

## Civilian Police Oversight Agency Board

*Eric Olivas, Chair*

*Jesse Crawford*

*Dr. William J. Kass*

Edward Harness, Executive Director

*Chantal M. Galloway, Vice-Chair*

*Patricia J. French*

*Eric Nixon*

*Tara Armijo-Prewitt*

*Richard Johnson*

*Gionne Ralph*

**Thursday, November 4, 2021 - 5:00 p.m.**

### **Members Present:**

Eric Olivas, Chair

Chantal M. Galloway, Vice-Chair

Jesse Crawford

Patricia French

Dr. William Kass

Gionne Ralph

### **Members Absent:**

Tara Armijo-Prewitt -  
excused

Richard Johnson -  
unexcused

Eric Nixon - unexcused

### **Others Present:**

Diane McDermott, CPOA

Katrina Sigala, CPOA

Valerie Barela, CPOA

Tina Gooch, Atty

Deputy Chief JJ Griego, APD

Cdr. Zak Cottrell, APD

Cdr. Renee McDermott, APD

Acting Cdr. Richard Evans, APD

Acting Cdr. Jason Sanchez, APD

Elizabeth Martinez, DOJ

Jared Hager, DOJ

Esteban Aguilar Jr., City Atty

Carlos Pacheco, Sr. Managing City Atty

Chris Sylvan, City Council

Pastor David Walker, Mayor's Office

Kelly Mensah, CPC

Marteessa Billy, CPC

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, November 4, 2021 at 5:00 pm will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at:

<https://www.cabq.gov/culturalservices/govtv>, or on YouTube at:

<https://www.cabq.gov/cpoa/events/cpoa-board-meeting-11-04-2021>

(Please note that the link for YouTube has not yet been generated, however, the link could easily be found on the link provided above prior to the start of the meeting). The GOVTV live stream can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the CPOA Board will also remain available for viewing at any time on the CPOA's website. CPOA Staff is available to help members of the public access pre-recorded CPOA meetings on-line at any time 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

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website by 5:00 p.m., Monday, November 1, 2021 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, November 4, 2021. Submit your public comments to: [POB@cabq.gov](mailto:POB@cabq.gov). These comments will be distributed to all CPOA Board members for review.

## Minutes

- I. Welcome and call to order.** Chair Olivas called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:01 p.m.
- II. Mission Statement.** Chair Olivas read aloud the Civilian Police Oversight Agency Board's mission statement.
- III. Approval of the Agenda**
  - a. Motion.** Motion by Vice-Chair Galloway to approve the agenda as drafted. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

## **IV. Public Comments**

- a. APD Forward (*see attached*)

- 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 October 14, 2021 and October 19, 2021 Special Meeting.** Draft minutes from the Civilian Police Oversight Board October 14, 2021 regular meeting and October 19, 2021 Special Meeting was distributed to each Board Member electronically via a weblink.
- b. Motion.** A motion by Vice-Chair Galloway to approve the minutes as written. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**VI. Reports from City Departments**

**a. APD**

- 1. IA Professional Standards Division (SOP 7-1, SOP 3-41, SOP 3-46)** – Commander Zak Cottrell reported on the Statistical Data for the month of October 2021. A document titled *Civilian Police Oversight Board, Internal Affairs Professional Standards Division Statistical Data for the Month of October 2021* was distributed to the CPOA Board members electronically (*see attached*).
- 2. IA Force Division (SOP 2-52 through SOP 2-57)** – Acting Commander Richard Evans reported on the Statistical Data for the month of October 2021. A document titled *Civilian Police Oversight Board, Internal Affairs Force Division Statistical Data for the Month of October 2021* was distributed to the CPOA Board members electronically. (*see attached*)

**b. City Council – Chris Sylvan**

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

**c. Public Safety Committee - Chris Sylvan**

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

**d. Mayor’s Office – Pastor David Walker**

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

**e. City Attorney**

- 1. City Attorney** – Esteban Aguilar Jr. welcomed Jesse Crawford to the CPOA Board, recognized CPOA Lead Investigator Diane McDermott in her appointment as the Interim Executive Director of the CPOA and acknowledged CPOA Executive Director Harness for his years of service to the City of Albuquerque. Mr. Aguilar Jr. also presented his report.

**f. CPC – *Kelly Mensah***

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

**g. CPOA – *Edward Harness, Executive Director***

- 1.** There was no report.

**VII. Requests for Reconsideration  
101-21**

- a. Motion.** A motion by Vice-Chair Galloway to table Request for Reconsideration for CPC 101-21 to the next regularly scheduled CPOA Board meeting. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**VIII. Review of Cases:**

**a. Administratively Closed**

**115-21          180-21          203-21          206-21**

- 1. Motion.** A motion by Vice-Chair Galloway to accept the findings of Administratively Closed CPC 115-21, 180-21, 203-21 and 206-21 cases as presented. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**b. Exonerated**

**141-21**

- 1. Motion.** A motion by Vice-Chair Galloway to accept the findings of Exonerated CPC 141-21 case as present. Roll call vote taken.  
Motion passed.

**For: 5 - Crawford, French, Galloway, Kass, Olivas**

**Abstain: 1 - Ralph**

**c. Exonerated and Unfounded**

**030-21            125-21**

1. **Motion.** A motion by Vice-Chair Galloway to accept the findings of Exonerated and Unfounded CPC 030-21 and 125-21 cases as presented. Roll call vote taken. Motion passed.

**For: 4 – Crawford, Galloway, Kass, Olivas**

**Against: 2 – French, Ralph**

**d. Sustained and Exonerated**

**144-21**

1. Complainant for CPC 144-21 was present but unavailable to address the Board at the time allotted.
2. **Motion.** A motion by Vice-Chair Galloway to accept the findings of Sustained and Exonerated CPC 144-21 case as presented. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**IX. Serious Use of Force Cases/Officer Involved Shooting**

**a. 20-0037851 HC**

- i. Member Dr. Kass provided a summary of SUOF 20-0037851.
- ii. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**b. 20-0051552 HC**

- i. Member Dr. Kass provided a summary of SUOF 20-0051552.
- ii. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**c. 21-0001037 HC**

- i. Member Dr. Kass provided a summary of SUOF 21-0001037.
- ii. **Motion.** A motion by Vice-Chair Galloway to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**d. 21-0015637 HC**

- i. Member Dr. Kass provided a summary of SUOF 21-0015637.
- ii. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**e. 19-0077270 OIS – *APD Response: Acting Commander Richard Evans***

- i. Acting Commander Richard Evans provided a report in response to the CPOA Board's request.
- ii. **Motion.** A motion by Member Dr. Kass to accept Acting Commander Evans report. Roll call vote taken. Motion passed.

**For: 5 - Crawford, Galloway, Kass, Olivas, Ralph**

**Against: 1 - French**

- iii. **Motion.** Motion by Member Dr. Kass to table 19-0077270 OIS case to the next regularly scheduled CPOA Board meeting. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**f. 19-0094605 OIS**

- i. Member Dr. Kass provided a summary of OIS 19-0094605.
- ii. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**g. 16-0048656 OIS**

- i. Member Kass provided a summary of OIS 16-0048656.
- ii. **Motion.** A motion by Member Dr. Kass to accept the findings of the APD Force Review Board. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**h. File Requests:**

- i. None.

**i. Proposed Case(s) for December 2021 Review:**

1. 20-0015405 HC
2. 20-0017623
3. 20-0037586
4. 20-0043667
5. 20-0044826 OIS
6. 21-0017967 OIS

- i. Chair Olivas noted that the above cases will be reviewed at the next regularly scheduled CPOA Board meeting along with 19-0077270 OIS and relayed a message from Elizabeth Martinez DOJ that the FRB minutes contain the CPOA Executive Director's position on cases.

**X. Reports from Subcommittees**

**a. Community Outreach Subcommittee – *Chantal Galloway***

1. Met October 26, 2021 at 3:00 p.m. (video conference)
2. Vice-Chair Galloway gave a verbal and submitted a written report.  
(see attached)
3. Next meeting November 23, 2021 at 3:00 p.m.

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

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

**c. Case Review Subcommittee – Patricia French**

1. Met October 26, 2021 and November 1, 2021 (video conference)
2. Member French gave a verbal report.
3. Next meeting November 22, 2021 at 4:00 p.m.

**d. Personnel Subcommittee – Eric Olivas**

1. Met October 25, 2021 at 4:00 p.m. (video conference)
2. Member Olivas gave a verbal and provided a written report (*see attached*)
3. Next meeting November 29, 2021 4:00 p.m.

**\*\*Fifteen-minute break began at 7:27 p.m. and the meeting reconvened at 7:46 p.m.\*\***

**XI. Discussion and Possible Action:**

**a. Consideration of Commendation Letter for SOP 3-52 Policy Development Process**

1. **Motion.** A motion by Member Dr. Kass to accept the Commendation Letter for SOP 3-52 Policy. Roll call vote taken. Motion passed. (*see attached*)

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

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

1. **Motion.** A motion by Member Dr. Kass to accept the list of PPRB Policies with No Recommendation (*see attached*). Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**



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

1. Carlos Pacheco Senior Managing City Attorney and Tina Gooch CPOA Legal Counsel provided an update on the progress of the MOU and the CPOA Board discussed downloading materials.

**d. Case Review Process and Materials – Chantal Galloway**

1. **Motion.** A motion by Vice-Chair Galloway to change language in the CPOA Board Policies and Procedures Article V. Section 6. C. (1) a). to read “Agency Finding Letters, Complaints, Primary OBRD Video and the investigators report will be made available for Board review via a live link no less than (5) calendar days after the Director has approved the draft finding letter.” Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

2. **Motion.** A second motion to amend by Chair Olivas to strike all language after “Board review”. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**e. Ordinance Changes and Related Public Input – Eric Olivas**

1. Chair Olivas commented on the proposed City of Albuquerque’s changes to the Ordinance and noted a recommended language removal related to the case review process that should be made aware to the COA and that Member French is taking the lead on this item.

**f. Consideration of Communication to City Council and Stakeholders on CPOAB Direction and Future – Chantal Galloway**

1. Chair Olivas noted that the Consideration of Communication to the City Council and Stakeholders will be discussed at the next regularly scheduled CPOA Board meeting.

**g. Consideration of 2022 Executive Director’s Evaluation Tools –  
*Eric Olivas***

- 1. Motion.** A motion by Chair Olivas to adopt the 2022 Executive Director’s Evaluation tools as presented. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**h. Consideration of Proposed Timeline and Process for CPOA Director Appointment – *Eric Olivas***

- 1. Motion.** A motion by Chair Olivas to accept the Proposed Timeline and Process for the CPOA Director Appointment as drafted. Roll call vote taken. Motion passed.

**For: 6 - Crawford, French, Galloway, Kass, Olivas, Ralph**

**i. Development of Supplemental Questions and Interview Questions for CPOA Director Appointment Process – *Eric Olivas***

- Chair Olivas announced that the Personnel Subcommittee will seek input from Board Members, CPOA staff, CPC Members and Stakeholders on supplemental and interview question for the CPOA Director Appointment Process. Chair Olivas will send out communications to the CPC Council of Chairs and CPOA Staff.

**j. Board Member Responsibilities – *Eric Olivas***

- **New Member Training Requirements**
- **8-Hour Annual Training Requirement**
- **Email Communications**
- **Member Review Process**

- Chair Olivas provided an update on the current status of Board Member completions of required trainings and reminded Board Members to review emails regularly.

**k. CPOAB Calendar and Scheduling Tool – *Chantal Galloway***

1. Vice-Chair Galloway provided an update and announced the CPOAB Calendar and Scheduling Tool has been successfully implemented.

**l. CPOAB Community Outreach 2022 – *Chantal Galloway***

1. Vice-Chair Galloway announced that the Community Outreach Subcommittee is working on ideas to engage Board Members in attending community events and on the process.

**m. Executive Director Job Posting – *Eric Olivas***

1. Chair Olivas announced that the Executive Director’s Job Posting is on the City of Albuquerque’s website and will be advertised with NACOLE and NM State Bar. The deadline to apply for the position is December 10, 2021.

**n. CPOAB Subcommittee Assignments – *Eric Olivas***

1. Chair Olivas noted an error in announcement of the CPOAB Subcommittee assignments at the October 14, 2021 CPOA Board meeting and provided updated Subcommittee assignments. (*see attached*)
2. **Motion.** A motion by Chair Olivas to adopt the subcommittee assignments as presented with the change to swap Member Johnson and Member Crawford from the Policy and Procedures and Personnel subcommittees. Roll call vote taken. Motion passed.

**For: 5 - Crawford, French, Galloway, Kass, Olivas**

**Against: 1 – Ralph**

**o. City Attorney's Training Proposal – Eric Olivas**

1. Chair Olivas requested input from Board Members and the CPOA Executive Director on the proposed training from the City Attorney and he will start initial discussions and will update the Board at the later time.

**p. Non-Concurrence Letter to APD update – Eric Olivas**

1. Chair Olivas provided an update on the Non-Concurrence Letter update request and will defer the item to next regularly schedule CPOA Board meeting for discussion.

**XII. Meeting with Counsel re: Pending Litigation or Personnel Issues:**

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

**a. Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**

**a. Executive Director Appointment/Contract**

- i. **None.**

**XIII. Other Business**

- a. Vice-Chair Galloway discussed CPC 115-21 and noted potential opportunities for policy recommendations.
- b. Chair Olivas noted that Board Members Nixon and Johnson were unexcused and that Member Armijo-Prewitt was excused from tonight's meeting.
- c. Chair Olivas noted that he made a request to APD to submit and make available the various trainings that have not been offered by APD that are

required under the Ordinance and APD will work on providing such trainings.

- d. Chair Olivas announced that the Local NAACP made a request of the Board to have a representative of the CPOAB sit on a virtual panel on November 6, 2021 at 2:30 pm.
- e. Chair Olivas noted that the CPOA Board IMR Liaison and CPOA Legal Counsel submitted comments to the monitoring team regarding the draft of IMR-14.
- f. Chair Olivas announced the CPOA Board monitoring team site visit will take place on November 15, 2021 at 3:00 pm at the Plaza Del Sol building.
- g. Chair Olivas noted that in accordance with the CPOA Policies and Procedures Board Members are required to have Robert Rules of Order training annually and will start working on it to get the training scheduled.
- h. Chair Olivas noted that the Executive Director Exit Interview Proposal will be place on the next regular scheduled CPOA Board agenda.
- i. Chair Olivas shared a comment by Elizabeth Martinez DOJ that the APD Academy is working on providing more trainings.

#### **XIV. Adjournment**

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

**For: 6 – Crawford, French, Galloway, Kass, Olivas, Ralph**

- b. The meeting was adjourned at 10:54 p.m.

APPROVED:

DocuSigned by:  
Chantal Galloway  
Chantal M. Galloway, Chair  
Civilian Police Oversight Agency Board

December 9, 2021  
Date

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

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

## **Attachments**



Comments on Amendments to Police Oversight Ordinance (Winter/Benton/Sena (O-78))

TO: Civilian Police Oversight Agency

Date: November 4, 2021

APD Forward appreciates the opportunity to submit comments on the following Police Oversight Ordinance amendments. Our primary concern is ensuring that the ordinance fully complies with the Court Approved Settlement Agreement (CASA) and that the CPOA and POB are independent and effective. Although we recognize the sponsors' efforts to improve efficiency, we believe it doesn't go quite far enough. We believe the ordinance should strike the open-ended language that could be interpreted as an opportunity to re-investigate cases that come before the agency.

Removing this language would allow POB members to focus on identifying and addressing trends and policy gaps that would eventually facilitate constitutional policing and compliance with the Court approved settlement agreement. Additionally, we believe the effort to improve policy and identify trends would be aided by an ordinance mandate to collect demographic data collection (Robby).

**Page, 2, line 31 thru 33 and P. 3, lines 1 thru 3:** Qualifying that the CPOA ordinance is governed by the Court Approved Settlement Agreement and findings letter as well as any future settlement agreements and findings letters.

APD FORWARD supports this request.

**Page 3, lines 4 thru 9:** This amendment clarifies the executive director's role in making sure investigations complaints relating to police misconduct are complete, the Board is staffed and that the agency is up to date on police internal affairs matters. The changes remove ambiguities regarding the executive director's duties.

***"In addition to any other duties, the Administrative Office, through the Executive Director ~~and staff,~~ shall ~~investigate direct and oversee the investigation of~~ all civilian complaints relating to police ~~conduct~~ misconduct, monitor and report on police internal affairs matters, provide staffing to the Board, and manage the day-to-day operations of the CPOA."***

APD FORWARD supports this language change.

**Page. 3, lines 9 thru 12:**

The proposed changes seem to be designed to refocuses the POB energies on oversight and policy guidance and away from reviewing, approving and amending the investigations completed by the administrative office.

***"The Board shall provide policy guidance for, and civilian oversight of the Albuquerque Police Department ~~and review and approve or amend the findings and conclusions of all investigations completed by the Administrative Office.~~"***

APD FORWARD supports this change.





Page 3, line 22: The amendment cleans up language to reflect Bernalillo County's move into a new headquarters.

***"Facility Location. The CPOA shall be housed in a facility that is separate from any police presence and is located outside of the Albuquerque [~~Bernalillo Government Center City Hall~~], the Police Department and/or all of the police substations. "***

APD Forward support this insignificant change.

P. 4, lines 32-33 and Page 5, lines 1 thru 8: The amended language specifies that CPOA investigations should be limited to those involving police misconduct. Instead of auditing use of force incidence and internal affairs investigation the new language allows the agency to audit a representative sample. This change would allow the agency to operate more efficiently by creating a manageable workload for CPOA staff.

***"The Administrative Office shall independently investigate all civilian complaints [alleging officer misconduct] shall audit and monitor [a representative sampling of] all incidences of use of force by police and all matters under investigation by APD's Internal Affairs (IA) or other APD personnel tasked with conducting administrative investigations related to a use of force incident; and shall prepare proposed findings and recommendations on all officer involved shootings and serious uses of force as defined by Article III, Paragraph 12, Subsection (qq) (or as subsequently amended) of the court-approved DOJ Settlement Agreement with the City of Albuquerque ("Serious Uses of Force")."***

Page 7, lines 15 thru 16, 22 thru 23, 26 and 27 thru 28: These changes replace Board with Director. This removes the Board and leaves disciplinary recommendations in the hands of the Director, allowing the Board to focus on improving policies and identifying and addressing trends within APD.

APD Forward supports these changes.

Page 7, lines 29 thru 33 and Page 8, lines 1 thru 2 addresses summary disposition of complaints. This amendment creates a mechanism for addressing non serious complaints.

***"The Director shall develop and implement a policy that specifies those complaints other than misconduct that may be resolved informally or through mediation. Administrative closing or inactivation of a complaint investigation shall be used for the most minor policy violations that do not constitute a pattern of misconduct, duplicate allegations, or allegations that even if true would not constitute misconduct."***

APD Forward supports this amendment.



**Page 8, lines 8 thru 11:** The section address semi-annual reporting by amending the section that requires the agency to provide reports on board vacancies and training. It appears to be a good faith effort at ensuring that Board vacancies are filled and that Board members have are getting properly trained.

*... [any outstanding Board vacancies and the most forthcoming term expiration(s) of any Board member(s), and the status of board members having satisfied their training requirements.] together with any of the agency's issues or concerns.*

APD Forward support this amendment.

**Page 10, lines 22 thru 23:** This amendment address policies around appointing Board members.”

*[Staff shall establish written policies and procedures for its administration of this process.]*

APD Forward supports this amendment.

**Page 10, lines 28 thru 33 and Page 11, lines 1 thru 2:** This amendment is designed at addressing board vacancies.

*“Timeline for Filling of Vacancies. The Director shall notify the President of the City Council of a forthcoming vacancy on the Board at least sixty days prior to the expiration of a Board Member’s term, and within five days of the resignation of a Board member. The City Council shall act on an appointment to fill the vacancy within sixty days of the Council President’s receipt of notice from the Director. In the event that the City Council fails to act within this timeframe, the Council’s staff shall transmit the pending applications of the qualified candidates to the Mayor, and the Mayor shall make an appointment to fill the vacancy from amongst the candidates.”*

APD Forward supports this change.

**Page 11, lines 13 thru 16:** This amendment authorizes the removal of any board member for missing two meetings. This amendment reduces who would be able to serve on the Board and seem to not consider the uncertainties that covid-19 have created.

*“The appointment of any member who has been absent and not excused from ~~[three two]~~ consecutive regular or special meetings~~[shall]~~ automatically ~~[expire effective terminates]~~ on the date the ~~[fact of such absence is reported by the Board to the City Clerk. second absence occurs.]~~”*



APD Forward opposes this amendment.

Page 11, lines 17 thru 23: This amendment address Board member training.

**“The appointment of any member who has not completed the training required by subparagraph ‘(F)(2)’, below, automatically terminates if all initial training is not fully completed within an additional 30-day grace period from the expiration of the six-month deadline. However, if any training is not completed because the training was not made available by the City, the 30-day grace period is extended to include the timeframe within which the training is offered and can be reasonably completed.”**

APD Forward supports this amendment

Page 11, lines 24 thru 31: This amendment deals with grace periods and terminations of service.

**The appointment of any member who has not completed the training required by subparagraph ‘(F)(3)’, below, automatically terminates if the eight hours of required on-going training is not fully completed within an additional 30-day grace period of the anniversary date of the member’s appointment. However, if any training is not completed because the training was not made available by the City, the 30-day grace period is extended to include the timeframe within which the training is offered and can be reasonably completed.**

APD Forward supports this change.

Page 11, lines 32 thru 33 and Page 12, lines 1 thru 4: This amendment establishes the process for notifying board members whose services have been terminated and the city council president that the vacancy exists.

**The [City Clerk Director] shall notify any member whose appointment has automatically terminated and [shall within five days] report to the City Council [President] that a vacancy exists requiring an appointment for the length of the unexpired term. [The appointment of a new member to fill the resulting vacancy is subject to the timelines established by paragraph ‘D’, above.]**

APD Forward supports the addition of this language.

Page 12, line 11: The amendment in this section establishes the initial number of hours (24) each new board member receives.

APD Forward supports this change and appreciates the specificity.



**Page 13, lines 15:** This amendment adds clarifying language.

APD Forwards supports this addition.

**Page 14, line 11:** This amendment mandates the director provides a quarterly report on Board training.

APD Forward supports the addition.

**Page 14, lines 12 thru 14:** This change expressly allows the director to contract with outside resources to meet the Board's training requirements.

APD Forward supports this change.

**Page 16, line 26:** The additional language clarifies what complaints the CPOA will investigate.

APD Forward supports this change

**Page 16, lines 28 thru 33 and Page 17, lines 1 thru 3:** This amendment limits the CPOA's agency autonomy when it comes to making disciplinary recommendations. The amendment requires the Board to approve any disciplinary recommendations before they are communicated to the chief.

**Formal Disciplinary recommendations, if any, will be transmitted to the Chief only upon approval of the Board.**

APD Forward opposes this change because we believe the Board's role should be reserved to conducting appeals.

**Page 17, lines 7 thru 20:** The amendments in this section eliminates the board's obligation to review and approve the findings from the misconduct and serious use of force investigations CPOA conducts.

***The Administrative Office will receive and process all civilian complaints directed against the Albuquerque Police Department and any of its officers. The Director shall independently investigate and make findings and recommendations for ~~[review by the Board for]~~ such civilian complaints, or assign them for independent investigation by CPOA staff or an outside independent investigator. If assigned to staff or an outside investigator, the Director shall oversee, monitor and review all such investigations and findings for each. All findings relating to civilian complaints, officer involved shootings, and serious uses of force shall be forwarded to ~~[APD internal affairs and to] the Board for its [review and approval. For all investigations, the information. The]~~ Director shall make recommendations and give advice regarding Police Department policies and procedures to the Board [in the context of investigative findings] as the Director deems ~~[advisable appropriate]~~.***

APD FORWARD SUPPORTS THIS CHANGE.



Page 17, lines 21 thru 23: The amendments contained in this section establishes a process for commencing investigations and requires the director to report why investigations aren't closed within 9 months.

APD Forward supports this change.

Page 18, lines 26: This amendment inserts clarifying language in to the ordinance regarding the ordinances' community engagement piece.

APD Forward supports the addition of this language.

Page 21, lines 4 thru 6 and Page 21, lines 1 thru 3: Establishes a process for identifying who oversees the day-to-day operation of the agency in the director's absence.

Page 21, lines 16 thru 23: This amendment deletes language regarding recusal for Board members who file or initiate complaints.

~~*[Any Board member who files or otherwise initiates a complaint shall recuse from taking any action on the complaint, including evaluating the complaint and voting on its disposition. The Board shall submit rules and regulations governing civilian complaint procedures to the City Council for approval, including rules and regulations relative to time limits, notice and other measures to insure impartial review of civilians' complaints against members of the police department.] Anonymous complaints shall be accepted.*~~

APD Forward doesn't have an issue with this amendment.

Page 21, lines 29 thru 33 and Page 22, lines 1 thru 10: Establishes process for next steps following the completion of an investigation.

~~*After the investigation of a civilian complaint is completed, the Director shall analyze all relevant and material circumstances, facts and evidence gathered under the investigation. For each investigation, the Director shall prepare [or cause to be prepared] investigation reports with proposed findings and recommendations [, if any] and submit them to [civilian complainant and to] the Board for its [review and consideration information]. In addition to the findings and recommendation, each investigation report shall at a minimum also include: 1) a section outlining any relevant background and facts relating to the matter, 2) a listing of any relevant policies, procedures, or practices that are at issue, and 3) an analysis of the issues in the case. The Director may [share any submit formal] disciplinary recommendations [with to] the Chief of Police [in advance of their submission to only upon approval by] the Board [only as necessary to, but may submit them in advance for informational purposes to] help ensure timeliness pursuant to any applicable personnel or union contract requirements.*~~

APD Forward has a problem with this amendment and recommend the language requiring Board's approval before the chief can submit formal disciplinary recommendations.

Page 22, lines 11 thru 13: The amendments in these sections outlines the process the Board must take when the director's seeks approval to submit formal disciplinary recommendations to the chief of police.

~~*[The When the Director proposes to submit formal disciplinary recommendations to the Chief of the police, the] Board shall review the proposed [findings and disciplinary] recommendations at*~~



**any properly noticed regular or special meeting. The Board shall adopt and follow rules for such reviews that implement the requirements of this article and ensure fairness and completeness in its reviews. For purposes of these reviews, the Board members shall, at a minimum, adhere to the following standards of conduct:**

APD Forward doesn't support this amendment.

Page 23, lines 1 thru 13: The amendments here limit the Board's role to deciding whether or not to submit formal disciplinary recommendations to the chief of police as opposed to reinterpretation of the facts or launching another investigation.

***~~After the Board has completed its review, it shall by majority vote of members present (1) approve the findings and recommendations as proposed; 2) approve other findings and recommendations as determined by the Board and supported by the investigation file; or 3) defer action on the matter to allow for further investigation or analysis on specifically identifiable matters by the Director. As part of its review, the full investigation file shall be made available to the Board~~ decide whether or not to authorize the formal submission of the Director's disciplinary recommendations to the Chief of Police. For purposes of this vote, the Board is considering only whether to authorize the formal submission of the Director's disciplinary recommendation to the Chief. As part of this decision, the Board may consider the merits of the underlying claims, the soundness of the findings supporting the recommendation, and the justness of the recommendations***

APD Forward doesn't support this change.

Page 25, lines 14 thru 22: This amendment shift's the responsibility for notifying the complainant of the investigations and any recommendations from the Board to the director.

APD Forward supports this change.

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**From:** Barron Jones <bjones@aclu-nm.org>  
**Sent:** Thursday, November 4, 2021 4:56 PM  
**To:** POB  
**Subject:** Public Comment: CPOA Board Meeting 04-09-2020  
**Attachments:** APD Forward Coalition Comments on CPOA Amendment.pdf

**External**

Hello Chairman Olivas,

Please accept the APD Forward's written comments on the proposed CPOA amendments. We didn't realized the comments were to be submitted before 4 p.m.

Barron Jones  
Senior Policy Strategist  
ACLU of New Mexico  
PO Box 566  
Albuquerque, NM 87103  
(505) 266-5915 ext. 1020  
(505) 659-2615 cell  
[www.aclu-nm.org](http://www.aclu-nm.org)

**CIVILIAN POLICE OVERSIGHT BOARD**

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

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**INTERNAL CASES FOR THE MONTH OF October 2021**

Total Internal Cases Completed in the month of October- 15

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

1. IA Cases opened in the month of October 2021: 12
  2. Area Command IA cases opened for the month of October 2021: 22
  3. Pending IA Cases for the month of October 2021: 12
  4. Internal Cases Mediated: 0
- 

**DISCIPLINE IMPOSED FOR INTERNAL CLOSED CASES IN October 2021**

**I-414-21**

2-57-3D3b Supervisor Documentation of Level I Use of Force  
Exonerated  
No Disciplinary Action

**I-408-21**

SO 20-49 Special Order  
Unfounded  
No Disciplinary Action

**I-407-21**

SO 20-49 Special Order  
Unfounded  
No Disciplinary Action

2-80-205d Criminal Complaints  
Sustained/NBOOC  
Suspension



SO 20-49 Special Order  
Unfounded  
No Disciplinary Action

SO 20-49 Special Order  
Unfounded

**I-400-21**

1-1-4D16 On-Duty Conduct  
Sustained  
Verbal Reprimand

**I-391-21**

1-1-5D1 Reporting for Duty  
Sustained  
Suspension- Employee no longer with Department – Not Issued  
1-1-6C4 Obey All Department and Supervisory Orders  
Sustained

**I-385-21**

4-26-2A5 Wild/Dangerous Animals  
Exonerated  
No Disciplinary Action

**I-370-21**

2-8-5B Mandatory Recording  
Sustained  
Suspension

**I-346-21**

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded  
No Disciplinary Action

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded

3-14-4A1 Procedure

Sustained  
Letter of Reprimand

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded  
No Disciplinary Action

1-1-4B5 Compliance with Laws, Rules and Regulations  
Exonerated  
No Disciplinary Action

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded

1-1-4B5 Compliance with Laws, Rules and Regulations  
Unfounded

**I-340-21**

2-56-4A3 General Requirements of Officers Who use Force  
Unfounded  
No Disciplinary Action

2-57-3C1c Use of Force Review by Supervisors and the Chain of Command  
Sustained  
Suspension

**I-321-21**

3-14-4A2 Supervisory Leadership  
Unfounded  
No Disciplinary Action

3-14-4A2 Supervisory Leadership  
Unfounded

3-14-4A2 Supervisory Leadership  
Unfounded

3-14-4A2 Supervisory Leadership  
Unfounded

**I-301-21**

2-56-4A1 General Requirements of Officers who use force  
Unfounded  
No Disciplinary Action

2-56-4A1 General Requirements of Officers who use force  
Unfounded

2-8-4F1 Management of OBRD Recordings  
Exonerated

1-1-4D16 On-Duty Conduct  
Sustained  
Verbal Reprimand  
2-8-5D Mandatory Recording  
Sustained  
Written Reprimand

1-1-4D16 On-Duty Conduct  
Unfounded  
No Disciplinary Action  
3-14-4A5 Supervisory Leadership  
Unfounded

1-1-4D16 On-Duty Conduct  
Sustained  
Verbal Reprimand  
2-8-5D Mandatory Recording  
Sustained  
Written Reprimand  
2-8-4F1 Management of OBRD Recordings  
Sustained

**I-280-21**

2-8-5D Mandatory Recording

Exonerated

No Disciplinary Action

2-8-5D Mandatory Recording

Exonerated

1-1-4D1 On-Duty Conduct

Sustained

Letter of Reprimand

2-8-5D Mandatory Recording

Exonerated

No Disciplinary Action

2-8-5D Mandatory Recording

Exonerated

3-14-4A2 Supervisor Duties

Exonerated

**I-256-21**

2-56-4A1 General Requirements of Officers who use force

Exonerated

No Disciplinary Action

2-56-4A1 General Requirements of Officers who use force

Not Sustained

2-56-4A1 General Requirements of Officers who use force

Exonerated

2-56-4A1 General Requirements of Officers who use force

Exonerated

**I-254-21**

1-1-4B2 Compliance with Laws, Rules and Regulations

Unfounded

No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations  
Sustained  
Verbal Reprimand

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

**I-86-21**

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

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

1-1-4D10a Insubordination  
Sustained

1-1-4D10b Insubordination  
Sustained

1-1-4B7a Compliance with Laws, Rules and Regulations  
Sustained  
Written Reprimand  
1-1-4B7c Compliance with Laws, Rules and Regulations  
Sustained  
Suspension

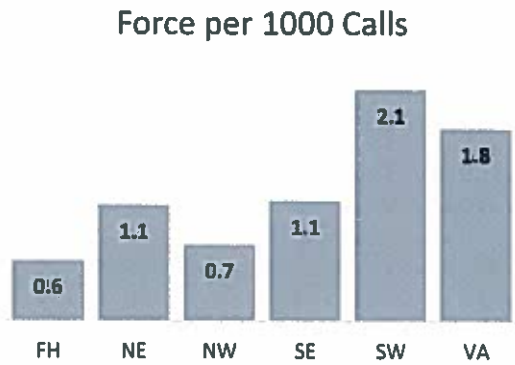
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# Civilian Police Oversight Agency Board

## INTERNAL AFFAIRS FORCE DIVISION

### STATISTICAL DATA FOR THE MONTH OF OCTOBER 2021

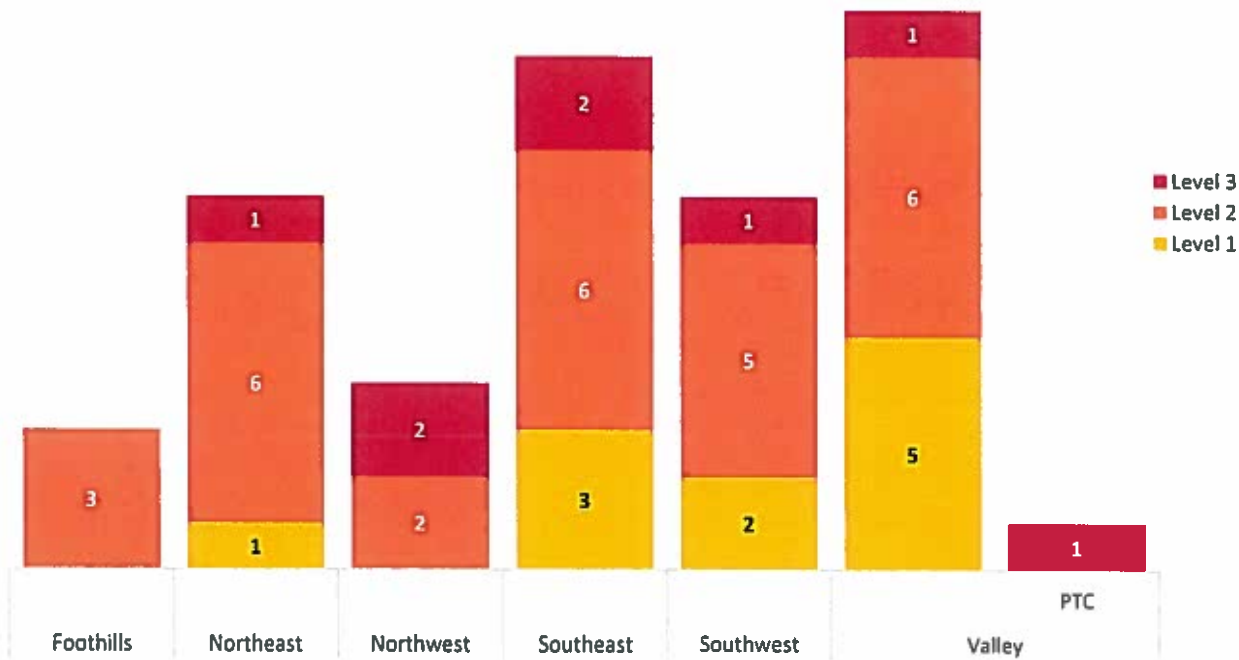
	Level 1	Level 2	Level 3	Total	CAD
Foothills		2		3	5402
Northeast	1	6	1	8	7029
Northwest		2	2	3	4284
Southeast	3	6	2	11	9958
Southwest	2	5	1	8	3775
Valley	5	6	2	13	7361
PTC			1		
<b>Total</b>	<b>11</b>	<b>28</b>	<b>8</b>	<b>47</b>	



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. These counts are not considered final as investigations are continuously updated.

- Level 1 is force that is likely to cause only transitory pain, disorientation, or discomfort during its application as a means of gaining compliance. This includes techniques which are not reasonably expected to cause injury, do not result in actual injury, and are not likely to result in a complaint of injury (i.e., pain compliance techniques and resisted handcuffing). Pointing a firearm, beanbag shotgun, or 40 millimeter launcher at a subject, or using an ECW to "paint" a subject with the laser sight, as a show of force are reportable as Level 1 force. Level 1 force does not include interaction meant to guide, assist, or control a subject who is offering minimal resistance.
- Level 2 is force that causes injury, could reasonably be expected to cause injury, or results in a complaint of injury. Level 2 force includes use of an ECW, including where an ECW is fired at a subject but misses; use of a beanbag shotgun or 40 millimeter launcher, including where it is fired at a subject but misses; OC Spray application; empty hand techniques (i.e., strikes, kicks, takedowns, distraction techniques, or leg sweeps); and strikes with impact weapons, except strikes to the head, neck, or throat, which would be considered a Level 3 use of force.
- Level 3 is force that results in, or could reasonably result in, serious physical injury, hospitalization, or death. Level 3 force includes all lethal force; critical firearms discharges; all head, neck, and throat strikes with an object; neck holds; canine bites; three or more uses of an ECW on an individual during a single interaction regardless of mode or duration or an ECW application for longer than 15 seconds, whether continuous or consecutive; four or more strikes with a baton; any strike, blow, kick, ECW application, or similar use of force against a handcuffed subject; and uses of force resulting in a loss of consciousness.

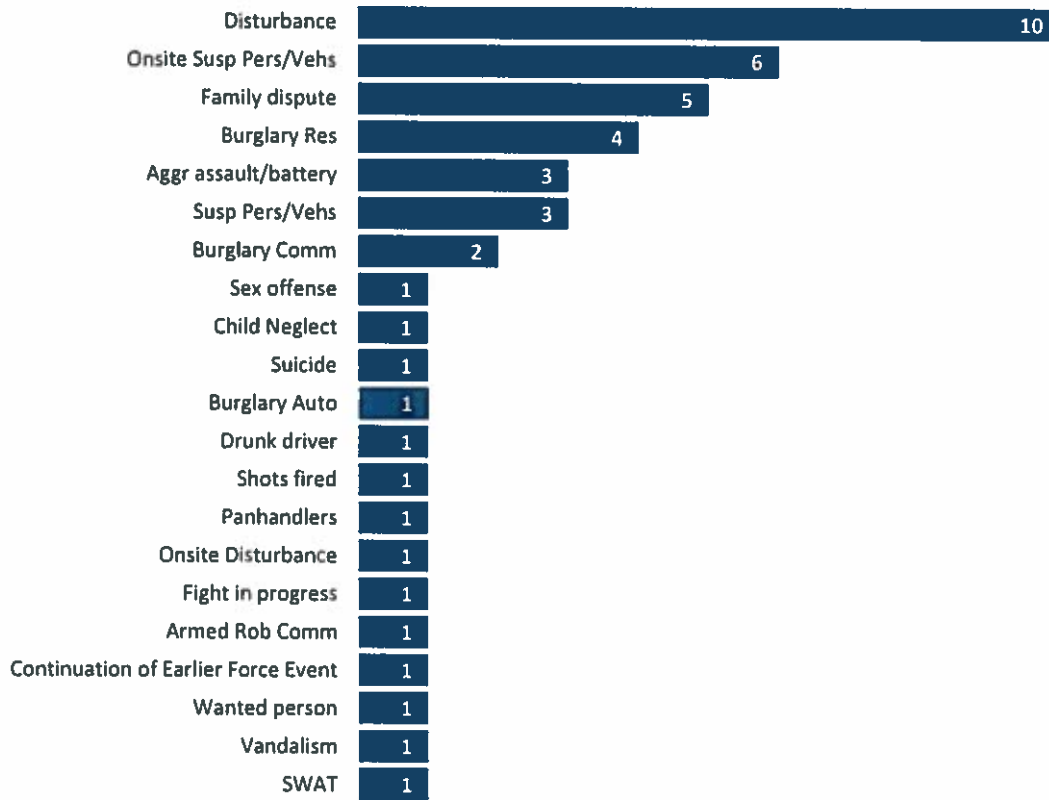
### October 2021 Force Events



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

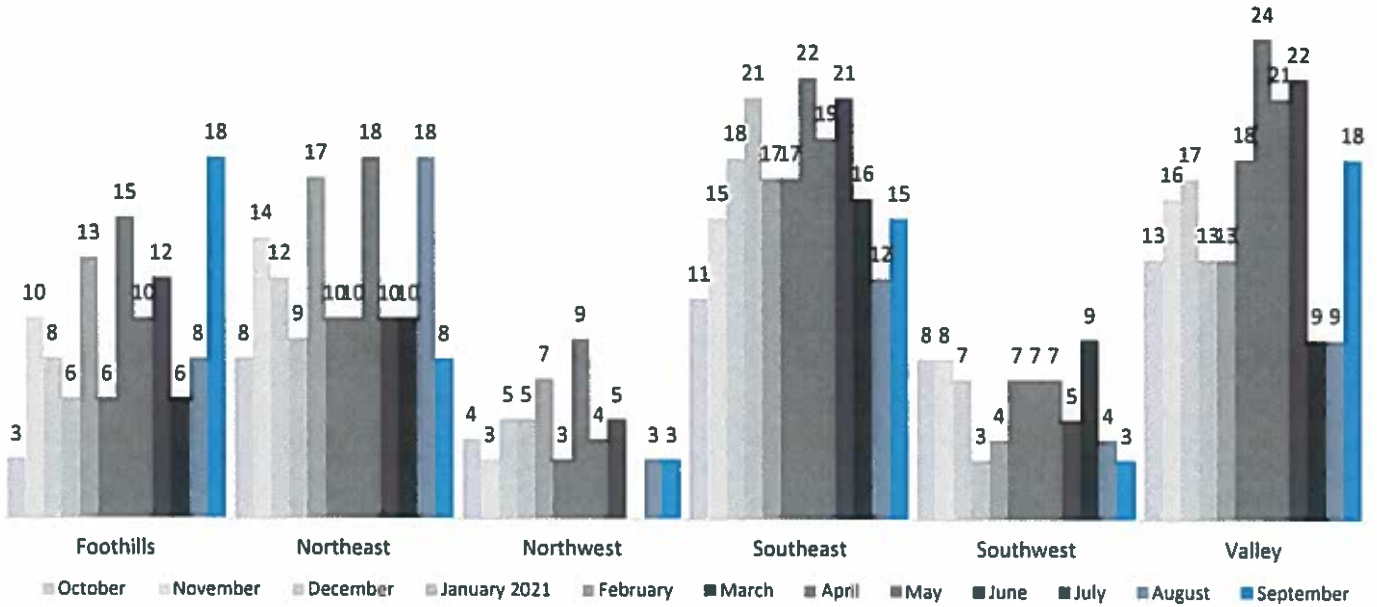
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**Call Types Associated with October 2021 Force Events**

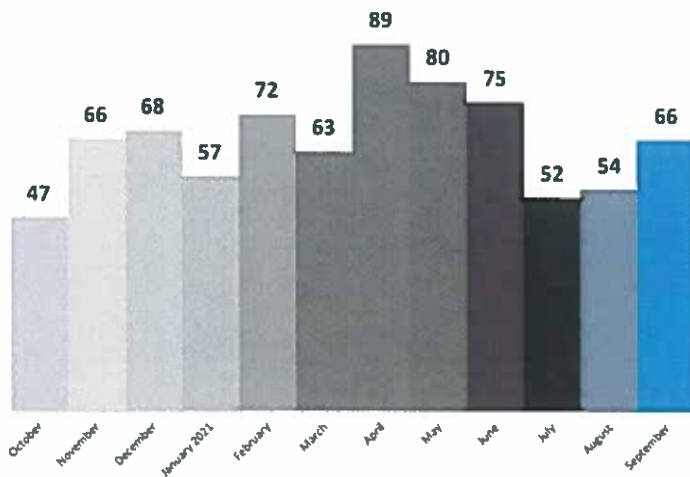


**Civilian Police Oversight Agency Board**  
**INTERNAL AFFAIRS FORCE DIVISION**  
**STATISTICAL DATA FOR THE MONTH OF OCTOBER 2021**

**Twelve Months of Force Data**



**Twelve Months of Force Data**  
(Includes Out of Area)





## **CPOA Board – Outreach Subcommittee Report**

The Outreach committee met via Zoom on October 26, 2021.

1. Marteesa Billy provided a CPC update on the following topics:
  - We received the tent and tablecloth for events.
  - Town Halls every weekend 20 total around the city
  - Eric Jackson, chair of the NW CPC, is leaving. He is being replaced by the vice chair.
  - The Valley, Foothills and NE CPC chairs have also said that they will be stepping down.
  - Two new members have joined the Northwest CPC.
  - CPC members have been attending community block parties which has generated some interest from prospective CPC members.
  - The CPC appreciation dinner hosted by Councilor Gibson will be held November 18th.
  
2. Director Harness is still waiting to receive the pre-screened applications for the Community Engagement Specialist from City HR. He also mentioned that there are some entities currently housed in the Plaza del Sol building that may be moving out. If that occurs, the CPOA may be able to acquire additional space at PdS rather than relocating to accommodate the growth.
  
3. The bulk of the conversation was around Board outreach activities in 2022 in order to better familiarize the community with the work of the Agency and Board. Some factors to consider are the best events for Board participation, additional time requirements of members, and the vacancies of both the Community Engagement Specialist and Executive Director. The committee will revisit this topic at the November meeting to discuss the type and frequency of outreach activities. We welcome feedback from other members of the Board. Potential outreach events include:
  - Neighborhood Associations
  - Annual neighborhood fiestas
  - OEI sponsored block parties
  - Community events listed on the City's event page
  - CPC meetings
  - An open house type event for City Council and Council Staff

The next meeting of the Outreach Subcommittee will be held via Zoom on November 23, 2021 at 3:00 PM but may move to November 30 if the Thanksgiving holiday is difficult for members.

The Policy and Procedures Subcommittee met 28 Oct 2021 at 4:30. Present were Members Patricia French, Jesse Crawford, and William Kass. Absent were Members Tara Armijo-Prewitt and Richard Johnson. The minutes from the 7 Oct 2021 meeting were approved.

#### APD Policy Related Activities

PPRB advanced policies from August 4 and August 18, 2021

PPRB Date	SOP	Title	Published	Rec?
2021-08-18	SOP 1-86	(Formerly 8-7) Report Review Unit	Moved to 2-111	No Rec
2021-08-18	SOP 1-90	(Currently 5-1) Investigative Services Division	archived	No Rec
2021-08-18	SOP 2-108	Electronic Communications Privacy Act Procedures	2021-09-22	No Rec
2021-08-18	SOP 2-59	Extreme Risk Firearm Protection Order	2021-09-22	No Rec
2021-08-18	SOP 3-11	Command Staff Responsibilities	2021-09-18	No Rec
2021-08-18	SOP 3-31	(Formerly 3-83) Physical Fitness Assessment	2021-09-22	No Rec
2021-08-04	SOP 1-02	Social Media	2021-09-10	No Rec
2021-08-04	SOP 1-12	Volunteer and Internship Programs	2021-09-08	No Rec
2021-08-04	SOP 1-22	(Currently 2-89) Automated License Plate Reader Program	2021-09-08	No Rec
2021-08-04	SOP 1-35	(Formerly 5-8) Crime Scene Specialists Unit	2021-09-08	No Rec
2021-08-04	SOP 1-75	(Formerly 8-1) Planning Division	2021-09-08	No Rec
2021-08-04	SOP 2-113	Custom Notification Gun Buy-Back (CNGBB) Program	2021-09-09	No Rec
2021-08-04	SOP 2-63	Crime Stoppers Investigations	2021-09-09	No Rec

The above list of policies was approved for sending 'No Recommendation' notices to the Policy Review Unit of APD. This notice will now include the phrase 'No recommendation at this time'.

#### 13 Oct 2021 PPRB Meeting

Number	Title	Presented by	Disposition	30Day 13 Oct
1-19	Shield Unit	Sgt. Andrew Wickline	Advanced	no rec
1-21 (Formerly 4-14)	Bicycle Patrol Officer	Tanya La Force	Advanced	no rec
1-26 (Currently 5-4)	Special Victims Section	Angelina Medina	Advanced	no rec
1-83 (Currently 5-9 and 5-10)	Real Time Crime Center	D/Commander Mark Torres	Advanced	no rec

<b>2-28 (Formerly 3-20)</b>	Flood Control Channel Action Plan	Sgt. Christopher Schroeder	Advanced	no rec
<b>2-30</b>	Emergency Command Post	Sgt. Xavier Chacon	Advanced	no rec
<b>2-39</b>	Field Services Bureau Response to Demonstrations, Incidents, and Events	Sgt. Xavier Chacon	Advanced	no rec
<b>2-85</b>	Certificate for Evaluation	Lt. Matthew Dietzel	Advanced	no rec
<b>2-99 (Formerly 1-8)</b>	Naloxone Policy	Dr. Justin Hazen		no rec
<b>3-11</b>	Command Staff Responsibilities	Commander Greg Weber		no rec
<b>3-32</b>	Performance Evaluations	Lt. Jeffrey Barnard	Advanced	no rec

20 Oct 2021 8AM PRU P&P meeting

<b>SOP</b>	<b>Title</b>	<b>Presenter</b>
<b>SOP 2-56</b>	Use of Force-Reporting by Department Personnel	A/Commander Richard Evans
<b>SOP 2-57</b>	Use of Force-Review and Investigation by Department Personnel	A/Commander Richard Evans

20 Oct 2021 1PM PRU P&P meeting

<b>SOP</b>	<b>Title</b>	<b>Presenter</b>
<b>SOP 1-4</b>	Biased Based Policing/Profiling	Commander Zak Cottrell
<b>SOP 1-16 (Formerly 5-11)</b>	Auto Theft Unit	Lt. Aaron Jones
<b>SOP 1-25</b>	Chaplain Unit Not presented	Chaplain Stephen Vigil
<b>SOP 2-41</b>	Traffic Stops Rescheduled until November	Sgt. Benito Martinez
<b>SOP 2-93</b>	Child Abduction/Missing Child Investigations	Lt. Juan Cabrera
<b>SOP 2-104 (Currently 4-24)</b>	Civil Disputes	Officer Tanya La Force On behalf of Cmdr. Timothy Espinosa

27 Oct 2021 PPRB

Number	Title	Presented By	Disposition	30 day rec 28 Oct 2021
1-3	Grooming Standards	Commander Timothy Espinosa	Advanced	No Rec
1-39 (Formerly 6-4)	DWI Unit	Sgt. Brian Johnson	Postponed	X
1-42 (Formerly 6-7)	Bomb Squad (Currently Explosive Ordnance Disposal Unit)	Commander Terysa Bowie, Sgt. Bonnie Briones, and Sgt. Matt Groff	Advanced	No Rec
1-67 (Currently 7-2/7-3)	Multi-Agency Task Force (MATF)	D/Commander Kyle Hartsock	Tabled	X
1-88 (Formerly 5-3)	Sex Crimes Unit	Angelina Medina on behalf of Lt. Juan Cabrera	Archived	No Rec
1-93 (Formerly 8-11)	Telephone Reporting Unit (TRU)	Sofia Clingenpeel	Postponed	X
1-95 (Formerly 6-3)	Metro Traffic Division (Formerly Traffic Section)	Sgt. Benito Martinez	Advanced	No Rec
2-4	Use of Respirators	Frank Galanis	Advanced	No Rec
2-79	Law Enforcement Assisted Diversion(LEAD) Program	Sgt. Charles Crook and Officer Shannon Miera	Advanced	No Rec

Discussion Items:

*SOP 2-92 Crimes Against Children Investigations*

Ali Abbasi presented recommendations to SOP 2-92 Crimes Against Children Investigations submitted by Members Armijo Prewitt and Chantal Galloway. There was extensive discussion of these recommendations. A/Commander Richard Evans was present at the meeting and was able to give relevant information regarding the CACU policy and practices based on several years' experience serving in that unit.

\* Policy recommendation 2: Whenever possible, physical examinations of children under the age of 5(?) should be conducted in the presence of a known and trusted adult. If one is not readily available, acceptable alternatives are a CYFD caseworker or EMT. 2-92-3-B-3-a

Commander Evans suggested that the language in recommendation 2 be checked vs other policies regarding the age of consent. He also mentioned that children under the age of five tend to be non-verbal so that an examination may be necessary to establish injury since the child may not provide a verbal answer. His experience indicates that older children can identify their injuries without examination.

\*Possible policy recommendation 4: Officers will notify the custodial parent/guardian that their child is being taken into protective custody and removed from location ABC. Parent/Guardian will be provided with next steps or what to expect. 2-92-C-3-b; 5-4-4-D-4-g

Commander Evans pointed out that CACU officers normally do not notify parents when a child is taken into protective custody since the case is turned over to Children, Youth and Families Department as quickly as possible and they have protocols for finding and notifying the families. The subcommittee tabled this item and requests that the authors of the recommendations research the appropriate Children's Code, CYFD and APD protocols and policies.

#### *Canine Use Data Update*

Member French and Ali Abbasi presented some data via PowerPoint which had been previously requested and received from APD. This presentation was the basis for asking questions of Sgt. Michael Hernandez of the Canine Unit who was in attendance and was able to provide more details regarding the data received to date. This was an enlightening discussion that provided a path for future data requests to the Canine Unit from the PnP. Canine use related policies will continue to be discussed as more information is received.

#### *SOP 2-98 Gunshot Detection Procedure Update*

Deputy Chief Jon Griego and Deputy Commander Mark Torres presented information regarding this SOP at the October 14 CPOAB meeting. There was also some discussion of Chief Medina's response to the CPOAB letter of June 10, 2021. The PnP/CPOAB may need to decide if more information is needed regarding this response in the near future.

#### *SOP 3-52 Policy Development Process Recommendation Update*

Chair Kass drafted a letter of commendation addressed to Chief Medina for the improvement to SOP 3-52 made by the APD Policy Review Unit. This letter was approved by the PnP for submission to the CPOA Board for final approval.

#### *SOP 3-41 Changes to have Substations Review Minor Complaints*

Lead Investigator Diane McDermott will draft a recommendation for CPOA Board approval to move Citizen Complaints that carry Level 6 or 7 disciplines to the Area Command Substations for disposition. Ms. McDermott mentioned that in some cases such as officer driving complaints this process already exists.

#### *Other Business*

Chair Kass described a policy tracking spreadsheet that he has been developing. The purpose of the spreadsheet is to describe the work of the PnP and Board to affect the policy development process. The emphasis of the PnP has been to focus on early input into the APD policy development process which is not visible to the community. Chair Kass proposed that he present this information to the City Council Public Safety Committee.

Meeting adjourned approximately 6:30pm.

Next Meeting December 2, 2021 at 4:30pm.

## **Personnel Committee Report**

October Meeting Date: 10/25/21

The committee received a report from Director Harness on staffing and agency processes. The Director discussed the hiring of new investigators and hiring for the Community Outreach position. No further action on the policy analyst position has occurred. The Executive Director's 2021 evaluation process was discussed. No further changes were suggested and the 2021 Evaluation is ready to proceed in January. The 2022 Evaluation was discussed. The committee had no further changes suggested for the materials and goals, no further public input had been received and the committee was prepared to recommend the Board adopt the 2022 Evaluation. The committee discussed and refined a process and timeline for the ED appointment. Input was received from staff, the current ED, city legal, and the Board attorney. The process and timeline will be recommended to the full board for consideration. The committee also discussed supplemental questions for applicants and interview questions. This list will be finalized at the next Personnel meeting. Input is encouraged from the public, staff, stakeholders, and Board members over the next month. Please send any input you may have to [eolivas.pob@cabq.gov](mailto:eolivas.pob@cabq.gov)

Next Meeting: November 29th @4PM



## **CIVILIAN POLICE OVERSIGHT AGENCY**

### **Civilian Police Oversight Agency Board**

*Eric Olivas, Chair*

*Chantal M. Galloway, Vice-Chair*

*Tara Armijo-Prewitt*

*Jesse Crawford*

*Patricia French*

*Richard Johnson*

*Dr. William J. Kass*

*Eric Nixon*

*Gionne Ralph*

Edward Harness, Executive Director

November 4, 2021

Harold Medina, Chief of Police  
Albuquerque Police Department  
400 Roma NW  
Albuquerque, NM 87102

Dear Chief Medina,

The Civilian Police Oversight Agency Board would like to commend the Albuquerque Police Department Policy Review Unit, the policy owners for SOP 3-52 "Policy Development Process" for their efforts in reviewing and improving this policy.

SOP 3-52 is the fundamental policy used to review all SOPs within APD. In brief, it creates a process that allows for early input to SOP review from APD personnel; the CPOA; and the community. As SOPs proceed to the 15-day commentary period, more input is solicited from APD and the community. At a meeting of the Policy and Procedures Review Unit the SOP is advanced for formal recommendations. The CPOA has 30 days to make their formal recommendations to the Chief of APD. The Independent Monitor Team also reviews, approves and/or modifies all CASA related policies.

The PRU has generally cleaned-up and reorganized the language in this policy to make the policy statement clearer and the entire process easier to follow. This is aided by a detailed flow-chart to visualize the entire process.

When following the process in SOP 3-52, the SOP under review is presented at the first review by a designated subject matter expert/policy owner. The PRU has clarified the definition of the role of the policy owner and provides assistance in preparing the policy for presentation. The PRU has also defined the responsibility of the policy owner to respond to requests from the PRU in order to better prepare the policy for review.

The PRU has incorporated changes suggested by CPOA representatives leading to enhanced collaboration with the CPOA and greater transparency in the SOP development process. These changes lead to more informative discussions at the first review meeting allowing the policy owner to incorporate suggestions earlier in the process.

The CPOA Board feels that the policy development process has improved vastly over the last two years both in terms of efficiency in moving SOPs through the review process and in

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)

promoting a spirit of cooperation between the CPOA and the PRU. These efforts have resulted in better policies.

These improvements are in no small part due to the efforts of Acting Commander Sean Waite, Professional Integrity Division, Police Reform Bureau (formerly with the Compliance and Oversight Division) and Patricia Serna, Policy Manager, Policy and Procedure Unit, Compliance and Oversight Division, Accountability and Analytics Bureau. We would like to commend them and the members of their team: SOP Liaison Angelina Medina and Policy Coordinator Officer Tanya La Force, as well as the policy owners for their hard work and diligence in developing a better policy development process.

Sincerely,

DocuSigned by:  
  
E2049BE500374B3  
Eric Olivas, Chair  
Civilian Police Oversight Agency Board



PPRB advanced policies from August 4 and August 18, 2021

PPRB Date	SOP	Title	Published	Rec?
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2021-08-04	SOP 1-02	Social Media	2021-09-10	No Rec
2021-08-04	SOP 1-12	Volunteer and Internship Programs	2021-09-08	No Rec
2021-08-04	SOP 1-22	(Currently 2-89) Automated License Plate Reader Program	2021-09-08	No Rec
2021-08-04	SOP 1-35	(Formerly 5-8) Crime Scene Specialists Unit	2021-09-08	No Rec
2021-08-04	SOP 1-75	(Formerly 8-1) Planning Division	2021-09-08	No Rec
2021-08-04	SOP 2-113	Custom Notification Gun Buy-Back (CNGBB) Program	2021-09-09	No Rec
2021-08-04	SOP 2-63	Crime Stoppers Investigations	2021-09-09	No Rec

The above list of policies was approved for sending 'No Recommendation' notices to the Policy Review Unit of APD. This notice will now include the phrase 'No recommendation at this time'.

13 Oct 2021 PPRB Meeting

Number	Title	Presented by	Disposition	30Day 13 Oct
1-19	Shield Unit	Sgt. Andrew Wickline	Advanced	no rec
1-21 (Formerly 4-14)	Bicycle Patrol Officer	Tanya La Force	Advanced	no rec
1-26 (Currently 5-4)	Special Victims Section	Angelina Medina	Advanced	no rec
1-83 (Currently 5-9 and 5-10)	Real Time Crime Center	D/Commander Mark Torres	Advanced	no rec
2-28 (Formerly 3-20)	Flood Control Channel Action Plan	Sgt. Christopher Schroeder	Advanced	no rec
2-30	Emergency Command Post	Sgt. Xavier Chacon	Advanced	no rec

<b>2-39</b>	Field Services Bureau Response to Demonstrations, Incidents, and Events	Sgt. Xavier Chacon	Advanced	no rec
<b>2-85</b>	Certificate for Evaluation	Lt. Matthew Dietzel	Advanced	no rec
<b>2-99 (Formerly 1-8)</b>	Naloxone Policy	Dr. Justin Hazen		no rec
<b>3-11</b>	Command Staff Responsibilities	Commander Greg Weber		no rec
<b>3-32</b>	Performance Evaluations	Lt. Jeffrey Barnard	Advanced	no rec

27 Oct 2021 PPRB

<b>Number</b>	<b>Title</b>	<b>Presented By</b>	<b>Disposition</b>	<b>30 day rec 28 Oct 2021</b>
<b>1-3</b>	Grooming Standards	Commander Timothy Espinosa	Advanced	No Rec
<b>1-39 (Formerly 6-4)</b>	DWI Unit	Sgt. Brian Johnson	Postponed	X
<b>1-42 (Formerly 6-7)</b>	Bomb Squad (Currently Explosive Ordnance Disposal Unit)	Commander Terysa Bowie, Sgt. Bonnie Briones, and Sgt. Matt Groff	Advanced	No Rec
<b>1-67 (Currently 7-2/7-3)</b>	Multi-Agency Task Force (MATF)	D/Commander Kyle Hartsock	Tabled	X
<b>1-88 (Formerly 5-3)</b>	Sex Crimes Unit	Angelina Medina on behalf of Lt. Juan Cabrera	Archived	No Rec
<b>1-93 (Formerly 8-11)</b>	Telephone Reporting Unit (TRU)	Sofia Clingenpeel	Postponed	X
<b>1-95 (Formerly 6-3)</b>	Metro Traffic Division (Formerly Traffic Section)	Sgt. Benito Martinez	Advanced	No Rec
<b>2-4</b>	Use of Respirators	Frank Galanis	Advanced	No Rec
<b>2-79</b>	Law Enforcement Assisted Diversion(LEAD) Program	Sgt. Charles Crook and Officer Shannon Miera	Advanced	No Rec

**CPOAB  
Subcommittee Assignments 11/4/21**

**Personnel:**

Armijo-Prewitt  
Johnson  
Olivas  
Ralph

**Policies and Procedures:**

Armijo-Prewitt  
French  
Crawford  
Kass

**CRC:**

French  
Johnson  
Kass  
Nixon

**Outreach:**

Crawford  
Galloway  
Nixon  
Ralph