of Arrest	Commander Zak Cottrell and Sgt. Jeffrey Abernathy	Advanced
SOP 2-92 (Formerly 5-4)	Crimes Against Children Investigations	Lt. Juan Cabrera	Advanced
SOP 3-14	Supervision	Sgt. Kyle Curtis	Advanced
SOP 3-30	Line Inspection Process	Sgt. Kyle Curtis	Advanced
SOP 3-40	Civil Litigation Process	Commander Zak Cottrell	advanced
SOP 3-45	Due Process Notification Personnel	Commander Zak Cottrell	Archived
SOP 3-51	Department Orders	Officer Tanya La Force	Advanced
SOP 4-10	Monthly Reports Archived incorporated in 3-30	Sgt. Kyle Curtis	Archived

Policies advanced for 30 day recommendations. Due 30 Oct 2021

SOP	Title	Recommendation
SOP 2-9	Use of Computer Systems	no recommendation
SOP 2-20	Hostage Situations, Barricaded Individuals, and Tactical Threat Assessments	
SOP 2-45	Pursuit by Motor Vehicle	no recommendation
SOP 2-81	Off-Duty; Power of Arrest	no recommendation
SOP 2-92 (Formerly 5-4)	Crimes Against Children Investigations	recommendation in progress
SOP 3-14	Supervision	no recommendation
SOP 3-30	Line Inspection Process	no recommendation
SOP 3-40	Civil Litigation Process	no recommendation
SOP 3-45	Due Process Notification Personnel	no recommendation
SOP 3-51	Department Orders	no recommendation
SOP 4-10	Monthly Reports Archived incorporated in 3-30	no recommendation

CRC 027-21 Related Policies – Member Armijo-Prewitt

Member Armijo-Prewitt presented a summary of suggested recommendations from Board member Chantal Galloway regarding changes in language to SOP 5-4 Crimes against Children Investigations. This SOP is now SOP 2-92 and has currently been advanced to the 30 day recommendation period described in SOP 3-52. Member Armijo-Prewitt will prepare a draft letter of recommended changes for the Board's consideration.

SOP 3-41 Changes to have Substations Review Minor Complaints – Member French

Member French introduced this subject and asked Director Harness to discuss the best path to make changes to SOP 3-41 which would allow minor citizen complaints to be reviewed at APD area commands. Director Harness will prepare recommended changes to the policy which will be consistent with the CPOA requirement to investigate citizen complaints. He reported that both the APOA and APD support this change.

Canine Use Data Update – Member French

Member French will arrange to meet with Ali Abbasi to discuss the data he has received to date from APD. A decision will be made after that how to proceed with data analysis and possible recommendations to SOP 2-23 Use of Canine Unit.

Use of Force Policies Recommendations Update – Ali Abbasi / Chair Dr. Kass

The use-of-force policies presented to the APD Policy Review Unit meeting on 14 Jul 2021 and reviewed by the Board on 24 Aug 2021 are still being edited by Internal Affairs. Ali Abbasi has prepared some draft recommendations for consideration that affect these policies. In the meantime, Board Members are invited to make additional recommendations and submit them to the PnP. After the PRU schedules the PPRB meeting and the policies are advanced, the Board will have an additional 30 days to submit formal recommendations to the Chief of APD. This process is described in SOP 3-52.

Ali Abbasi recommendations are summarized below, further information is available in document attached to Agenda Item XII.c for the 14 Oct 2021 Board meeting.

Consideration of whether an individual's failure to comply with officer commands is due to a medical condition physical limitation or other impairment.

A prohibition of use-of-force as a result of verbal provocation, retaliation, or bias.

Clarification and training regarding verbal warnings prior to using force.

Possible additional training such as empathy training.

Addition of BolaWrap technology to add to the less than lethal force array available to officers.

SOP 3-52 Policy Development Process Update – Chair Dr. Kass

This policy has been under review for some time while changes were being considered by the PRU. The resulting policy rewrite includes several suggestions that came from the CPOA PnP. The policy advanced through the PPRB on September 1. The 30 day recommendation period has expired. The PnP agreed to tasking Chair Kass to write a letter of commendation to the Chief regarding these policy improvements.

The highlighted changes are listed below.

- General clean-up and reorganization of policy language

3-52-2 Policy

- Improved clarity of the policy statement

3-52-4 Responsibilities

- B.1 Improved definition of role of the policy owner

- B.2 Assistance from the Policy Review Unit in preparing policies for presentation

- B.3 Defined responsibility of policy owners to respond to requests from the PRU

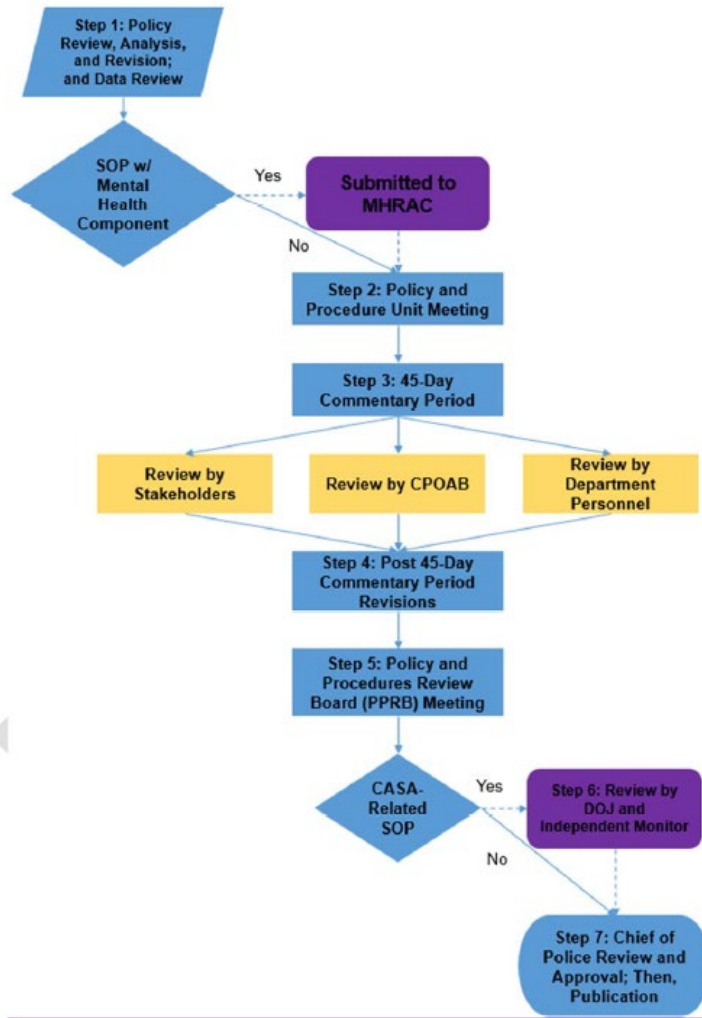
3-52-5 Policy Development Process

- More usable flow chart of the policy development steps

- Clarification of the process steps

- Expansion of the commentary periods Step 3, Step 6

An overview of the entire updated policy development process is shown in the flow chart below



Surveillance Technologies SOP 2-98 Shotspotter Update – Chair Dr. Kass and Member Armijo-Prewitt

This item has been placed on the Board Agenda for October 14, 2021. The Board approved recommendation letter and the Chief response will be attached to the Board meeting materials.

APD Crime Initiative in relation to Police Oversight – Chair Dr. Kass

In the interest of meeting time, only a brief description of the relation between police oversight and the City Crime Initiative was presented. More information will be available at a later meeting.

Other Business

No other business.

Meeting adjourned at approximately 6:05 PM.

Next meeting October 28, 2021, at 4:30 p.m.

Personnel Committee Report

September Meeting Date: 9/27/21

The committee elected Eric Olivas chair. The committee received a report from Director Harness on staffing and agency processes. The Director discussed the hiring of new investigators and hiring for the Community Outreach position. The job description for the policy analyst position is being drafted with HR, once drafted this position will be posted. The Executive Director's 2021 evaluation process was discussed. Language for the evaluation surveys and matrix needs minor updates per the Board's previous vote, but otherwise is ready for distribution on or around 1/1/22. The Director was advised that he will need to make a staff member available to set up surveys and assist with survey administration. The 2022 Evaluation was discussed. The committee was amenable to using the 2021 materials and goals, but the consensus was that more input was desired from stakeholders, particularly CPOA Staff and the Executive Director. The goals and process for the 2022 evaluation will be discussed again at the October Board meeting and the next Personnel meeting. All persons seeking to provide input are advised to do so at one of the meetings prior to expected final action on this matter at the November Board meeting. The committee met in closed session with Counsel to discuss Personnel matters relating to the Executive Director's Contract/Appointment.

Next Meeting: October 25th @4PM

Policies advanced for 30 day recommendations. Due 30 Oct 2021

SOP	Title	Recommendation
SOP 2-9	Use of Computer Systems	no recommendation
SOP 2-20	Hostage Situations, Barricaded Individuals, and Tactical Threat Assessments	
SOP 2-45	Pursuit by Motor Vehicle	no recommendation
SOP 2-81	Off-Duty; Power of Arrest	no recommendation
SOP 3-14	Supervision	no recommendation
SOP 3-30	Line Inspection Process	no recommendation
SOP 3-40	Civil Litigation Process	no recommendation
SOP 3-45	Due Process Notification Personnel	no recommendation
SOP 3-51	Department Orders	no recommendation
SOP 4-10	Monthly Reports Archived incorporated in 3-30	no recommendation

CITY OF ALBUQUERQUE

Albuquerque Police Department



Harold J. Medina, Chief of Police



September 7, 2021

Civilian Police Oversight Agency
PO Box 1293
Albuquerque, NM 87103

RE: CPOAB's Recommendations for SOP 2-98 Gunshot Detection Procedure

Dear Board Members:

The Albuquerque Police Department (Department) received recommendations for SOP 2-98, Gunshot Detection Procedure, from the Civilian Police Oversight Agency Board (CPOAB) dated June 10, 2021. The following is an explanation of the Department's response.

Recommendation #1: "Create data-driven patrol plans from the data retrieved from this system to maximize crime deterrence and to reduce gun violence in the city."

400 Roma NW

ShotSpotter data are used to conduct and drive data-driven patrol plans to maximize crime deterrence and reduce gun violence in the City of Albuquerque. The data and analysis are confidential law enforcement information.

Albuquerque

Recommendation #2: "Semi-annually, RTCC provide the Board with oral or written 'impact, reports', which will highlight results of ShotSpotter use to include information but not limited to: number of individuals arrested, percentage decrease or increase in gun violence compared to previous period, number of firearms seized, percentage increase or decrease in homicides by shootings or gun related incidents with injuries, comparison of shots fired with area commands that does not use ShotSpotter, number of gunshot victims found with the help of this technology if the use led to reduction in gunshot victims transport time."

New Mexico 87102

www.cabq.gov

The Department will provide a semiannual brief on ShotSpotter use and impact to the CPOAB.

Recommendation #3: "Board is seeking information on change in dispatch call priority levels from Priority 1 (as stated in Special Order 20-28 dated March 2020 & SO 20-54 dated July 2020) to Priority 2. Several jurisdictions across the country including Denver Colorado and Richmond California considers gunshot detection system dispatch all priority 1 and the manufacturer of this system also recommends police departments using this tool to consider dispatching calls generated from ShotSpotter as priority 1."

The Department, like all large police departments, has an established call priority system that vary according to the needs of the Department and community. The Department's call priority system is based on a 1 to 5 call priority system.

Priority 1 calls involve any immediate life-threatening situation with a great possibility of death or life-threatening injury, or any confrontation between people that could threaten the life or safety of any person where weapons are involved. Priority 1 calls are calls where those factors are known to exist currently.

Priority 2 calls involve any crime in progress that may result in a threat of injury to a person, major loss of property, or immediate apprehension of an individual. Priority 2 calls also include accidents with injury. A ShotSpotter activation is essentially a notification that a firearm has been discharged, yet there is no confirmation that it has resulted in an actual shooting. Most ShotSpotter activations do not result in the discovery of a shooting victim.

A ShotSpotter activation is a Priority 2 call for service. While the Denver Police Department responds to a ShotSpotter activation as a Priority 1 call, this is based on their call priority system of 0 to 7. Richmond, California uses a similar 1 to 5 call priority system as the Department's. The Department reached out to the Richmond's emergency communications center manager who stated their ShotSpotter activations are categorized as being a Priority 2, not a Priority 1.

Re-categorizing ShotSpotter activations as a Priority 1 call for service would reallocate valuable resources for incidents involving verifiable life-threatening circumstances and use resources for incidents that are less likely to be life-threatening. Moreover, a re-categorization in the call priority would result in ShotSpotter activations being a higher priority than an armed robbery alarm or a domestic violence call that is in progress. An unintended consequence may result in the delay of officers who are available to respond to calls of an emergent nature.

Recommendation #4: "Board requests that the department notify the Board when seeking approval from the City Council for investments more than \$100,000 in purchasing new technology and equipment. This practice will allow the Board to review and evaluate those particular investments at initial stages, which in turn will increase transparency, promote community trust, and will engrain the Board in the oversight process."

The Department and the City of Albuquerque are committed to transparency. All Department technology purchases over \$100,000 must go through at least two public processes. The Technical Review Committee is responsible for the initial review and approval of technology purchases of over \$500. The Technical Review Committee conducts its initial review and approval during a public meeting. If the Technical Review Committee approves the proposed purchase, the request is reviewed by the Information Services Committee, which is responsible for reviewing and approving purchases of over \$25,000. The Information Services Committee also conducts its review and approval during a public meeting. Once the Information Services Committee approves the proposed purchase, the request

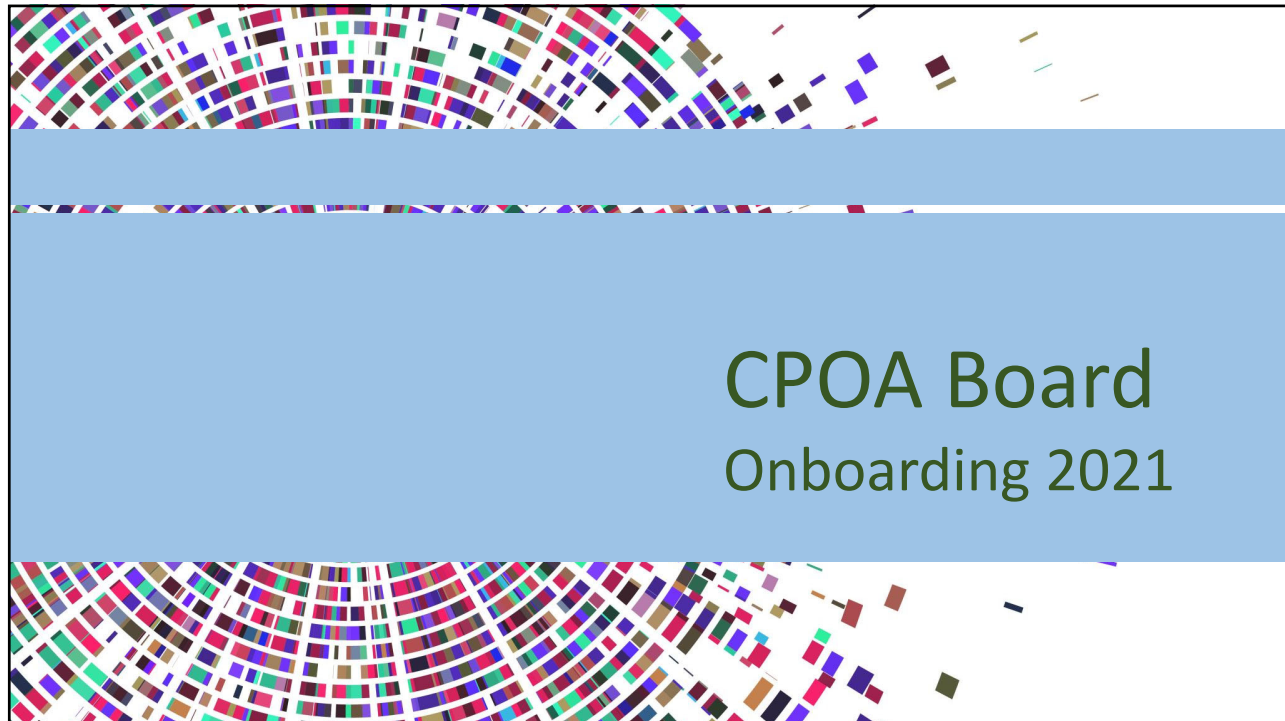
then follows the normal City procurement process, which, for purchases over \$100,000, entails approval by City Council.

Sincerely,

A handwritten signature in black ink that reads "Harold J. Medina". The signature is written in a cursive style with a large, stylized "H" and "M".

Harold J. Medina
Chief of Police

Cc: Cecily Barker, APD Chief of Staff
Carlos Pacheco, Assistant City Attorney
Patricia Serna, APD Policy Manager



1

A slide titled "Prior to Appointment" with a list of steps. The slide has a light blue background and a decorative border on the right side consisting of a colorful, abstract pattern of overlapping lines and squares. The text is in a dark green font.

Prior to Appointment

- Application Review
- Initial Contact by City Council Staff
- Observe a Meeting
- Meet and Greets
 - Candidate will meet with onboarding committee, Chair, and Executive Director to go over requirements and time commitment
 - Candidate will meet with interested members of City Council
- Appointment

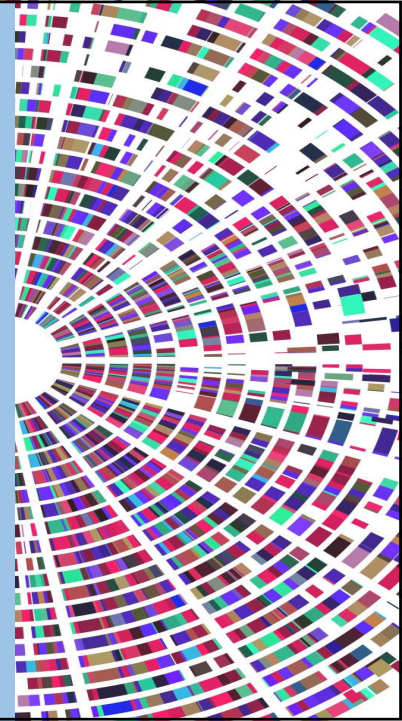
2

Foundational Trainings and Tasks to Complete

first 6 months

Month 1

- **Public Meetings and Conduct**
 - IPRA
 - OMA
 - Roberts Rules
- **CPOA Training**
 - History of Oversight in Albuquerque
 - Board Policy and Procedures
- First Meeting with Board Mentor to ensure the following:
 - Obtain an email address
 - Obtain tablet
 - Obtain acronyms sheet
 - Access to SharePoint
 - Access to evidence.com
 - City ID
- Schedule Citizen's Police Academy
- Participate in a Board Meeting



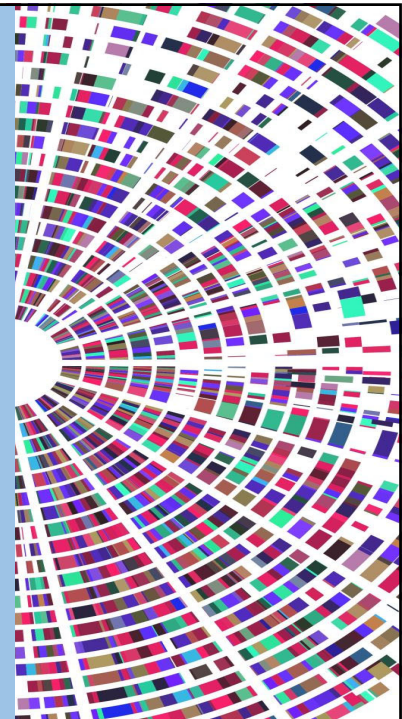
3

Foundational Trainings and Tasks to Complete

first 6 months

Month 2

- **CASA Training**
- **Ordinance Training**
- **Begin CPA (if available and not already begun)**
- Second Meeting with Board Mentor
 - Understanding of players in Albuquerque's oversight process
 - Overview of CASA paragraphs applicable to CPOAB
 - Review acronyms that may still be confusing
 - How to prepare for a Board meeting/Email filtering
 - Ensure access to case material is available
 - Review an example of and discuss the differences between CPC and UoF cases
 - Tips to stay organized
- Practice reviewing remaining cases and compile questions for next meeting with Board Mentor
- Attend first CPOAB committee meeting(s)
- Participate in Board Meeting



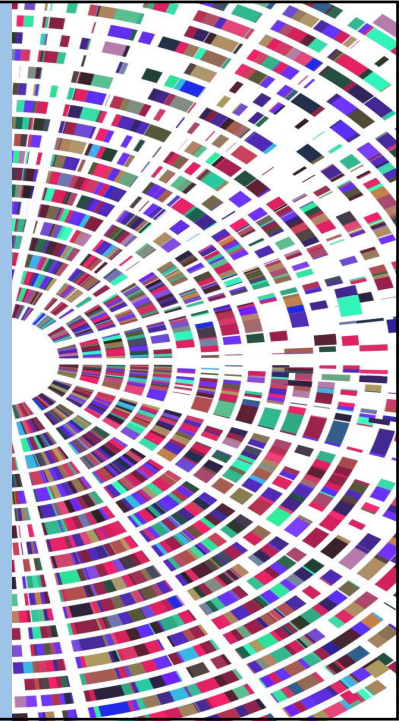
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Foundational Trainings and Tasks to Complete

first 6 months

Month 3

- APD Curriculum
- FAST (if it cannot be combined with CPA)
- Use of Force (if it is determined this is not provided during CPA)
- Begin CPA (if available and not already begun)
- Third Meeting with Board Mentor
 - How to prepare for a Board meeting follow up
 - Acronyms that may still be confusing
 - Questions about ongoing Board business
 - Questions about case review process
- Introduce non-Board meetings that are available for participation
 - APD's Policy and Procedure Committee
 - Amici
 - Public Safety Committee
 - City Council
- Attend CPOAB committee meeting(s)
- Participate in Board Meeting



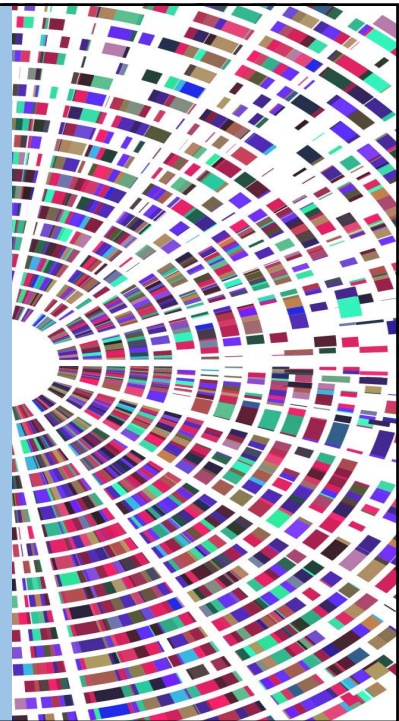
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Foundational Trainings and Tasks to Complete

first 6 months

Month 4

- Equity and Cultural Sensitivity Training
- Civil Rights Training
- Begin CPA (if available and not already begun)
- Fourth and Final Meeting with Board Mentor
 - Answer any questions that remain
- Participate in any external meetings that may be of interest
- Attend CPOAB committee meeting(s)
- Participate in Board Meeting



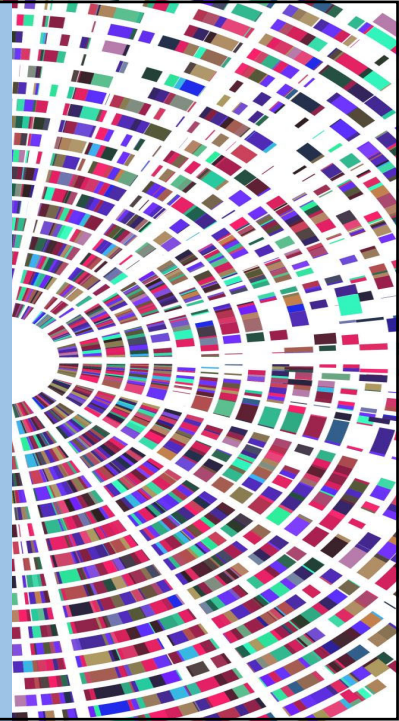
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Foundational Trainings and Tasks to Complete

first 6 months

Month 5

- **Begin CPA (if available and not already begun)**
- **Complete any additional trainings that have not yet been completed**
- Ride Along (optional)
- Participate in any external meetings that may be of interest
- Meet with Board Chair and Executive Director to review completion status of initial training requirements
- Attend CPOAB committee meeting(s)
- Participate in Board Meeting



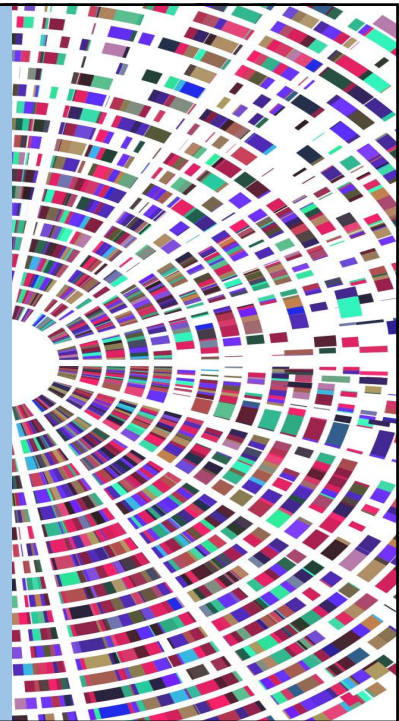
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Foundational Trainings and Tasks to Complete

first 6 months

Month 6

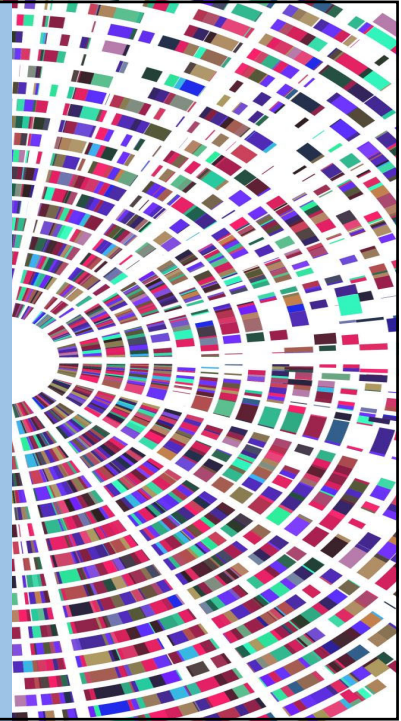
- **Begin CPA (if available and not already begun)**
- **Complete any additional trainings that have not yet been completed**
- Ride Along (optional)
- Participate in any external meetings that may be of interest
- Meet with Board Chair and Executive Director to review completion status of initial training requirements (if needed)
- Attend CPOAB committee meeting(s)
- Participate in Board Meeting



8

Annual Training Requirements

- Legal changes affecting the CASA
- NACOLE training (or other approved training(s) totaling at least 8 hours)
- Roberts Rules of Order
- Two ride alongs every six months





CIVILIAN POLICE OVERSIGHT AGENCY

Civilian Police Oversight Agency Board

Eric Olivas, Chair

Chantal M. Galloway, Vice-Chair

Tara Armijo-Prewitt

Jesse Crawford

Patricia French

Richard Johnson

Dr. William J. Kass

Eric Nixon

Gionne Ralph

Edward Harness, Executive Director

2022 Meeting Schedule

January – December

**All Meetings are held in the
Vincent E. Griego Chambers –
One Civic Plaza NW - 5th & Marquette NW, Lower Level
Albuquerque, NM 87102**

**Meetings will begin at 5:00 p.m. unless noted
otherwise and may extend beyond 8:00 p.m.**

Thursday, January 13, 2022

Thursday, February 10, 2022

Thursday, March 10, 2022

Thursday, April 14, 2022

Thursday, May 12, 2022

Thursday, June 9, 2022

Thursday, July 14, 2022

Thursday, August 11, 2022

Thursday, September 8, 2022

Thursday, October 13, 2022

Thursday, November 10, 2022

Thursday, December 8, 2022

PNP:

- Kass
- French
- Armijo-Prewitt
- Johnson

Personnel:

- Olivas
- Armijo-Prewitt
- Crawford
- Ralph

Outreach:

- Galloway
- Nixon
- Ralph
- Crawford

CRC:

- Kass
- Nixon
- French
- Johnson