

## CIVILIAN POLICE OVERSIGHT AGENCY BOARD

*Dr. William J. Kass, Chair*    *Eric Olivas, Vice Chair*    *Tara Armijo-Prewitt*  
*Chantal M. Galloway*    *Doug Mitchell*    *Eric Nixon*  
*Cathryn Starr*    *Leonard Waites*  
Edward Harness, Executive Director

**Thursday, June 11, 2020 – 5:00 PM**

### **Members Present:**

Dr. William Kass, Chair  
Eric Olivas, Vice Chair  
Tara Armijo-Prewitt  
Chantal M. Galloway  
Doug Mitchell  
Eric Nixon  
Cathryn Starr

### **Members Absent:**

Leonard Waites

### **Others Present:**

Edward Harness, CPOA  
Katrina Sigala, CPOA  
Valerie Barela, CPOA  
Tina Gooch, Atty  
Esteban Aguilar Jr, City Atty  
Robyn Rose, Asst. City Atty  
Deputy Chief Smathers, APD  
Commander Byrd, APD  
Julian Moya, City Council

Attendance: In response to the Governor's declaration of a Public Health Emergency and ban on large public gatherings, the Civilian Police Oversight (CPOA) Board meeting on Thursday, June 11, 2020 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/copy5\\_of\\_cpoa-board-meeting](https://www.cabq.gov/cpoa/events/copy5_of_cpoa-board-meeting). (Please note that the link for YouTube has not yet been generated, however, the link could easily be found on the link provided above prior to the start of the meeting). The GOVTV live stream can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the CPOA Board will also remain available for viewing at any time on the CPOA's website. CPOA Staff is available to help members of the public access pre-recorded CPOA meetings on-line at any time during normal business hours. Please email [CPOA@cabq.gov](mailto:CPOA@cabq.gov) for assistance.

Public Comment: The agenda for the meeting will be posted on the CPOA website by 5:00 pm, Monday, June 8, 2020 at [www.cabq.gov/cpoa](http://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, June 11, 2020. Submit your public comments to: [POB@cabq.gov](mailto:POB@cabq.gov). These comments will be distributed to all CPOA Board members for review.

## Meeting Minutes

- I. **Welcome and call to order.** Chair Dr. Kass called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:03 pm.
  - a. CPOA Board had a moment of silence in respect for life and death of George Floyd.
- II. **Mission Statement** – Chair Dr. Kass read the Civilian Police Oversight Agency Board’s mission statement
- III. **Approval of the Agenda**
  - a. **Motion.** Motion by Vice Chair Olivas to remove agenda item XI. Motion passes.
  - b. **Motion.** A second motion by Chair Dr. Kass to approve the agenda as amended. Motion passes.
- IV. **Public Comments: (See attached)**
  1. Eric Hagenow
  2. David Wolf
  3. Kathryn Brown
  4. Lloyd DeWald
  5. G. Amato
  6. Ian Young
  7. Finley Hines
  8. Moneka Stevens
  9. Justin Allen
  10. Jessica Barfield
  11. Karen Bentrup
  12. Sarah Plonk
  13. Leola Weinbaum
  14. Stephanie Spong
  15. D. Velasquez
  16. Andrew McCollom
  17. Will Thomson
  18. Rachel Swantenson-Franz

19. Madison Sharp
20. Joan Newsom
21. Rachel Kain
22. Meg Honnold
23. Kalpoelh Kalpolli Tokatl
24. Dean Jansen
25. Rebecca Habour
26. Dakota Vigil
27. Meta Hirschl
28. Corey Preston
29. Kristen O'Connell
30. Joey Schultz
31. Mark LeClaire
32. Aaron Nathaniel Moore
33. Ariel Mckee
34. Joe Copeland
35. Adrian Minckley
36. Winfred Whiteman-Jennings
37. April Freeman
38. Diana Macias
39. Brandon Coon

**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 May 21, 2020**

1. Copies of the draft minutes from the May 21, 2020 Civilian Police Oversight Agency Board meeting were electronically distributed to each Member in their packets.
2. **Motion.** Motion by Member Galloway to approve the minutes as drafted. Motion passes.

Civilian Police Oversight Board

Minutes – June 11, 2020

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## **VI. Reports from City Staff**

- a. Mayor's Office**
  - 1. City Attorney – Esteban Aguilar Jr. presented his report.
- b. City Attorney**
  - 1. Assistant City Attorney – Robyn Rose presented her report.
- c. APD**
  - 1. Overtime Policy Update
    - i. Deputy Chief Michael Smathers with APD gave a report on overtime policy changes.
  - 2. Field Officer Training
    - i. Commander Angela Byrd with the APD Training Academy gave a report on Use of Force training programs.
  - 3. APD Internal Affairs – Professional Standards submitted Statistical Data report for May 2020 (see attached)
  - 4. APD Internal Affairs – Force Division submitted Statistical Data reports for the month of May 2020 (see attached)
- d. City Council**
  - 1. City Council Representative – Julian Moya presented his report.
- e. CPC**
  - 1. There was no report.
- f. APOA**
  - 1. There was no report.
- g. Public Safety Committee**
  - 1. There was no report.
- h. CPOA – Edward Harness, Executive Director**
  - 1. **Filing a Citizens Complaint**
    - i. Director Harness encourages the public to report if they were a victim or witnessed unjustified excessive use of force to the Civilian Police Oversight Agency.
    - ii. The investigation into the briefing of the armed civilians has been assigned.
    - iii. The investigation into the alleged illegal detention of the two 18-year old's and the two 16-year old's has been assigned.
    - iv. The CPOA will investigate the arrest of Mr. White.
  - 2. Edward Harness presented his report.

\*\*\*Ten-minute break began at 7:18 pm and reconvened at 7:30 pm\*\*\*

## **VII. Reports from Subcommittees**

- a. Community Outreach Subcommittee – Chantal Galloway**
  - 1. Met May 26, 2020 (video conference)
  - 2. Next meeting June 23, 2020 at 3:00 pm
- b. Policy and Procedure Review Subcommittee – Dr. William Kass**
  - 1. Met June 4, 2020 (video conference)
  - 2. Next meeting July 2, 2020 at 4:30 pm

- c. **Case Review Subcommittee – Chantal Galloway**
  - 1. **Met May 26, 2020 (video conference)**
    - i. Member Galloway announced CPC 039-20 and CPC 121-20 cases will be audited during the next auditing period.
  - 2. **Next meeting July 28, 2020 at 4:30 pm**
- d. **Personnel Subcommittee – Eric Olivas**
  - 1. **Met May 28, 2020 (video conference)**
  - 2. **Next meeting June 29, 2020 at 8:00 am**

**VIII. Discussion and Possible Action**

- a. **Board Conduct and Ethics Policy**
  - 1. **Motion.** Motion by Chair Dr. Kass to table the Board Conduct and Ethics Policy to the next regular scheduled Board meeting. Roll call vote taken. Motion passed.
- b. **Executive Director Evaluation Outline Proposal**
  - 1. Vice Chair Olivas requested to table the Executive Director Evaluation Outline Proposal to the next regular scheduled Board meeting.
- c. **CPOA Complaint Process Timeline**
  - 1. The CPOA Board discussed the complaint process and will revisit at the next regular scheduled Board meeting.
- d. **Review and Approval 2019 Semi-Annual Report January – June**
  - 1. **Motion.** Motion by Member Nixon to approve the 2019 Semi-Annual January – June Report. Roll call vote taken. Motion passed.

**IX. Cases Reviewed:**

- a. **Administratively Closed Cases**

<b>087-20</b>	<b>089-20</b>	<b>103-20</b>	<b>129-20</b>	<b>130-20</b>
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  - 1. **Motion.** Motion by Member Galloway to accept Administratively Close Cases as presented. Roll call vote taken. Motion passed.
- b. **Unfounded**

<b>040-20</b>	<b>104-20</b>
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  - 1. **Motion.** Motion by Member Galloway to accept Unfounded cases as presented. Roll call vote taken. Motion passed.

**X. Review of Appeal:**

**236-19**

- a. **Motion.** Motion by Member Galloway to deny the appeal. Roll call vote taken. Motion passed.

**XI. Appeal Hearing:**

**046-20**

- a. Motion by Vice Chair Olivas to table Agenda item XI for the next scheduled Board meeting.

- XII. Serious Use of Force Cases/Officer Involved Shootings**
  - a. Update on non-disclosure agreement**
    - i. Director Harness provided an update on the use of force non-disclosure agreement issue and will notify the Board when more information is available.
- XIII. Other Business**
  - a. None
- XIV. Adjournment**
  - a. A motion was made by Chair Dr. Kass to adjourn the meeting. Roll call vote taken. Motion passed. The meeting adjourned at 9:58 pm.

APPROVED:

DocuSigned by:  
Dr. William J. Kass  
03/25/2020 10:48:33...  
Dr. William Kass, Chair  
Civilian Police Oversight Agency

July 9, 2020  
Date

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

Minutes drafted and submitted by:  
Valerie Barela, Administrative Assistant

## Attachments



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**From:** Erin Hagenow < >  
**Sent:** Monday, June 8, 2020 9:22 PM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 06-11-2020

**Memo: Four Young Men Detained By APD on May 28th**

Four young men were stopped in a KIA on May 28th @ 11:00 PM near Wyoming and Central because they were suspected of firing gunshots.

Noah Tapia, 18, was the driver. According to Mr. Tapia in an interview conducted by [kunm.org](http://kunm.org), APD used excessive force on the four young men.

According to Mr. Tapia, the other three young men were 18,16, and 16.

According to Mr. Tapia, the two 16-year-olds were released to their parent(s).

According to Mr. Tapia, he was held without charge from 11:00 to 2:00 AM and then dropped off in the International District.

My questions follow:

- Did the APD body cameras show that excessive force was used on minors?
  - Will the lapel footage be released to the public?
- What happened to the fourth young man?
- Were the young men put into an armored vehicle, and if so, for how long?
- How long were the two 16-year-olds held?
- If Noah Tapia was held on the street for three hours and then dropped off in the middle of the night and far from home, under which Standard Operating Procedure (SOP) does this activity fall?
- Have charges been filed against any of the young men who were in the vehicle since May 28 and is there an ongoing investigation?

Sincerely,  
Erin Hagenow

\*\*\*\*\*  
Erin Hagenow  
Cell Phone: ( )  
E-mail: ;

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This message has been analyzed by Deep Discovery Email Inspector.

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**From:** imdawolfman < >  
**Sent:** Wednesday, June 10, 2020 12:31 AM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 06-11-2020

RE: Clifton White

In this time of change regarding the institutionalized racism that has longed plagued our nation. I hope you will take the time to honestly re-evaluate and clean your own closets. People are waking up and looking into whether their police reflect the values of their communities, to protect and serve, or if their records show another agenda reflecting ill will toward people of color in their jurisdiction.

It's not too late for house cleaning, be a part of the healing of our Nation. Please, remember the last line of the pledge you made countless times with your hand over your heart...

With Liberty and Justice for all.

Thank you for taking the time to read this,  
David Wolf

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This message has been analyzed by Deep Discovery Email Inspector.

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**From:** Kathryn Brown < >  
**Sent:** Wednesday, June 10, 2020 10:24 AM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 06-11-2020.

Free Clifton White. His arrest was retaliation for his organizing efforts. The CPOA should investigate his arrest and advocate for his release.

**Kathy Brown, Freedom-talker**

**Keep on keepin' on  
Takin' it to the streets!**

*Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.*

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**From:** Lloyd DeWald < >  
**Sent:** Wednesday, June 10, 2020 3:31 PM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 06-11-2020.

Why were APD Officers negotiating wit a local Mixed Martial Arts (MMA) Academy (the Jason Wink MMA Academy), and various other self-described civilian para-military groups ("New Mexico Patriots" and the "New Mexico Civil Guard").

See the KUNM article at the URL:

<https://www.kunm.org/post/armed-civilian-groups-patrol-abq-protests-raising-questions-coordination-police>

for an audio recording of one of these negotiations, and recorded interviews with some of the representatives of these para-military groups.

APD claims they don't authorize this type of "cooperation" with local MMA groups and para-military groups, but the audio recording discredits this claim and destroys any trust we can have in the Albuquerque Police Department.

In addition to these continued lies from APD, KOAT filmed APD escalating interactions with peaceful protestors, ending up in APD using tear gas and rubber bullets on the peaceful protestors, while on the same night, the KOAT filmed a small group of young white men breaking windows and vandalizing property in other ways, and breaking into some businesses with no police presence. The police were too busy brutalizing the peaceful protestors to protect the local business owners and their property. The young white men involved in this property destruction were most likely members or "believers in the cause" of one or more right-wing, white supremacist groups, that have been encouraging their members and supporters to engage in destructive behavior and looting that could be blamed on the peaceful protestors.

Mayor Tim Keller and the Albuquerque Police Department have shown that they are a large cog in the machine of systemic racism that must be disassembled!

Devote more of the money that goes to funding a militarized police department (weapons and vehicles) to social services that will truly meet the needs of the citizens of our city!

Thank you!

Lloyd DeWald, former supporter of Mayor Tim Keller!

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This message has been analyzed by Deep Discovery Email Inspector.



TO: CPOA BOARD JUNE 11 2020  
RF  
SUBMITTED BY GIAMATO.

PUBLIC COMMENT 90PREZ/KASS  
STATEMENTS HEREIN CAN BE EXPUNDED UPON VIA WHAT HAS BEEN LEARNED OVER TIME

THE PUBLISHED TROUBLES WITH POLICE DEPTS BEGAN WITH THE 1787 CONSTITUTIONAL CONVENTION. THE FIRST FEDERAL CONGRESS PASSED THE FIRST JUDICIARY ACT IN 1789. SETTING UP THE BRITISH BENCH AND "BAR" [<sup>ACCREDITATION</sup> BRITISH ACCREDITATION REGENCY] SETTING UP THE "UNITED STATES" ATTORNEY'S OFFICE. NOW CALLED "U.S. ATTY GNRL": "TOP LAW ENFORCEMENT" OFFICER OF THE U.S. IT IS SAID THAT PROBLEMS ESCALATED WITH THE IMPOSITION OF FEDERALLY MONITORED "CONSENT DECREES." ALSO COVERD PROGRAMS TO STRATEGICALLY PLACE ROGUE COPS AND "CERTAIN" CLASS OF COMBAT MILITARY VETERANS (ACTIVELY PURPOSELY RECRUITED) TO LOCAL POLICE DEPTS.

THE "REPUBLIC" DOES NOT EXIST. WE "RESIDE" ON A COAST-TO-COAST FDRL "REZ" AKA MASONIC LODGE. SHOULD THE LOCAL POLICE BE COMPLETELY FEDERALIZED. WE WILL HAVE THE PENTAGON'S MILITARY (A "PRIVATE PROFESSIONAL MILITARY") IN OUR FRONT YARDS. NOTHING WILL GET BETTER TILL WE CHANGE THE CURRENT ADMINISTRATION. NINAM

# Public Comment: CPOA Board Meeting 06-11-2020

Andrew Ian Young < >

Wed 6/10/2020 6:46 PM

To POB <pob@cabq.gov>;

Hello,

I am concerned about reports of "Civilian Militia" groups who have appeared near the recent protests.

<https://www.kunm.org/post/armed-civilian-groups-patrol-abq-protests-raising-questions-coordination-police>

I live near the area and do not appreciate these armed individuals being around my neighborhood.

The group's presence has the potential to increase tensions and increases the possibility of violence occurring.

I also believe that the group's presence intimidates fellow citizens from the 1st amendment rights of the protestors.

The facebook pages of the respective groups can be found below.

<https://www.facebook.com/groups/347924879154387/>

<https://www.facebook.com/NMCIVILGUARD/>

What will APD and state police do to ensure that these groups do not incite violence and are not intimidating their fellow citizens from exercising their first amendment rights to peaceful protest?

If residents do not want these groups in their neighborhood, do the residents have any rights to ask members of the militias to leave the area?

Thank you for your time.

-  
Ian Young

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This message has been analyzed by Deep Discovery Email Inspector.

# Cpoa meeting public comments

Finley Haines < >

Wed 6/10/2020 10 55 PM

To POB <pob@cabq.gov>;

Hello,

I would like to make this very brief. Police have been coming to protests of police brutality and using excessive force and chemical weapons banned by the Geneva convention. It is time to demilitarize the police force and move funding to community support and social work.

Thank you

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

moneka stevens <

Wed 6/10/2020 11:28 PM

To: POB <pob@cabq.gov>;

[https://www.kunm.org/post/teen-pulled-car-blm-rally-says-officers-threatened-shoot?fbclid=IwARQ5\\_f-FK-hF1eMoOk7\\_otC324TqAPNepShNQ4YRh19ymb23xSGm\\_jxx5eEDear](https://www.kunm.org/post/teen-pulled-car-blm-rally-says-officers-threatened-shoot?fbclid=IwARQ5_f-FK-hF1eMoOk7_otC324TqAPNepShNQ4YRh19ymb23xSGm_jxx5eEDear) Police Oversight

I am extremely concerned with the excessive use of force by law enforcement during the recent protest for Black Lives. Police used force downtown and in several locations with batons, shooting rubber bullets, tear gas, targeting, detaining and injuring citizens.

We demand answers and solutions about the excessive police presence. APD and other unmarked law enforcement targeting journalists and retaliating on Clifton White for organizing for Black Live. Why is Albuquerque citizens who are bringing their police violence grievances through protesting met with extreme police violence?

Additionally, excessive force was used on Albuquerque youth on May 28th. Four youth of color were pulled from a car by APD in riot gear. KUNM completed an interview with one of the young people who was kidnapped, not read their rights and the two 18 year olds were dumped in the international district at 3 00pm having to walk home. KUNM inquired "Is there a message you want to give to the chief of the APD and Mayor Keller?" Noah Tapia responded, "They didn't have to do all that just for a couple of teenagers. You know, we were just a couple kids just trying to, you know, just go fight for our rights, you know? And they didn't have to do all that to us, you know, put us in an armored vehicle have these guns pointed to our face with guys in bulletproof vests and goggles on, helmets and everything, you know? That night I didn't feel like I was human." Please see [link](#) for more information on Tapia's interview. .

These young people were threatened by the police until protesters arrived on the scene to protect them. White's arrest in retaliation for him organizing for Black Lives. Where is accountability? When will this stop? I call for the release of Clifton White and accountability.

Sincerely,  
Moneka

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This message has been analyzed by Deep Discovery Email Inspector.



# Public Comment: CPOA Board Meeting 06-11-2020

Justin Allen < >

Thu 6/11/2020 6:35 AM

To:POB <pob@cabq.gov>;

I am extremely concerned with the excessive use of force by law enforcement during the recent protest for Black Lives. Police used force downtown and in several locations with batons, shooting rubber bullets, tear gas, targeting, detaining and injuring citizens.

We demand answers about the excessive force and police presence. APD and other unmarked law enforcement are targeting journalists and are retaliating against Clifton White for organizing for Black Lives. Why is Albuquerque citizens who are bringing their police violence grievances through protesting met with extreme police violence? Where is the accountability? We nearby request the CPOA take immediate action to address the reckless and unsafe tactics of the Albuquerque Police Department.

Justin Allen

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Jessica Barfield < >

Thu 6/11/2020 7:01 AM

To POB <pob@cabq.gov>;

-I would like Clifton White to be acknowledged and discussion opened about the suspicious circumstances surrounding his arrest and detainment. Why are there so many gaps in information/ documentation of his arrest? Why are so many local agencies including APD ignoring the situation? Where is he being held? When will he be released?

-What is being done to the officers caught meeting with out of state instigators who were using intimidation tactics towards peaceful protestors? Where does the investigation that APD referred to on their official Twitter stand? Have said officers been held accountable for such actions?

-When will more funding be moved from APD to other social services?

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Karen Bentrup < >

Thu 6/11/2020 8 17 AM

To: POB <pob@cabq.gov>:

To the Board members of the Civilian Police Oversight Agency

The law enforcement your CPOA Board is to monitor attacks our communities of color all the time.

Do you know what it feels like to be shot with a rubber bullet? Maced in the face? Tear gas canister exploding and burning your skin? – just for exercising your First Amendment rights for assembly for redress of grievances.

Do you know what it is like to get your gloves, hand sanitizer, mask and money ready for an anxious trip to the grocery store to get food for your family only to be stopped by the police THREE TIMES in that one trip?

During the recent protests, the police you are responsible to monitor attacked 4 youth – kidnapped them, beat them, laughed at their fear, denied the two 16-year olds access to their parents, and dumped the older two miles from home. Said one teen, "That night I didn't feel like I was a human."

Then the police you are accountable for, in clear acts of retribution against the leadership of the Movement for Black Lives, detained then arrested Clifton White on a technical parole violation.

If you really look at the data, listen to the community testimonies, and watch the dozens of citizen videos – over-reach of power and excessive use of force are APD's regular tactics. See those truths and think of Noah Tapia lying on the ground watching the police slam his little brother repeatedly into the street. How will your mission of *Advancing Constitutional Policing & Accountability for APD and the Albuquerque Community* serve the rights of Noah Tapia, Clifton White, and scores of Albuquerque's Black and African citizens who know that cops kneel on necks until you die.

Karen Bentrup

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This message has been analyzed by Deep Discovery Email Inspector.

## Public Comment: CPOA Board Meeting 06-11-2020

Sarah P &lt; &gt;

Thu 6/11/2020 8:33 AM

To POB &lt;pob@cabq.gov&gt;;

Good Morning,

I am emailing, first of all, to demand the release of Clifton White (DOC 60458). The events surrounding Clifton White's arrest are suspicious on the part of APD and it is clear that he was targeted, likely in retaliation for organizing for Black Lives Matter. In addition, we are currently facing the COVID-19 pandemic. White was arrested for a nonviolent parole violation. He should not be locked up in a facility where the risks of acquiring and spreading COVID are particularly increased. Release Clifton White immediately. There also must be an investigation into how APD handled this case in every aspect.

One goal of the CPOA according to the CPOA ordinance is to "Foster and perpetuate policing policies and practices that effectively maintain social order and which at the same time foster mutual trust and cooperation between police and civilians." The presence of police officers in full riot gear with bulletproof vests, helmets, and batons as well as tear gas and rubber bullets at their immediate disposal at a peaceful protest does not promote mutual trust between citizens and the police, and instead sends a clearly threatening message to nonviolent protesters. In order to effectively promote mutual trust, the City of Albuquerque MUST stop the use of militarized police tactics and other uses of unnecessary force.

Hold APD accountable. End the use of military gear and tactics. Release Clifton White.

--

Sarah Plonk  
Albuquerque, NM

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Li W < >

Thu 6/11/2020 8 39 AM

To POB <pob@cabq.gov>;

Hello CPOA board,

As a taxpayer, I want the police to treat suspects with respect. Suspects should be treated as if they are innocent, until proven guilty in court. That means not breaking their stuff, and not smashing them into walls or floors. That means telling the suspect why they are being pursued, and later, why have been apprehended. That means using force as a last resort and never using lethal force, even if the suspect is suspected of having a weapon.

Why?

Because they may not have done anything illegal.

Because even if they did do something illegal, the penalty is not to be delivered by the police officer, and the penalty certainly isn't to be beaten or robbed.

Because detaining people without explanation is a terrorist tactic.

Because the death penalty is not for any police officer to deliver. It is not even the penalty for anyone to deliver in the state of New Mexico, no matter how heinous the crime, even if the suspect has been proven guilty in court.

The way Noah Tapia and his friends were treated from late May 28th to early May 29th, 2020, is unacceptable. Please listen to the interview with him on this KUNM radio show:

<https://www.kunm.org/post/ynmg-covid-black-lives-matter-albuquerque>

Thank you for taking the time to listen to that interview.

Stay well,

Liota Weinbaum

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Stephanie Spong < >

Thu 6/11/2020 8 39 AM

To: POB <pob@cabq.gov>;

Hello,

Thank you for accepting these public comments. Please examine the extrajudicial holding of Clifton White, and demand his immediate release. Please also investigate the officers involved in detaining him and booking him into prison without the appropriate warrants or cause. Lastly, please use this board's power to demand that organizers' and activists' rights are observed and respected.

Take care,  
Stephanie Spong

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

D Velasquez < >

Thu 6/11/2020 8:42 AM

To POB <pob@cabq.gov>;

I am extremely concerned with the excessive use of force by law enforcement during the recent protest for Black Lives. Police used force downtown and in several locations with batons, shooting rubber bullets, tear gas, targeting, detaining and injuring citizens.

We demand answers about the excessive force and police presence. APD and other unmarked law enforcement are targeting journalists and are retaliating against Clifton White for organizing for Black Lives. Why is Albuquerque citizens who are bringing their police violence grievances through protesting met with extreme police violence? Where is the accountability? We nearby request the CPOA take immediate action to address the reckless and unsafe tactics of the Albuquerque Police Department.

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Andrew McCollom < >

Thu 6/11/2020 8 49 AM

To: POB <pob@cabq.gov>;

CPOA Board,

I'm writing to demand the immediate release of Clifton White

Thank you,  
Andrew McCollom

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**Andrew E. McCollom**



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This message has been analyzed by Deep Discovery Email Inspector.



# Public Comment: CPOA Board Meeting 06-11-2020

William Thomson < >

Thu 6/11/2020 9:36 AM

To POB <pob@cabq.gov>;

Hello,

I'm writing to ask for the immediate release of Clifton White who helped organized peaceful protests for Black Live Matter in ABQ and to ask that APD be demilitarized.

Thank you.

Best,

--

Will Thomson  
Consulting Arborist  
NY-6283A

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This message has been analyzed by Deep Discovery Email Inspector.

6/11/2020

Re: Enough is enough -

My name is Rachel Swanteson-Franz, I am a resident of Summit Park here in Albuquerque. I was born and raised in Albuquerque and love this city fiercely. However, I have watched over the years the abuse and corruption of APD hurt our community, especially our community of color. I know that things are being done, that there is reform, that certain trainings are taking place...but I can no longer believe it is doing anything.

APD's response to peaceful protests when they were first beginning was one of the aggressor, not the supporter. Their treatment of minors of color is inexcusable and not forgivable. Their suiting up in riot gear to intimidate peaceful protestors. Their use of tear gas and rubber bullets. Their following and shady arrest of Clifton White. Their conversations with heavily armed civilians on UNM campus. And this is just in the last two weeks. Can you see why I don't trust that the reform is enough? I no longer believe that Albuquerque is committed to helping our community instead of policing and upholding systemic racism.

As a member of a community I love dearly, I want you all to fight to free Clifton White and restructure APD such that community relations, social work, and social assistance is what is getting funding *not* riot gear and aggressive responses.

Sincerely,

Rachel Swanteson-Franz

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This message has been analyzed by Deep Discovery Email Inspector.

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 6-11-2020

Madison Sharp <

>

Thu 6/11/2020 10 55 AM

To POB <pob@cabq.gov>;

Good morning,

I'm writing to voice the concerns of my immediate community.

We want the police demilitarized and defunded for multiple reasons.

The amount of money poured into APD is a huge misappropriation of funds. We ask that those funds, resources, and responsibility be strategically reallocated away from police and toward the community-based models of safety, support, and most importantly prevention. The people who respond to crises in our community should be the people who are best equipped to deal with those crises. Rather than strangers armed with guns, who very likely do not live in the neighborhoods they are patrolling, we want to create space for more mental health service providers, social workers, victim/survivor advocates, religious leaders, neighbors, and friends- all of the people who make up the fabric of the community- to look out for one another.

We know that crime isn't random. Most of the time, it is because people's basic needs are not being met. So to properly "fight crime", we don't need more police or more guns, we need more jobs, more educational opportunities, more art programs, more community centers, more mental health resources, and more of say in how our community functions. Sure, in this long transition process, we may need a small, specialized class of public servants whose job is to respond to violent crimes. But part of what we are talking about here is what role police play in our society. Right now, cops don't just respond to violent crimes: they make needless traffic stops, arrest petty drug users, harass Black and Brown people, and engage in a wide range of "broken window policing" behaviors that only serve to keep more people under the thumb of the criminal justice system.

It is not just that the police are ineffective: in many communities, they are actively harmful. The history of policing is a history of violence against the marginalized-- American police departments were originally created to dominate and criminalize communities of color and poor white workers, a job they continue to do, maybe unconsciously, to this day. The list has grown even longer: LGBTQ folk, people with disabilities, women, activists-- so many of us are attacked, harassed, and victimized by cops on a daily basis.

This is bigger than just police brutality; it's about how the prison industrial complex, the drug war, immigration laws, and the web of policy, law, and culture that forms our criminal system has destroyed millions of lives, and torn apart families. Police don't prevent crime, they cause it, through the ongoing, violent disruption and intimidation of our communities- our community: Albuquerque, New Mexico. Not to mention, video footage (whether from body cameras or other sources) was not enough to get justice for Philando Castile, Samuel DeBose, Walter Scott, Tamir Rice, and far too many other victims of police violence. A single implicit bias training session cannot overcome decades of conditioning and department culture. Other reforms, while noble in intention, simply do not do enough to get to the root of the issue.

History is a useful guide here: communities in the 1960s also demanded civilian review boards, better training, and community policing initiatives. Some of these demands were even met. But universally, they were either ineffective or dismantled by the police department over time.

It is time to try something new.

### An alternative solution to police:

Most social service agencies and organizations that could serve as alternatives to the police are underfunded, scrambling for grant money to stay alive while being forced to interact with officers who make their jobs even harder (I know this first hand having a background in mental and behavioral healthcare.) In 2019, Susana Martinez signed a budget allocating \$3.6 million to New Mexico State Police for salary bonuses ALONE. Imagine what that type of money could do to keep our communities safe if it were reinvested into community based resources. Imagine what that type of money could have done to protect us during COVID 19 if it had been reinvested into PPE for our hospitals. Imagine what that type of money could have done to build our educational systems or provide housing for the homeless or services for addicts or basic skills trainings for individuals don't have the skillsets to hold a job.

With a broken, pleading heart for change,

6/11/2020

Public Comment: CPOA Board Meeting 6-11-2020 -

I urge you on behalf of my community- demilitarize and defund the police. Violence only breeds more violence. Hate only breeds more hate. It is time to try something new,

Madison Sharp

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Joan Newsom < >

Thu 6/11/2020 11 30 AM

To POB <pob@cabq.gov>;

I support a strong police oversight board that promotes fair and respectful treatment of all people, especially people of color. I would like to see the POB investigate police officers who overstep their positions of power, especially against people of color. I also have concerns about armed militia groups that have intimidated peaceful protesters and militia groups that have reportedly been working with the police. Thank you.

Joan Newsom

=====  
This message has been analyzed by Deep Discovery Email Inspector.

# Holding Police Accountable

Rachel Kain < >

Thu 6/11/2020 12:04 PM

To POB <pob@cabq.gov>:

Dear CPOA,

I have two pressing issues:

The first regarding settlements made when the police are accused of misconduct. As of right now city tax payers dollars are on the line when police settle in and out of court due to misconduct.

As per KOB reporting on 2/11/2019 in one quarter alone, "In total, the city paid more than \$2,000,000 in settlements for the quarter." This 2 million dollar price tag is coming from excessive use of force complaints and lawsuits against APD.

The problems of excessive force are deeply imbedded within the police force, and culture of policing itself and therefor, settlements should directly affect the police department. Settlements should be coming out of the pensions and retirements of APD police officers. Perhaps, this would incentivize better behavior among cops. Police officers should be the ones paying for their own misconduct, not the taxpayers of Albuquerque.

Second, in regard to the police officers in Albuquerque who met with an heavily armed civilian "militia" as was caught on camera. What actions have been taken to hold those police officers accountable for coordinating with and giving an armed civilian militia the authority to police and threaten peaceful protestors during the BLM protest? Have they been fired? Dismissed without pay, with pay? The ABQ Journal reported on June 3, 2020, that APD spokesman Gilbert Gallegos said via email, "We are investigating the circumstances that led to that meeting." However the ABQ Journal goes on to report that Gallegos, "did not identify any of the officers in the video or say if any of them has been disciplined or placed on leave."

We need full accountability and transparency from the APD and at the present, we, the citizens of Albuquerque are not getting that from our police department or government officials. Please put an end to this code of silence.

Appreciatively,

Rachel Kain  
Resident of Albuquerque

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Meg Honnold < >

Thu 6/11/2020 12:11 PM

To: POB <pob@cabq.gov>;

Hello,

I am writing with concern over the excessive use of force by law enforcement during the recent protest for Black Lives. Police used force with batons, shooting rubber bullets, tear gas, targeting, detaining and injuring citizens downtown and several locations.

We demand answers about the excessive force and police presence. APD and other unmarked law enforcement are targeting journalists and retaliating against Clifton White for organizing for Black Lives. We demand police accountability. We request the CPOA take immediate action to address the reckless and unsafe tactics of the Albuquerque Police Department.

Thank you.

*Meg Honnold*

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020."

Kalpõlli Tõkatl < >

Thu 6/11/2020 12 23 PM

To POB <pob@cabq.gov>:

We are extremely concerned with the excessive use of force by law enforcement during the recent protest for Black Lives. Police used force downtown and in several locations with batons, shooting rubber bullets, tear gas, targeting, detaining and injuring citizens.

We demand answers about the excessive force and police presence. APD and other unmarked law enforcement are targeting journalists and are retaliating against Clifton White for organizing for Black Lives.

Why are Albuquerque citizens, who are bringing their police violence grievances through protesting, met with extreme police violence, harassment, amd warrantless surveillance?

Where is the accountability?

We, the people of this kalpõlli, hereby request the CPOA take immediate action to address the reckless and unsafe tactics of the Albuquerque Police Department.

Kalpoleh  
Kalpõlli Tõkatl

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.



# CPOA Board Meeting 06-11-2020

Dean < >

Thu 6/11/2020 12:45 PM

To: POB <pob@cabq.gov>;

As an Albuquerque resident, I am concerned about the excessive use of force by law enforcement during the recent protest for Black Lives. What is the justification for assailing protesters with batons, rubber bullets, and tear gas?

Additionally, APD and other unmarked law enforcement are targeting journalists and are retaliating against Clifton White for organizing for Black Lives. Why are Albuquerque citizens who are bringing their police violence grievances through protesting met with extreme police violence? Where is the accountability?

I request the CPOA take immediate action to address the reckless and unsafe tactics of the Albuquerque Police Department.

Thank you,  
Dean Jansen

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment on Policing

Rebecca Habtour <

>

Thu 6/11/2020 12:50 PM

To POB <pob@cabq.gov>;

Hello CPOA Board,

As an Albuquerque resident, I want to voice my support for diverting funds and responsibilities away from police forces towards alternative agencies to handle situations that do not warrant use of force.

That will mean investing in alternatives to approach members of our community who are homeless, suffering from mental illness, addiction, and dispute resolution. A 911 call can potentially be directed towards alternate response groups depending on the information gathered in the call, just like responses now may be directed to paramedics or firefighters instead of police

I also want to see greater investment in more preventative measures in the form of supporting the needs of our communities and investing more heavily in our success. Things like education, early childhood education, after school programs, nutrition initiatives, affordable housing, housing for the homeless, addiction treatment, small business support, violence reduction community initiatives, and so on will get more money and policing and jailing will get less.

Also, specifically, I do not want to see our police force spending public money on military equipment. The American public should never be met with the force and equipment meant for the battle field. When that is happening we've gone incredibly wrong. The police need to be members of our communities, not enemies.

Thank you,

Rebecca Habtour  
Albuquerque Resident

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Dakota Vigil < >

Thu 6/11/2020 1:03 PM

To POB <pob@cabq.gov>;

Hello,

To Whom It May Concern,

My name is Dakota Vigil. I've been a New Mexican resident all of my life and lived in Albuquerque for eight years. I'm a UNM graduate and have lived all over the city from the student ghetto, to the west side, to the heights. I've been a victim of crime and I've been a victim of the police. Of both, the criminal justice system has been the nastier of the two. From police brutality to systematic disenfranchisement, oppression, and racism, something needs to change. To start, I would like to formally demand the immediate release of Clifton White. The circumstances of his arrest are unjust and a violation of human rights. In addition, police reform is of utmost importance. I also demand the defunding/demilitarization of Albuquerque Police Department. The disproportionately large budget for the police force can and should be reduced and those funds can be reallocated into areas of education and public health. The growth in those areas will greatly benefit the city and its progression forward. It will also help us in the quest to eliminate the systematic racism our country is founded on. Public health will increase for EVERYONE. Please understand the reality and severity of the current state. Be the change. Thank you for your consideration.

Sincerely,  
Dakota Vigil

\*\*\*\*\*  
This message has been analyzed by Deep Discovery Email Inspector.

# questions for meeting tonight

Meta Hirschl < >

Thu 6/11/2020 1:15 PM

To POB <pob@cabq.gov>;

Hello,

I know there is a meeting tonight which I plan to attend virtually.

I would like to submit these questions:

- Why are the peaceful protestors met with force?
- from today's ABQ Journal: a man " diagnosed with schizophrenia and was not taking his medication" was shot in the head by APD officier. Why was the response to a "paring knife"? and this deadly force from "Two field officers, trained in enhanced crisis intervention techniques, responded." WHY DOES THIS KEEP HAPPENING?
- Why is APD cooperating with unmarked law enforcement?
- How will APD improve?
- How do we encourage the city not to sign a contract at end of June with the police union? This is not the time to sign contracts.

Meta

Meta Hirschl

*I handed my passport to the immigration officer, and he looked at it and looked at me and said, "What are you?"*

-Grace Hopper, Computer Programming Pioneer

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This message has been analyzed by Deep Discovery Email Inspector.

# General Public Comment- for June 11th Meeting

Corey Preston <

>

Thu 6/11/2020 1 39 PM

To: POB <pob@cabq.gov>;

To Whom It May Concern:

My name is Corey Preston. I do not live in Albuquerque, but I did for many years, visit friends there and the city often, will likely return as a resident/commuter at some point in the near future, etc etc. I care about Albuquerque both as a second home and the largest city/hub of my home state. It is important, as is the conduct of law enforcement entities operating in the city.

Freedom to enjoy our constitutional rights in this country and in our state should be of the greatest concern of all Americans, residents, and people in the area. The fact that Clifton White was apprehended by law enforcement unlawfully and detained solely because of his decision to practice his first amendment right to peacefully assemble and petition his government for redress of grievances is unacceptable and needs to be addressed by every arm of overwatch, public and private, vigilant enough to do so.

He deserves to be a father, husband, and leader in his community. He has served his time and was behaving lawfully. Police surveillance of political figures is inappropriate and sure as hell not why my tax dollars of 7 years went to the APD and State Police. I will not tolerate the law enforcement officers in my state bullying and behaving as political thugs.

I'm sure the irony is not lost on the board of the reaction of law enforcement to abuse their power over a protestor protesting the abuse of power.

Free Clifton White. It is urgent.

Thank You,

Corey Preston

New Mexican

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Kristen O'Connell < >

Thu 6/11/2020 1:43 PM

To: POB <pob@cabq.gov>;

Dear Board Members,

My intent in writing this email is to share my concerns about funding the Albuquerque Police Department.

Six years ago, the Department of Justice concluded that APD showed a pattern in excessive police force. A recent Albuquerque Journal article on APD hitting a milestone in their primary compliance also mentions that the operational compliance rate is still at a measly 64%. The operational compliance is whether "officers and supervisors are acting according to procedures and being corrected when they don't." This is concerning; reform means very little when accountability is not fully operational.

As an educator, I had 40 students in two of my middle school classrooms this past year. The classroom is an inclusion classroom for special and general education students. Forty students is far too many to effectively help. The density of bodies in the classroom make focusing in a quiet place very difficult. Lower classroom counts will not only increase the effectiveness of the learning environment, it will add safety for our students. This is the time to redirect public monies away from excessive policing to our schools, especially while a pandemic is occurring.

Additionally, redirect funds can be used to create services for mental health check ins. I mention this BCSO retelling understanding their distinction from APD. However Albuquerque resides within Bernalillo county, and they are connected by community proximity. Three BCSO deputies shot a combined 21 bullets into a woman in the South Valley just a year ago. She had schizophrenia and was brandishing a kitchen knife. A kitchen knife does not require an average of seven shots from each deputy. We need to train mental health professionals to conduct these check ins. Use the ambulatory system as an analogy; you would not send a cop to do an EMT's job.

We need to redirect funds to the places it counts! So that we may avoid the inevitable illnesses and crime that occur when we neglect our communities with misdirected public funds.

Sincerely,  
Kristen O'Connell

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This message has been analyzed by Deep Discovery Email Inspector.

# Public Comment: CPOA Board Meeting 06-11-2020

Joey Schultz < >

Thu 6/11/2020 1:49 PM

To POB <pob@cabq.gov>;

To whom it may CONCERN,

My name is Joseph Schultz. I have been a resident of New Mexico for nearly my entire life and have lived in Albuquerque on and off over the past decade. I attended UNM and I work in the field of International Diplomacy. I care about this state and what we represent. I have been a victim of crime and a victim of the police. From police brutality to systematic disenfranchisement, oppression, and racism, something needs to change. To start, I would like to formally demand the immediate release of Clifton White. The circumstances of his arrest are unjust and a violation of human rights. In addition, police reform is of utmost importance. I also demand the defunding/demilitarization of the Albuquerque Police Department. The disproportionately large budget for the police force can and should be reduced and those funds can be reallocated into areas of education, public health, and social services. The growth in those areas will greatly benefit the city and it's progression forward. It will also help us in the quest to eliminate the systematic racism our country is founded on. Public health will increase for EVERYONE. Please understand the reality and severity of the current state. I know it is a crazy time and these are massive shifts that need to be made on a local and national level, but please, be the example. Be the change. Thank you for your consideration.

Kindly,  
Joseph Schultz

=====  
This message has been analyzed by Deep Discovery Email Inspector.

# public comment: CPOA Board Meeting 6-11-2020

Mark LeClaire < >

Thu 6/11/2020 2:24 PM

To: POB <pob@cabq.gov>;

## Open Letter to Mayor Tim Keller and the Citizen Police Oversight Agency

The Mayor's recent press conference was well-intentioned and full of fine-sounding talk on police reform and other abstractions. But we, the people of this community, don't live in abstractions. We live in the specifics. When our actual experiences don't align with your speeches and promises, your words lean towards an hypocrisy that undermines the community trust you claim to want to be building. Our peaceful protesting was met with rubber bullets, snipers, and tear gas. Our beloved community organizers, Selinda Guerrero and Clifton White, were intensively surveilled after organizing a Black Lives Matter protest and Clifton, a parolee, was arrested on trumped-up charges days later. This is blatant police intimidation. If the Mayor truly wants to repair community/police trust he must address this specifically. No more evasive talk about jurisdiction.

Free Clifton White!

Mark LeClaire  
Albuquerque, NM

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This message has been analyzed by Deep Discovery Email Inspector.



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**From:** Aaron Nathaniel Moore < >  
**Sent:** Thursday, June 11, 2020 3:05 PM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 06-11-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello

My name is Aaron Moore. I am a grad student at UNM, a voter, and a resident of Bernalillo County. I strongly support the de-militarization of APD and all police in New Mexico. Although I live in Cedar Crest, I support the city council in removing military weapons from the police.

Thank you

Aaron Nathaniel Moore  
Community and Regional Planning Department  
University of New Mexico

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This message has been analyzed by Deep Discovery Email Inspector.

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**From:** Ariel Franklyn <...@...i.com>  
**Sent:** Thursday, June 11, 2020 3:14 PM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 6/11/20

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

I am extremely concerned by the excessive use of force by law enforcement during the recent protest for Black Lives. Police used force downtown and in several locations with batons, rubber bullets, tear gas, targeting, detaining and injuring citizens.

We demand answers about the excessive force and police presence. APD and other unmarked law enforcement are targeting journalists and are retaliating against Clifton White for organizing for Black Lives. Why are Albuquerque citizens who are bringing their grievances about police violence through protesting being met with extreme police violence? Where is the accountability? We hereby request the CPOA take immediate action to address the reckless and unsafe tactics of the Albuquerque Police Department.

Ariel McKee=

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This message has been analyzed by Deep Discovery Email Inspector.

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**From:** Lucas, Priscilla < >  
**Sent:** Thursday, June 11, 2020 3:50 PM  
**To:** POB  
**Subject:** From: Joe Copeland

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

June 11, 2020

I was a police science student in the 1970's and there was a lot of police abuse. However, most police officer's are decent hard working people doing there best on a dangerous job. I wrote this poem in 1993 then rewrote it in 2001 to include female officer's. The title of the Poem is "The Cop". Before you rush to judge a cop, take a little time and stop to think about life on the street.

(The Poem) All alone out on the beat, or with your partner's on patrol, a call comes in you start to roll, not knowing if your going to live or die, there is no time to wonder why, rule#1 stay alive! What looks at first to be routine can quickly turn into a scene, you never know who you might meet, murder, rapist, kidnapper thief.

Warrants outstanding, on the run, not afraid to use a gun. So if you are stopped by the cops, weather you are wrong or not. They may seem cold or even rough, please understand there job is tough. They do not know if you might be a fugitive or escapee. Chances are, of course your not, the car is yours, it isn't hot. None the less they'll check you out, there isn't any room for doubt. So do your best to be polite even if you think your right. That's not to say you can't explain but please reframe from calling names. Don't shout or scream or other threats, show respect and don't forget. You never know it could be true, some day they may be helping you!

1. All uniformed police must wear helmet cameras or lapel cameras.
2. All police cars must have dash cameras.
3. All police cars must have 360 panoramic cameras (not existing on police cars.) Such technology is decades old. Unlike helmet lapel cameras and dash cameras these cameras must be turned on automatically and film saved for a minimum of 48 to 72 hours and/or digitally broadcast to receiver station(s).

God bless the peace officer's.

Thank you,

Joe Copeland, AKA Legal name: R.U. Kidding?

(Name changed April 1, 1983 in Los Angeles Superior Court in California)

See Palm Desert Newspaper Article on April 6, 1983, Titled: Clowns Legally Kidding - Available on the internet.

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**From:** Adrian Minckley  
**Sent:** Thursday, June 11, 2020 3:52 PM  
**To:** POB  
**Subject:** Public comment for CPOA meeting Jun 11

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am writing to express my serious concern at what appears to be the unchecked behavior of the Albuquerque Police department in recent weeks. I am sure the CPOA board is already aware, and will be made further aware by community member comments during tonight's meeting, that APD pulled a group of black and brown teenagers over on a fraudulent premise following a car rally against police violence on May 28th, drew their weapons on them, despite these children being unarmed, and detained them. APD riot police, accompanied by a tank, then fired tear gas and rubber bullets on the small group of protesters that came to support the teenagers. Those protesters were also unarmed. This incident was later used as grounds to incarcerate Clifton White, a long-time community leader, based on a trumped-up parole violation. Clifton remains behind bars for a technicality, despite the fact that we are in a deadly global pandemic that remains unchecked in prisons nationwide, and in complete disregard of the ample push-back that has been voiced by the Albuquerque community. While subsequent protests have remained non-confrontational, undercover officers have been unabashed in publicly recording the faces and clothing of protest attendees, in what can only be interpreted as an effort to compile a database with which to later incriminate protesters. Uniformed snipers have also been documented on rooftops on the gun-free UNM campus.

This is in striking contrast to APD's treatment of armed civilian groups that have become a staple of public protests in Albuquerque. A widely circulated video taken on June 2nd shows APD officers explicitly colluding with an armed vigilante group associated with the UFC fighter Jon Jones, who was recently arrested on four different counts, including aggravated DWI, negligent use of a firearm, and possession of an open container. That arrest is one in a long history of incidents involving Jon Jones, which includes sexual assault and battery of women. In the video, officers are seen instructing the armed militia to conduct crowd control, and to intervene in any protest activity the militia deems to be a threat to "local business." Given the well documented rise in armed white-supremacist organizations across the country in recent years, deputizing civilians is an unconscionable practice. It also begs the question: why is APD treating unarmed and largely youth protesters like an enemy militia, while shaking hands and giving state-sanctioned power to armed individuals with a demonstrated history of mishandling firearms and gendered violence?

Mayor Keller has taken little to no responsibility for APD's recent behavior, which leaves us with two possible interpretations: either the mayor's office is allowing APD and civilian groups to act in the shadows to repress non-violent resistance as a means to keep Keller's own image, which was built on the premise of "cleaning up APD," unscathed, or APD is a rogue institution that cannot be controlled by city government. Regardless of which of these is true, I think we'd all like to know what the Oversight Board plans to do about the pattern of excessive force and illegal activity being demonstrated the city's police department.

Thank You,

Adrian Minckley

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This message has been analyzed by Deep Discovery Email Inspector.

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**From:** Fred Whiteman < >  
**Sent:** Thursday, June 11, 2020 3:53 PM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 06-11-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear members of the Civilian Police Oversight Agency Board,  
My name is Winifred Whiteman-Jennings, and I live in NE Albuquerque, near Comanche and Eubank. I have lived in Albuquerque for around 12 years. In that time, I have had a few good interactions with police officers. However, they have been far overshadowed in my mind by the murders of James Boyd, Mary Hawkes, Richard Rivera, and Jacob Grant, as well as many other police killings, shootings and other attacks of citizens. I do not feel comfortable or safe around APD officers. I know of countless examples of over-policing against the poor, people of color, unsheltered people and people suffering from addiction. I also know of many, many examples of white middle-class folks like me whose reports to APD are never followed up on, stolen property never recovered, and instances of assault never investigated. I also have attended CPOAB meetings and other community policing events, and I left convinced that there is no effective avenue for citizens to hold APD accountable.

For the last few years I have been volunteering with a group called Millions for Prisoners New Mexico. We have been protesting at prisons around the state where the COVID-19 pandemic has been spreading unchecked. On Monday, June 1<sup>st</sup>, one of our organizers, Clifton White, was arrested after protecting four adolescents who were apprehended by APD during a Black Lives Matter protest after supposedly shooting guns out of their car, (it is clear from the public helicopter video that they were, in fact, cheering out their windows at their fellow protesters as they were leaving.) Clifton is on probation, but there was no violation of his parole agreement before his arrest. In fact, his parole officer had told him less than a week prior that he was doing a great job. It is clear to me that Clifton White's arrest is an attempt at retaliation by APD for his activism against them. I ask the CPOAB to investigate Mr. White's arrest, and to recommend his immediate release.

I am also very concerned about physical violence used by APD against other Black Lives Matter protesters in the last few weeks. Non-violent protestors have been met with tanks, riot gear, tear gas, pepper spray, and rubber bullets. There have been a few bad actors who have broken windows and convicted other acts of vandalism, but these are largely not who APD is attacking. In fact, no arrests of vandals have been publicized, so APD is clearly not overly concerned with catching them. It's a sharp contrast to just a few weeks ago, when armed protesters against COVID-19 restrictions were allowed to take over Civic Plaza without the least bit of police intervention. There are also videos of APD discussing with armed, white militias who were "observing" protests and allowing them to remain, despite in at least one instance them being at UNM campus, where guns are strictly forbidden. APD are clearly showing their bias. I think they're also showing their fear of protestors against police violence. Are APD officers worried that, if we disallow police violence, we will realize that they don't do anything else? I ask the CPOAB to carefully examine the APD response to protestors and discipline those involved.

Finally, I am writing to ask that you reexamine your role in protecting the citizens of Albuquerque. I have read recent reports that there are more than 150 pending cases of use of force that are waiting for your review. I have also heard that the wait time for your evaluation is so long that, under the APOA contract, officers involved can no longer face discipline, because events occurred so long before. I plan to ask the city to not

renew this contract, but I also ask that you work overtime to evaluate the backlog of complaints, and that you check your own bias toward the accounts of APD officers and civilians. Virtually no complaints have ever been upheld by your board. If you are not going to listen to Albuquerque's citizens, you should step down.

Sincerely,

Winifred Whiteman-Jennings

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Winifred "Fred" Whiteman-Jennings, M.S.

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This message has been analyzed by Deep Discovery Email Inspector.

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**From:** April Freeman < >  
**Sent:** Thursday, June 11, 2020 3:57 PM  
**To:** POB  
**Subject:** Police Reform Now

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Greetings,

I'm writing you today to express my concern for the safety of my children and community members. I do not appreciate snipers on roofs pointed at my children when they walk down the street. It is absolutely acceptable to use chemical weapons, acoustic weapons or rubber bullets against citizens law enforcement are under oath to serve and protect. How dare you.

Policing is inherently violent. Police presence increases violence. When police show up in riot gear, that instigates violence. Violence is your business and I'm not going to tolerate violence against my son or daughter, or any other person in our community because they are "perceived" as a "threat" by violent and racist men in uniform. Keep in mind, the original "police" were slave patrols. Mass incarceration is the new plantation. Police exist to uphold systems of oppression to protect the ruling class. Period. This model is antiquated and disadvantages people of color at alarming rates. There is no justice in this system and it's time to redesign it.

This global movement aims to address police brutality and abolish racism and the structures, policies, attitudes, values, beliefs and behaviors that uphold this system. Racism is inherently violent. Our nation is founded on racism and violence against people of color. It's time to change that. Right now.

Defunding the police is a call for redistribution of wealth. Poverty is at the root of most crime. Desperate people commit most crimes. Addressing the root causes is necessary. That is what we are asking for. That is what we have been working towards. Your police reform practices have not worked. Investing in housing, education, health care, mental health, substance addiction programs, job creation and food justice does work.

I'm asking, demanding, you look at your budget and commit more of it to addressing poverty. This is one of the poorest states in the country and continually ranks 50th in the nation for education and child health and well-being. I'm asking, demanding, that you evaluate the individuals in your department and immediately release racist and violent agents. Be accountable to your community. Excessive use of force is unacceptable. Criminalizing black and brown bodies is unacceptable. My tax dollars are not for you to use to uplift violent men who are willing to cause harm, engage in violence and commit murder. My tax dollars are for fighting hunger and helping the poor and educating our children. You need to take action right now to address the injustices within your system. It impacts everyone of us. I should not have to worry about my children and their friends because you are historically untrustworthy. Do the right thing.

Thank you  
April Adams

Sent from my iPhone=

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**From:** diana macias < >  
**Sent:** Thursday, June 11, 2020 4:00 PM  
**To:** POB  
**Subject:** Public comment for CPOA meeting

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

How do we follow the investigation where APD officers met with armed civilians in a non-department sanctioned event?

How many of your complaints are found to be credible?

What are you doing to support Clifton White?

Cheers,  
Diana Macias

=====  
This message has been analyzed by Deep Discovery Email Inspector.



# Public Comment: CPOA Board Meeting 06-11-2020

Brandon Coon <

>

Thu 6/11/2020 1 52 PM

To: POB <pob@cabq.gov>;

Hello,

To Whom It May Concern,

My name is Brandon Coon. I've been a New Mexican/Albuquerque resident for the past 3 years. I go to UNM graduate and have lived mostly in Nob Hill. I've been a victim of crime and I've been a victim of the police.

From police brutality to systematic disenfranchisement, oppression, and racism, something needs to change. To start, I would like to formally demand the immediate release of Clifton White. The circumstances of his arrest are unjust and a violation of human rights. In addition, police reform is of utmost importance. I also demand the defunding/demilitarization of Albuquerque Police Department. The disproportionately large budget for the police force can and should be reduced and those funds can be reallocated into areas of education and public health. The growth in those areas will greatly benefit the city and it's progression forward. It will also help us in the quest to eliminate the systematic racism our country is founded on. Public health will increase for EVERYONE. Please understand the reality and severity of the current state. Be the change. Thank you for your consideration.

Sincerely,

Brandon Coon

=====  
This message has been analyzed by Deep Discovery Email Inspector.

**POLICE OVERSIGHT BOARD**

**INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION  
STATISTICAL DATA FOR THE MONTH OF **MAY 2020****

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APD 911 Communications Center  
Dispatched calls for Service for **MAY 2020**:  
**40,431 (INCREASE from APRIL (2,656))**

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**INTERNAL CASES FOR THE MONTH OF **MAY 2020****

Total Internal Cases Completed in the month of APRIL

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

1. IA Cases opened in the month of **MAY 2020**: 7
  2. Area Command IA cases opened for the month of **MAY 2020**: 69
  3. Pending IA Cases for the month of **MAY 2020**: 8
  4. Internal Cases Mediated: 0
- 

**DISCIPLINE IMPOSED FOR INTERNAL CLOSED CASES IN **MAY 2020****

**1: On/Off Duty Conduct—Written Reprimand**

**1: Conduct—Suspension/Written Reprimand**

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**1: Motor Vehicle Pursuit—Written reprimand**

**1: Felony Crimes involving Law Enforcement Officers—Suspension**

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**EIRS FOR **MAY 2020**: 261 alerts distributed (Overall and Incident type alerts)**

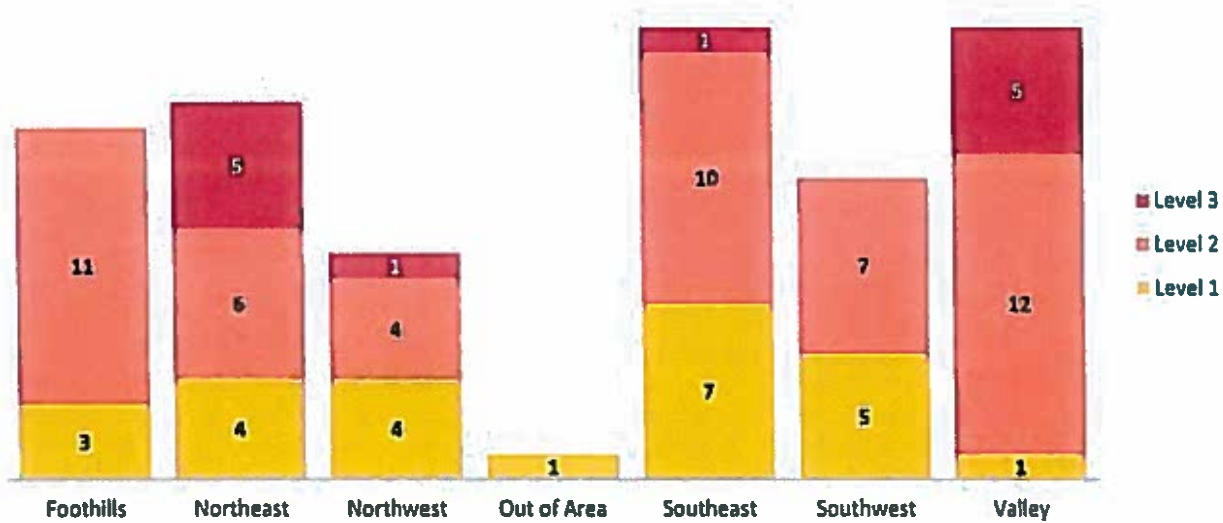
**Civilian Police Oversight Agency Board**  
**INTERNAL AFFAIRS FORCE DIVISION**  
**STATISTICAL DATA FOR THE MONTH OF MAY 2020**

**INCIDENT AREA COMMAND**

	Level 1	Level:2	Level 3	Grand Total
Foothills	3	11		14
Northeast	4	6	5	15
Northwest	4	4	1	9
Out of Area	1			1
Southeast	7	10	1	18
Southwest	5	7		12
Valley	1	12	5	18
<b>Grand Total</b>	<b>25</b>	<b>50</b>	<b>12</b>	<b>87</b>

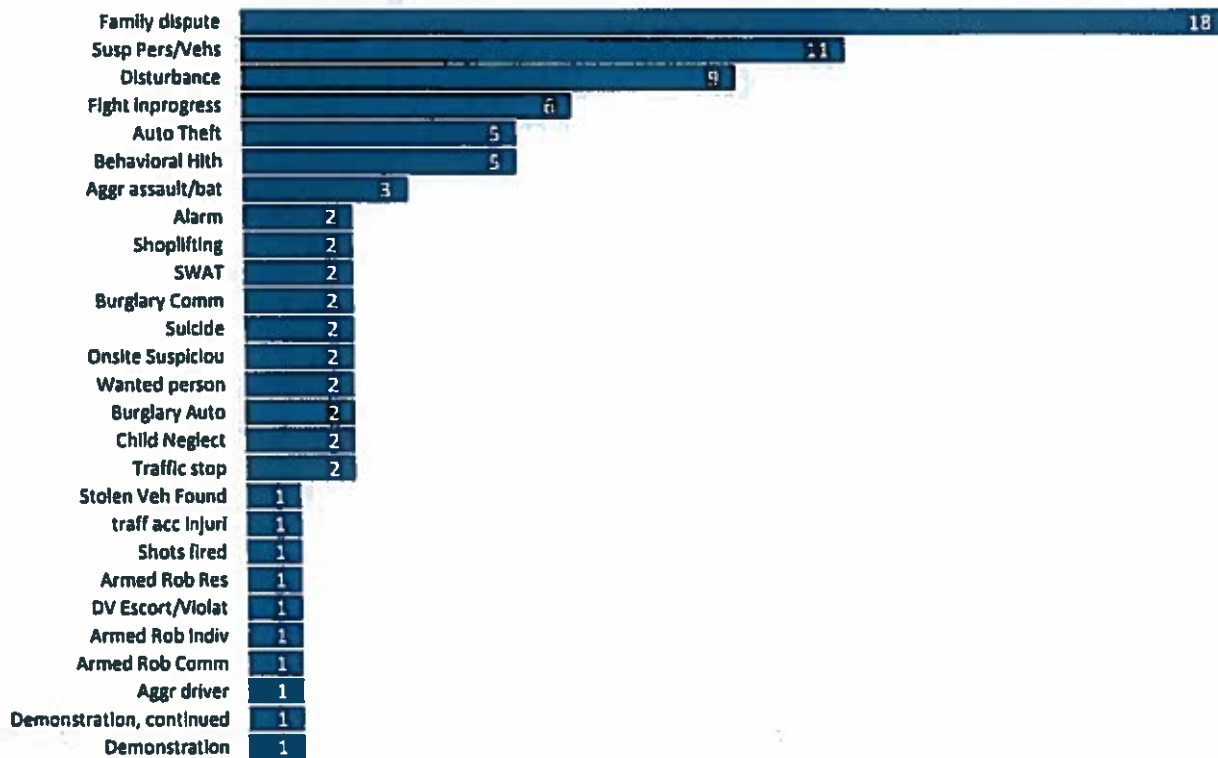
Force cases are now categorized by three levels. If a case involves multiple applications of force, it is categorized as the most serious at the case level. If one event involves both a force event and a tactical activation, the event is categorized as a force event for this report. These counts are not considered final as investigations are continuously updated.

**May 2020 Force Events**

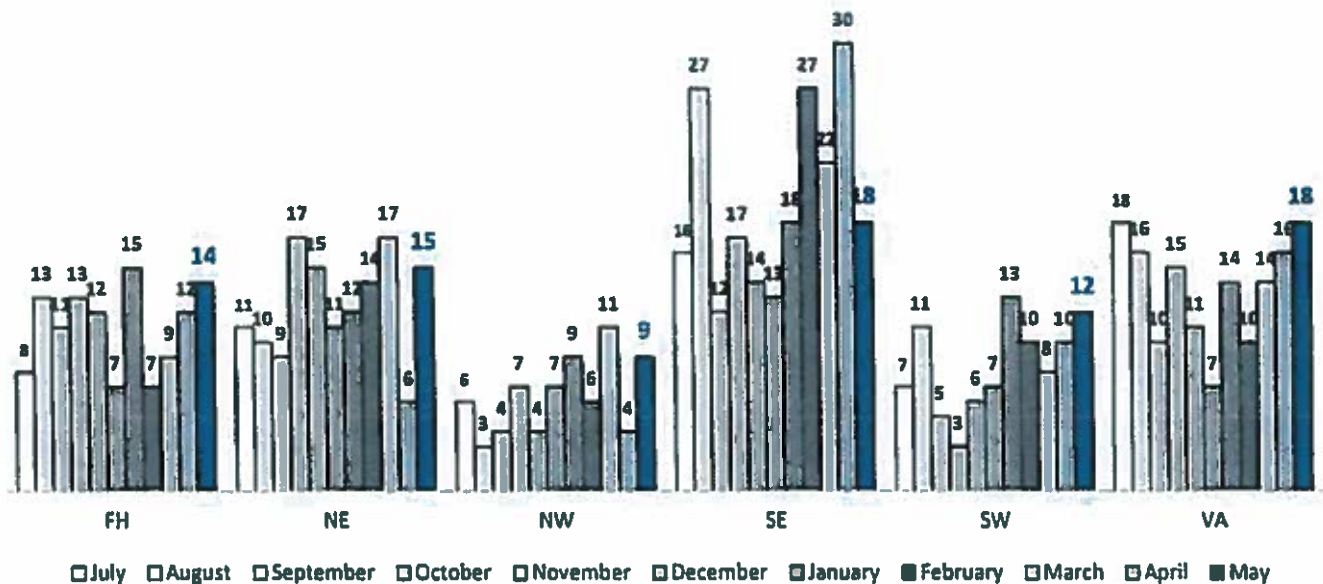


**Civilian Police Oversight Agency Board**  
**INTERNAL AFFAIRS FORCE DIVISION**  
**STATISTICAL DATA FOR THE MONTH OF MAY 2020**

**Call Types Associated with Force Events: May 2020**



**Eleven Months of Force Data**



Policy and Procedures Subcommittee Report to the June 11 POB meeting, William J. Kass, Chair

### Summary

The Policy Subcommittee will focus on policy recommendations beginning at the OPA review. During the policy review process greater emphasis will be placed on evaluating the efficacy of law enforcement practices. Application of existing APD data will be used to evaluate policies and related policy groups.

### Ordinance Directive

**CPOA Policy Recommendations.** The CPOA shall engage in a long-term planning process through which it identifies major problems or trends, evaluates the efficacy of existing law enforcement practices in dealing with the same, analyzes and evaluates data (including APD raw data), innovative practices, national trends, and police best practices, and establishes a program of resulting policy suggestions, recommendations, and studies each year.

### APD SOP review

Dr. James Ginger, the monitor, has written 'How to do Policy' guidance. This is a policy development guide that requires that policies have a goal of 'engendering officer behavior that meets requirements of APD, the community, the law and best practices'. In addition, the objectives of a policy should be that it is 'understandable, evaluable, actionable and trainable'.

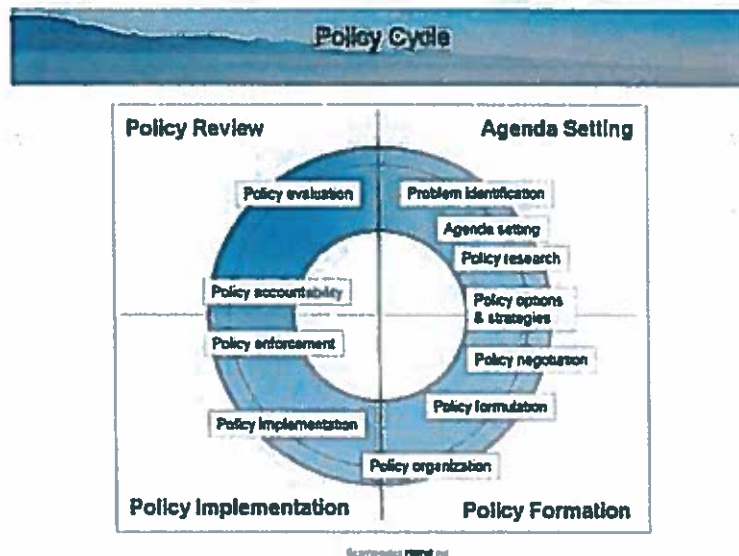
There are many models of the policy development cycle that vary in detail, but the general model follows the cycle of problem identification, policy formulation, policy implementation, and policy evaluation as shown in the figure on the right.

APD has created a policy development process that attempts to follow this guidance and also allows for public input into the process.

For new policies or policies that are dramatically changed from their current version, such as use-of-force, the development process can more easily follow this model. At the same time, because of the complexity of the use-of-force policy suite a great deal of effort is required to create a satisfactory resultant policy.

For policies undergoing an annual review, the changes being made can range widely from simple language and grammar corrections to near total re-writes.

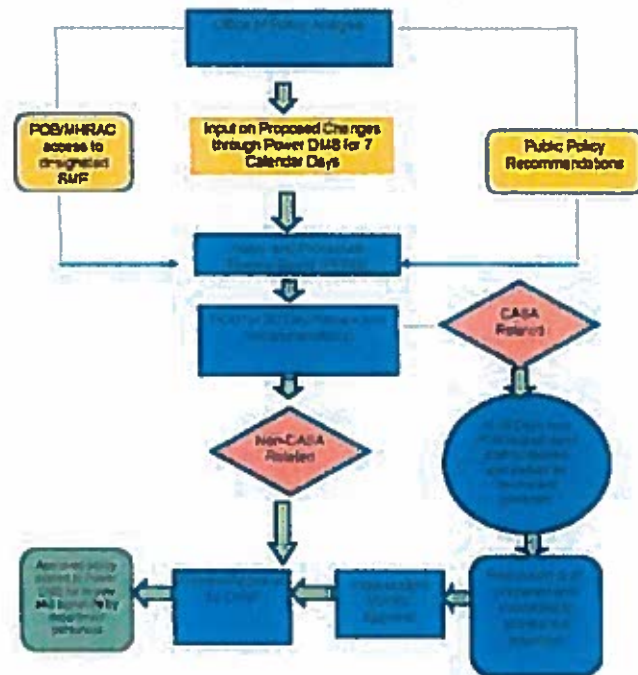
In order to standardize the policy format, OPA has adopted a format for all policies that includes the following elements:



- Related SOPs
- Purpose
- Policy
- Definitions
- Rules and Responsibilities

If policies are to follow good development practices, it is necessary supplement this list with the sources of data that APD collects in the use of an policy and an analysis of the data that can be used to evaluate the effectiveness of the policy.

The APD process is described in SOP 3-52 and the flow chart for this shown here. A meeting of OPA is the first step in the process where a subject matter expert (SME) presents his/her version of the policy changes which he/she has accumulated. The CPOA is represented in this process and can ask questions to clarify understanding of the policy and suggest other changes. No actual changes are made at the OPA meeting but these suggestions are incorporated with comments made during the 15 day comment period (shown as a 7 day period in the flow chart) through powerDMS. APD officers, civilian employees and the public can submit changes using a form created for this purpose.



The Policy and Procedures Review Board meets after the SME has incorporated comments and OPA schedules the policy for the PPRB review. At this time, a vote is held by the membership of the PPRB (defined in SOP 3-52) to forward this policy into a 30-day review window. During that time, the CPOA can create recommendations regarding approval or modifications of the policy to the Chief of APD. (If this is a CASA related policy, the Monitor team will also review the policy.

At a recent CPOA Policy and Procedures subcommittee (PnP) meeting, we recommended that the CPOA focus on the OPA meeting as a starting point for consideration of policy recommendations. The reason for this change in focus is that it is difficult to create recommendations of a policy that has just emerged from the PPRB, discuss these recommendations at a PnP meeting and then bring them to the full board for approval within the 30-day recommendation window.

In addition to earlier involvement in the policy process, more emphasis should be placed on the ordinance directive '...the CPOA shall ...evaluates the efficacy of existing law enforcement practices '.

To do this, it is necessary to take a broader view of policy development by looking for related policies and evaluating their impact on both APD and the community.

**Policy Impact Evaluation**

The table of “Policy Impact Evaluation” is a quick attempt to group related policies and suggest how these policies affect both APD and the community. It is in no way exhaustive but rather an invitation to the POB to think about policy work in a different context.

<b>Category</b>	<b>Policies</b>	<b>Impact / Outcome</b>
<b>Use-of-force</b>		<b>Effectiveness, Trust, Transparency</b>
	<b>Domestic violence</b>	<b>Effectiveness</b>
	<b>SWAT</b>	
<b>Mental health – applies to public</b>		
	<b>MHRAC</b>	<b>Effectiveness</b>
	<b>Crisis intervention</b>	<b>Effectiveness, Resources</b>
	<b>LEAD</b>	<b>Effectiveness, Resources</b>
<b>Behavioral health – applies to APD</b>		<b>Effectiveness</b>
<b>Criminal Investigations</b>		
	<b>Crimes against Children</b>	<b>Effectiveness, Trust, Resources</b>
	<b>Armed Robbery</b>	<b>Efficiency, Resources</b>
	<b>Sex Crimes</b>	<b>Effectiveness, Trust, Resources</b>
	<b>Homicides</b>	<b>Trust</b>
<b>External relationships -</b>		
	<b>MATF</b>	<b>Transparency, Efficiency</b>
	<b>MDC</b>	<b>Transparency, Efficiency</b>
<b>Pursuits</b>		
	<b>Star Chase</b>	<b>Efficiency</b>
	<b>PIT</b>	<b>Effectiveness, Authority</b>
<b>Administrative</b>		
	<b>Overtime</b>	<b>Efficiency</b>
	<b>Detective Track</b>	<b>Effectiveness</b>

**Measurable quantities for policy evaluation**

Another important aspect of evaluating policy effectiveness involves the cost of implementing and maintaining a policy compared to its usefulness in accomplishing the goals of policing. The table below lists data that APD already collects in some form that could be used to aid the evaluation process.

<b>Category</b>	<b>Applicable data</b>
<b>Cost</b>	Start up
	Training
	Implementation
	Maintenance I
<b>Frequency of use:</b>	How often is this SOP used?
<b>Police Resources:</b>	Training
	Administrative
	Field
	community
<b>Use-of-force</b>	Frequency
	Call type
	Call Outcome
<b>Community impact:</b>	Citizen complaints citations
	Case backlog
	Case resolution time
	Solution rate
	Follow-up to cases
<b>External cost:</b>	Emergency Medical services
	Hospitalization
	Mental health services
	Specialized equipment
	Specialized training



**Star Chase Pursuit Management Example:**

Finally, I have included as an example the Star Chase Pursuit Management system which is covered in SOP 2-13 and was reviewed at OPA in May. I have excerpted below from an email I sent to the OPA administrator, Patricia Serna. This seems like a good policy to test the process for applying cost data for this system to the benefit of use.

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This policy was first published in September 2018. Since that time APD has had time to assess the effectiveness of the policy. I believe this policy should be re-presented to OPA with answers to the following questions:

**Costs:**

**What were the direct costs of purchasing the system?**

**How many systems are in use?**

**What were the training costs?**

**What are the on-going costs for using and maintaining the system?**

**Benefits:**

**How often has this system been employed?**

**How often has the system been successful?**

**What are the criteria for success?**

**What are the benefits in terms of reduced APD time to resolve situations where this system is used?**

**What are the benefits in terms of reduced risk to APD personnel and the public?**

I think these are the kind of evaluation questions that need to be included in an OPA review of policies. Not every policy will have the same set of questions, of course, but when the data for a policy exists I think it should be analyzed and presented when the policy comes up for review in order to determine the effectiveness of the policy. This particular policy seems to be a good example to use to make this case.

This has been an ongoing discussion between myself, other members of the CPOA and Policy and Procedures sub-committee and OPA. I hope we can continue to build constructively on these discussions.

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SOP List

Number	Title	Priority	CASA	published	OPA Review Date	OPA action	PPRB Review Date	PPRB Review Action	Date Notice Sent/Rac	Comment Deadline
2-12	Pursuit Intervention Technique			23-Jul-18	11-Mar-20	15 day	10-Jun-20			
2-33	Rights of onlookers	1		13-Jan-16	27-Sep-18		10-Jun-20			
3-41	Complaints involving department p	1	CASA	02-Jun-16	09-Oct-19	removed	10-Jun-20			15-Nov-19
1-20	Behavioral Sciences Section	1	CASA	31-Aug-17			13-May-20	passed	22-May-20	21-Jun-20
2-25	Bomb threats and bomb emergenc	2		10-Jan-19	19-Feb-20	15 day	13-May-20	passed	22-May-20	21-Jun-20
2-64	Identification-interviewing-and-detention of witness			27-Jan-16	09-Oct-19	Postponed	13-May-20	removed		
F-1375	Robbery Victim Witness Question Form									
F-OPA	OPA Process			new			13-May-20	mod	NFR	
1-34	Crime Prevention Section	3		10-Jan-18	19-Feb-20	15 day	15-Apr-20	passed	30-Apr-20	30-May-20
1-59	Impact Teams	1			29-Jan-20	15 day	15-Apr-20	passed	30-Apr-20	30-May-20
2-38	Daily Staffing and Briefings	3			29-Jan-20	15 day	15-Apr-20	tabled		
F-07	Accidental Discharge of Firearm	F					15-Apr-20	passed	NFR	
F-08	IA FD Misconduct Addendum						15-Apr-20	passed	NFR	
F-09	RAM Checklist						15-Apr-20	passed	NFR	
F-10	Pre-Planned Search Warrant Risk Assessment Matrix Log						15-Apr-20	passed	NFR	
F-11	Risk Assessment Matrix						15-Apr-20	passed	NFR	
1-87	Scientific Evidence Division	1			18-Apr-19		18-Mar-20	passed	15-Apr-20	15-May-20
2-31	Emergency medical services	2		10-Jan-18	29-Jan-20	15 day	18-Mar-20	passed	15-Apr-20	15-May-20
2-32	Exposure to blood or bodily fluids	2			29-Jan-20	15 day	18-Mar-20	passed	15-Apr-20	15-May-20
2-68	Interviews and Interrogations				09-Oct-19	Postponed	18-Mar-20	passed	15-Apr-20	15-May-20

**Requests for Reconsideration.**

**Any person who has filed a civilian complaint and who is dissatisfied with the findings and/or recommendations the Board approved may request reconsideration by the Board within thirty (30) calendar days (inclusive of weekends and holidays) of receipt of the public record letter.**

**Basis for reconsideration:**

**The Board may grant a request for reconsideration only upon a showing by the complainant that:**

<b>(1)</b>	<b>a policy was misapplied in the evaluation of the complaint;</b>
<b>(2)</b>	<b>the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or</b>
<b>(3)</b>	<b>the findings and recommendations were not consistent with the record evidence.</b>

**Before the hearing:**

<b>The Board shall notify the Chief of the request for hearing and hold a hearing on the matter at its next regularly scheduled meeting provided that there is a period of at least ten (10) days between the receipt of the request for hearing and the next Board meeting.</b>	
<b>The Executive Director shall ensure notice is provided to the complainant at least one week prior to a hearing on the request for reconsideration.</b>	
<b>Reconsideration hearings shall be included in the Board agenda.</b>	
<b>Complainants may submit a written request to delay a hearing on a request for reconsideration for up to two months. Failure to appear at a scheduled hearing or to request a delay in writing may result in the Board acting on the request for reconsideration without further input from the complainant.</b>	

Hearing process:

	<b>Time for hearings on a request for reconsideration shall be divided as follows:</b>
<b>(1)</b>	<b>15 minutes for the complainant or representative</b>
<b>(2)</b>	<b>5 minutes for the police officer, if present</b>
<b>(3)</b>	<b>10 minutes for APD</b>
<b>(4)</b>	<b>10 minutes for the CPOA Executive Director or designee</b>
<b>(5)</b>	<b>5 minutes for the complainant or representative</b>

- **The Board may combine separate appeals of the same action, in which case each appeal will receive an equal share of the complainant's time. The Chairperson shall indicate in advance the division of time. The parties shall decide on the speakers to use the time.**
- **New evidence may be accepted by the Board during the hearing on a request for reconsideration. Whether to accept new evidence a party proffers is left to the discretion of the Board, and the Board may decide to rely on the evidence on the record. If the Board decides that additional evidence is necessary and appropriate for the proper disposition of the request for reconsideration, it may accept the evidence offered during the hearing or require the CPOA Executive Director to obtain such evidence for future presentation. New evidence which could have been put in the record during previous investigations or hearings is not favored for introduction during a hearing on a request for reconsideration. New evidence that clarifies evidence already in the record may be allowed. New evidence offered to contradict evidence in the record may be allowed if such evidence appears convincing and is material to the proper disposition of a complaint.**
- **Board members may ask questions at any time of any witness present. When a Board member asks questions, the time limits set forth above are stayed until questioning is completed.**

**Board member obligations:**

With regard to any request for reconsideration that has been filed with and is pending before the Board:

		Yes/No
(1)	No Board member shall communicate outside a hearing with the complainant or the complainant's representative.	
(2)	No Board member shall knowingly communicate with a member of the public or an organization about the subject of the request for reconsideration. Information and correspondence that is not in the record at the time the request for reconsideration is submitted only may be considered in making a decision if it is accepted as new evidence as set forth above.	
(3)	No Board member shall conduct their own investigations or add their own evidence to the record regarding any hearings on requests for reconsideration.	
(4)	Any correspondence regarding the subject of a request for reconsideration that is an ex parte communication and is inadvertently received by a Board member shall be delivered to the CPOA Executive Director and be available for review by the complainant.	
(5)	Notwithstanding the above, the CPOA Executive Director and CPOA staff may, upon the request of a Board member, communicate with that Board member at any time and by any means. Copies of any written materials from the CPOA Executive Director shall be distributed to all parties.	
(6)	Board members shall remain impartial in deliberations and decisions and shall recuse from any related hearings as may be necessary based on receipt of improper ex-parte communications or in which he or she has a direct or indirect personal conflict of interest or cannot otherwise accord a fair and impartial review, or in which such member's participation would create the appearance of impropriety or impartiality.	

**Board Decision**

- Upon close of the hearing on a request for reconsideration,
  - the Board may modify or change the findings and/or recommendations of the public record letter and may make further recommendations to the Chief regarding the findings and/or recommendations and any discipline the Chief has imposed or proposed.
  - Decisions on requests for reconsideration shall be determined by a majority of the Board members present. If the vote ends in a tie, the original findings and recommendations remain in place.

**Post Hearing**

Within twenty (20) days of receipt of the Board's decision, the Chief shall notify the Board and the original civilian complainant of his or her final disciplinary decision in this matter in writing, by certified mail.

Board member worksheet:

<b>Was new evidence presented?</b>	
<b>Has each board member complied with provisions J-(1-6)?</b>	
<b>Was a policy or SOP misapplied in evaluation of the complaint?</b>	
<b>Were the findings or recommendations arbitrary, capricious or constituted an abuse of discretion?</b>	
<b>Were the findings and recommendations not consistent with the record evidence?</b>	

Decision:

<b>The decision of the board is:</b>	
<b>Comments:</b>	

### **III.2 Powers and duties of the Chairperson and Vice-Chairperson**

Add the following duties for the Chairperson:

**II.2.A (14) Conduct a periodic review of members' training and conduct utilizing the report produced by the Executive director in Paragraph III.6.E.' ' New members will receive a review six months from their appointments. Subsequently all members will receive an annual review. The review team will consist of the Board Chairperson (or his/her designee), and the Executive Director.**

**II.2.A (15) Lead the Board in an annual self-assessment of Board member performance.**

**III. 5. Removal of Members make the changes below:**

**III.5. Review, Discipline and Removal of Members Any Board member may be removed for cause by a two-thirds vote of either the Board or the City Council. In addition to any other reasonable cause, any conduct inconsistent with the requirements and provisions of this Police Oversight Ordinance, or a demonstrated inability to objectively adjudicate civilian police complaints shall constitute cause for removal.**

**III.5.A The appointment of any Board member who has been absent and not excused by the chairperson from three consecutive regular or special meetings shall automatically expire effective on the date the Board reports such absence to the City Clerk. The Board will review and validate by majority vote the absences in question before reporting to the City Clerk. The City Clerk shall notify any member whose appointment has automatically terminated and report to the City Council that a vacancy exists requiring an appointment for the length of the unexpired term.**

#### **III.5.B Member Special Review and Discipline Process**

**1. The Chair can choose to initiate a member review process based on the Chair's review of the member's record or if a critical incident occurs regarding a Board member's conduct.**

**2. The Chair shall initiate a member review process if three members support a call for review.**

**3. Should a member review process be initiated, the Chair shall ask the Executive Director for a current report of that member's status regarding required member training, Board related performance or conduct deficiencies and public complaints received. The Executive Director has five business days to deliver the report to the Chair and the member in review.**

**4. After the report is delivered, the member in review has five business days to request a meeting with the Chair to discuss the facts and allegations in the report and, if agreed by both the board member and the Chair, create an improvement plan. This improvement plan shall be reported to the Board at the next Board meeting. If an improvement plan is not agreed upon the Chair shall schedule a special Board meeting to hear the case for Board member discipline resulting from the member review process.**

**5. If it is the judgement of the chair that an improvement plan is falling after specified and agreed upon intervals, the Chair shall schedule a special Board meeting to hear the case for Board member discipline.**

6. At any meeting of the Board where discipline or removal of the Board member is on the agenda, Board members may remove the review from the agenda according to the appropriate governing rules of parliamentary procedure.

7. During any meeting of the Board where discipline or removal of the Board member is on the agenda, board review, each member shall have no more than five minutes to question or comment and shall have no more than two substantive opportunities to hold the floor. The member in review shall have the opportunity to respond to all questions and comments with equal time.

8. Upon completion of review discussion the board may:

- a. Close the review with no action (majority vote)
- b. Leave the review open with no action, after 60 days review is closed (majority vote)
- c. Leave the review open with request for additional information (majority vote)
- d. Close the review with member censure (majority vote)
- e. Close the review with member suspension (2/3 vote)
- f. Close the review with member removal ( 2/3 vote).

The Chair will publicly announce the action of the Board.

### III. 6 Orientation and Training

III.6.E. The Executive Director shall report completion of each Board member's initial and ongoing training activities to the Chair of the Board every six months from the date of each member's appointment or when requested by the Chair so as to keep the Chair of the Board apprised of these activities. This report will be supplemented with any record of written citizen complaints received regarding board member's public conduct or actions which interfere with the objective of the CPOA. The Executive Director will be the custodian of documentation regarding Board member conduct of required duties described in the ordinance.