

Civilian Police Oversight Agency Board

**Tuesday, October 6, 2020 – 5:00 p.m.
By Video Conference**

Members Present:

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

Members Absent:

Cathryn Starr

Others Present:

Edward Harness, CPOA
Katrina Sigala, CPOA
Valerie Barela, CPOA
Tina Gooch, Atty
Lindsay Van Meter, Asst. City Atty
Chris Sylvan, City Council
Commander Donovan Rivera, APD

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 Tuesday, October 6, 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/cpoa-board-meeting-1>. (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 for assistance.

Public Comment: The agenda for the meeting will be posted on the CPOA website by 5:00 pm, Friday, October 2, 2020 at www.cabq.gov/cpoa.

The CPOA Board will take general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 pm on Tuesday, October 6, 2020. Submit your public comments to: 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 5:02 p.m.
- 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 approve the agenda as drafted.
Roll call vote taken. Motion passed.
For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass
- IV. Public Comments**
 - a. Geraldine Amato** (*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. Approval of Minutes from September 10, 2020**
 - 1.** Copies of draft minutes from the September 10, 2020 Civilian Police Oversight Agency Board meeting were distributed to each Board Member electronically.
 - 2. Motion.** A motion by Member Mitchell to approve the minutes as drafted. Roll call vote taken. Motion passed.
For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass
- VI. Reports from City Departments**
 - a. APD**
 - 1. Interim Chief Harold Medina** – Chair Dr. Kass announced Chief Medina was unable to attend due to a scheduling conflict.
 - 2. Crash Review Board Quarterly Update** - Commander Donovan Rivera gave a report on Department Personnel involved in crashes from

April 1, 2020 – June 30, 2020 (Q4). A Power Point Document Titled Crash Review Board Update was distributed to each CPOA Board Member electronically. *(see attached)*

3. APD Internal Affairs - Professional Standards Division submitted Statistical Data report for the month of September 2020. *(see attached)*

4. APD Internal Affairs - Force Division submitted Statistical Data report for the month of September 2020. *(see attached)*

b. City Council

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

c. Mayor's Office

1. Assistant City Attorney – Lindsay Van Meter presented her report.

d. City Attorney

1. Assistant City Attorney – Lindsay Van Meter presented her report.

e. CPC

1. Executive Director – Director Harness presented his report.

f. APOA

1. There was no report.

g. Public Safety Committee

1. There was no report.

h. CPOA

1. Executive Director – Director Harness presented his report.

VII. Hearing on Requests for Reconsiderations

a. None.

VIII. Review of Cases: The CPOA's findings in each case listed on the agenda have been reviewed and approved by the CPOA Board. The findings become part of the officer's file, if applicable. Copies of the full findings letters to the citizens are located at <http://www.cabq.gov/cpoa/findings-letters/civilian-complaints-pob-findings>

a. Administratively Closed Cases

097-20 108-20 160-20 175-20
180-20 185-20 200-20

1. Motion. Motion by Member Mitchell to accept the administratively closed cases as presented. Roll call vote taken. Motion failed.

For: 1 – Mitchell

Against: 5 - Armijo-Prewitt, Galloway, Nixon, Olivas, Kass

2. Motion. A second motion by Vice Chair Olivas to accept CPC 108-20, 160-20, 175-20, 180-20, 185-20 and 200-20 administratively closed cases as presented with the exception of CPC 097-20. Roll vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

3. Motion. Final motion by Member Galloway to send back CPC 097-20 for further investigation. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

b. Unfounded

076-20 195-20

1. Motion. Motion by Member Mitchell to accept CPC 076-20 and 195-20 unfounded cases as presented. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

IX. Serious Use of Force Cases/Officer Involved Shooting

a. 19-0051283

1. **Motion.** Motion by Member Galloway to accept the Civilian Police Oversight Agency (CPOA) Findings of the Serious Use of Force Case 18-0051283. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

b. 19-0059410

1. **Motion.** Motion by Member Galloway to accept the Civilian Police Oversight Agency (CPOA) Findings of the Serious Use of Force Case 19-0059410. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

c. 18-0122233

1. **Motion.** Motion by Member Galloway to accept the Civilian Police Oversight Agency (CPOA) Findings of the Officer Involved Shooting Case 18-0122233. Roll call vote taken. Motion passed.

For: 5 - Armijo-Prewitt, Galloway, Mitchell, Olivas, Kass

Against: 1 - Nixon

*****Ten-minute break began 7:10 p.m. and reconvened at 7:21 p.m. *****

X. Reports from Subcommittees

a. Community Outreach Subcommittee – *Chantal Galloway*

1. Met September 29, 2020 at 3:00 p.m. (video conference)
2. Member Galloway submitted a Community Outreach Subcommittee written report. (*see attached*)
3. Next meeting October 27, 2020 at 3:00 p.m.

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

1. Met October 1, 2020 at 4:30 pm (video conference)
2. Chair Dr. Kass submitted a Policy and Procedure Review Subcommittee written report. (*see attached*)
3. Next meeting November 5, 2020 at 4:30 p.m.

c. Case Review Subcommittee – *Chantal Galloway*

1. Member Galloway submitted a Case Review Subcommittee written report. (*see attached*)
2. Member Galloway announced 3rd Quarter audit cases as follows:
CPC 147-20, CPC 155-20 and CPC 169-20.
3. Next meeting October 27, 2020 at 4:30 p.m.

d. Personnel Subcommittee – *Eric Olivas*

1. Met September 28, 2020 at 3:00 p.m. (video conference)
2. Vice Chair Olivas submitted a Personnel Subcommittee written report.
(*see attached*)
3. Next meeting October 26, 2020 at 3:00 p.m.

XI. Discussion and Possible Action

a. Executive Director's Evaluation

1. **Motion.** Motion by Vice Chair Olivas to accept the Executive Director's Evaluation process and documents as amended. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

2. **Motion.** A second motion by Member Galloway to amend the motion to accept the Executive Director's Evaluation process and documents with the recommended edits. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

b. Memorial - Ad Hoc Work Group

1. **Motion.** Motion by Member Galloway to table Memorial – Ad Hoc Work Group item to the next regular scheduled CPOA Board meeting. Roll call vote. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

c. CPOA Board Membership Update – Member Starr

1. Chair Dr. Kass will notify the City Clerk of Member Starr's unexcused absences.

d. Chief Qualifications Recommendation

1. Chair Dr. Kass and Director Harness will draft a recommendation letter and they will present it at the next regular scheduled CPOA Board Meeting.

e. Approval of Policies and Procedures Modifications – Draft from Counsel

1. **Motion.** Motion by Member Galloway to add the following language as amended to the CPOA Policies and Procedures under Article V Section 6 between subsections (B) and (C) to read as follows:

1. The Agency will continue to process investigations as they do currently.

2. Upon the Director's review and approval, Findings Letters will be sent to complainants only after Board members individually review complaints and findings letters and approve of the Agency's findings at a properly noticed meeting.

a. All investigative materials will be made available for Board review no less than ten (10) calendar days prior to a regularly scheduled or special meeting in which the case is scheduled to be heard.

b. All questions/concerns regarding complaint findings must be received by the Executive Director no later than two (2) business days prior to the Board meeting at which they are to be approved or not by the Board.

Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

2. **Motion.** A second motion by Member Galloway to the place the turquoise highlighted language as written in the CPOA Policies and

Procedures under Article V Section 6 as subsection (I). Roll call vote taken. Motion passed. *(see attached)*

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

f. CPOA Policies and Procedures Modifications

1.Regarding Executive Directors Evaluation – Vice Chair Olivas

- i. **Motion.** Motion by Vice Chair Olivas to adopt the proposed additions to CPOA Policies and Procedures in relation to the Executive Director’s Evaluation and to defer placement of the language and/or edits to the CPOA Board Attorney. Roll call vote taken. Motion passed. *(see attached)*

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

g. Proposed Changes to Order of Business – Under Policies and Procedures

1. **Motion.** Motion by Chair Dr. Kass to adopt the order of business as used on the October 6, 2020 CPOA Board meeting agenda. Roll call vote taken. Motion passed.

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

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)**

XIII. Other Business

- a. Chair Dr. Kass will respond to Mr. Larson’s email regarding concerns of the K-9 case.
- b. Vice Chair Olivas requested a report on APD Staffing.
- c. Member Armijo-Prewitt expressed concerns about treatment of women involved in sexual assault investigations.
- d. Member Galloway voiced issues of concern that are not complaints.

XIV. Adjournment

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

For: 6 - Armijo-Prewitt, Galloway, Mitchell, Nixon, Olivas, Kass

- b.** The meeting adjourned at 9:27 pm.

Next regularly scheduled CPOA Board meeting will be on November 12, 2020 at 5:00 p.m.

APPROVED:

DocuSigned by:
Dr. William J. Kass
03E9B3C8AE9483...
Dr. William Kass, ~~Chair~~
Civilian Police Oversight Agency Board

October 26, 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

OCTOBER 2020 PUBLIC COMMENT 1(2)
ABQ City Council ~~and~~ ^{copy for} ~~from~~ GERALDINE AMATO

"COMMUNITY POLICING"

APPROVING AND AUTHORIZING "A GRANT AGREEMENT" WITH THE U.S. DEPT. OF JUSTICE IS ONLY ONE EXAMPLE OF GOING ALONG "WITH THE PROGRAM" OF TOTAL FEDERALIZATION OF ALL LOCAL POLICE DEPARTMENTS IN WHAT'S LEFT OF A "FREE" SOCIETY. PER RESOLUTION 93 9/9/20

P.S. I DON'T KNOW ABOUT "SENA" BUT MY CONCLUSION ABOUT DAVIS VOTING NO IS THAT HE'S POSTURING (A FOR AGENT)

LINES 14, 15, 16 PAGE 1 "... ASSIST APD IN COMBATTING VIOLENT CRIME... PROSECUTION OF VIOLENT ACTORS AND THEIR ORGANIZATIONS; ... INCREASE CAPACITY TO PROSECUTE CASES IN FEDERAL COURT; AND DETEX TRANSLATES INTO BOLSTERING THE AMMUNITION OF BAR ASSO. CONTROLLED "PROSECUTORS" TO ADVANCE THEIR TREACHERY IN THIS COUNTY AND STATE PERSECUTING THE INNOCENT

"COMMUNITY ORIENTED POLICING SERVICES": A PHRASE THAT ADVANCES "COPS" AS AN ACRONYM FOR SHOW, IT HAS ABSOLUTELY NOTHING TO DO WITH COMMUNITY

ADVANCING **CENTRAL CONTROL** **COMMAND** TOP DOWN NOT COMMUNITY MOVING TOWARD **"INTERPOL"** **"INTERNATIONAL POLICE"**

B.A.R. BRITISH ACCREDITATION REGENCY SIGNIFIES THAT THE LEGAL-JUDICIAL SYSTEM HERE IS A BRITISH EMPIRE CARRY-OVER FROM THE ORIGINAL COLONIZATION

THE **REPUBLIC** WAS WAYLAIED WITH THE FIRST JUDICIARY ACT PASSED BY THE FIRST FEDERAL CONGRESS SIGNED BY THE FIRST FDRL PREZ, G. WASHINGTON

"WASHINGTON DISTRICT of Columbia"

DRUG AND CHILDREN FOR SEX
TRAFFICKING IS THE MAJOR TREACHERY

PAGE TWO OCTOBER 2020 2(2)
Public Comment AMATO "Community Policing"
ABQ City Council / CPOA / County Commission

IN THE 1940'S AND 1950'S WHERE
I "GREW UP" IN A NEW JERSEY
CITY [ACROSS THE HUDSON RIVER
FROM NEW YORK CITY ISLAND]

I EXPERIENCED SOMETHING A
BIT **CLOSER TO COMMUNITY
POLICING** [BUT THE ORIGINAL
"COMMUNITY POLICING" PER
THE (DEFUNCT) REPUBLIC WAS
A DIRECTLY "ELECTED" **SHERIFF**
WITH **ALL MEN** ^{15 YEARS OLD AND UP} OF AGE AND
ABILITY IN THE SHERIFF'S
DEPUTY RESERVE POSSE
COMMITATUS (LATIN? POSSIBILITY
OF COMMUNITY IN ACTION?)
PERHAPS LATER ON SOME DISCUSSION ON THIS DYNAMIC?

~~TWO~~ INCIDENTS IMPRESSED ON MY MIND AS A YOUTH

ONE: I LIVED ON A "DEAD END" STREET IN N.J. COPS
ON THE FOOT "BEAT" AND "MOUNTED" ON HORSES
PATROL. ON ONE DAY A MOUNTED COP CAME BY
WHEN I WAS A LITTLE TYKE. I WAS SO ENTHRALED
WITH HIS HORSE I FOLLOWED HIM WAY OUT FROM
MY HOME BASE. A FEW BLOCKS AWAY THE COP
NOTICED ME BEHIND AND REMEMBERED WHERE
HE SAW ME AND TOOK ME BACK TO MY MOM.

TWO: WHEN I WAS A TEEN-AGER, AN OLDER GIRL CON-
VINCED ME I SHOULD LIE TO MY MOM AS TO
WHERE WE WERE GOING. THERE WAS AN "ICE
CREAM PARLOR" WHERE SOME STREET-WISE
WILD BOYS CONGREGATED AND A COP SAW ME
THERE AND REPORTED IT TO MY DAD ^{ON THE BEAT} WHO HAD
A SMALL BUSINESS IN THE AREA.

THREE: SIMILARLY ANOTHER COP SAW ME SITTING
IN A CAR BY THE "RAILROAD" TRACKS, A ROUGH
PART OF TOWN. HE LOOKED INTO THE CAR AND
SAID "AREN'T YOU JERRY AMATO'S DAUGHTER?"



Crash Review Board Update

Data is for Department Personnel involved crashes from:
April 1, 2020 - June 30, 2020 (Q4).

Results of APD involved crashes April 1, 2020 to June 30, 2020 (Q4):

25 Non-preventable crashes
37 Preventable crashes
1 Non-crashes
6 Officers had 2 or more Preventable crashes within a 12 month period.

The officers chain of command imposes discipline, not the Crash Review Board.

APD crashes and claims paid from April 1 -
June 20, 2020 (Q4):

\$176,833.58; 3rd party pay outs (bodily injury or property damage). 29 claims.

\$201,464.36; 1st party damage to City property involved in APD crashes. 1st party refers to single vehicle crashes or City vehicle vs. City vehicle (example: police vehicle strikes a curb). 38 claims.

POLICE OVERSIGHT BOARD

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

INTERNAL CASES FOR THE MONTH OF September 2020

Total Internal Cases Completed in the month of September-9

6 completed cases (sent out to the area command)

1. IA Cases opened in the month of September 2020: 11
 2. Area Command IA cases opened for the month of September 2020: 26
 3. Pending IA Cases for the month of September 2020: 28
 4. Internal Cases Mediated: 0
-

DISCIPLINE IMPOSED FOR INTERNAL CLOSED CASES IN September 2020

I-183-20: Supervisor Duties- Letter of Reprimand/suspension 40 hours

I-217-20: Reporting requirements-40 hours suspension

I-317-20: On Duty Conduct-Verbal Reprimand

I-364-20: Alcoholic Beverages and Controlled Substance-Unfounded

**I-420-20: Use of APD Vehicles-Terminated
On Duty Conduct-Terminated**

**I-427-20: Social Media-Not Sustained
Compliance with laws. Rules and regulations- Letter of Reprimand**

I-435-20: Wild/Dangerous Animals (destruction of)-Exonerated

I-519-20: Personnel Code of Conduct- Exonerated

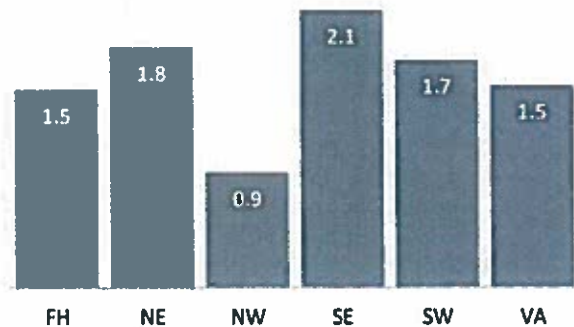
I-567-20: Rules of Conduct- Letter of Reprimand

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

INCIDENT AREA COMMAND

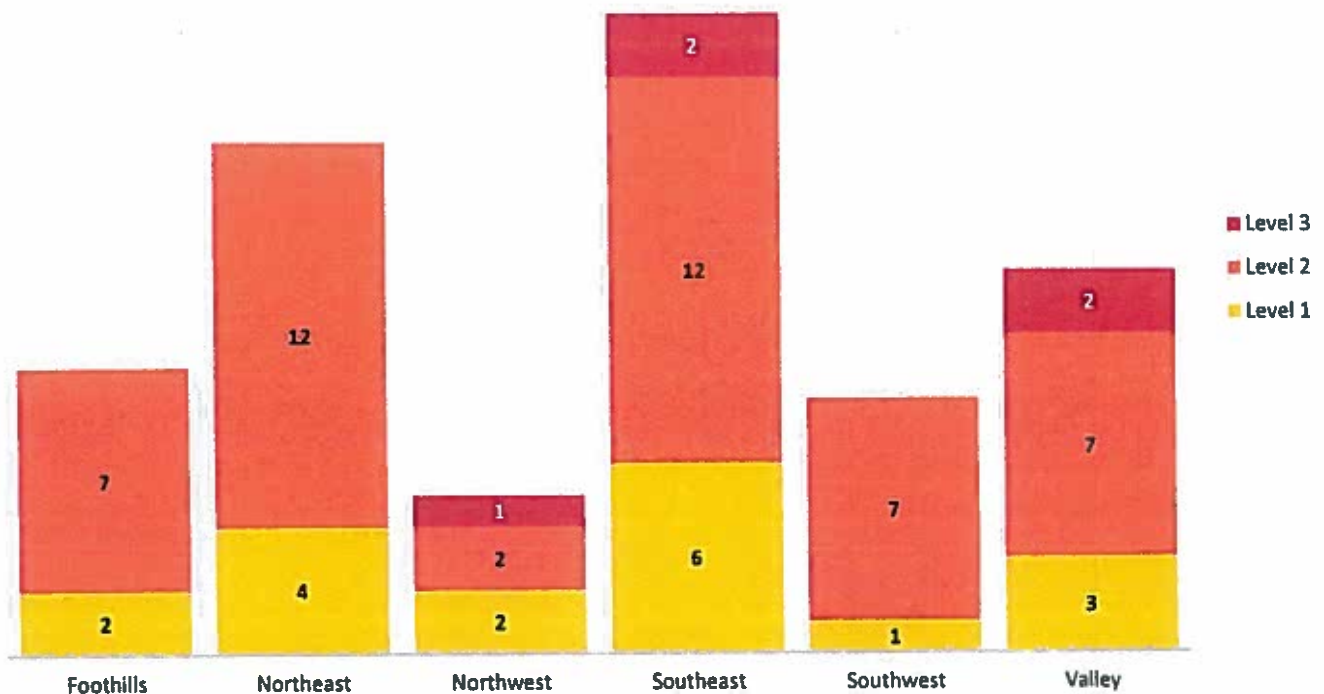
	Level 1	Level 2	Level 3	Grand Total
Foothills	2	7		9
Northeast	4	12		16
Northwest	2	2	1	5
Southeast	6	12	2	20
Southwest	1	7		8
Valley	3	7	2	12
Grand Total	18	47	5	70

Force Events Per 1000 CADs



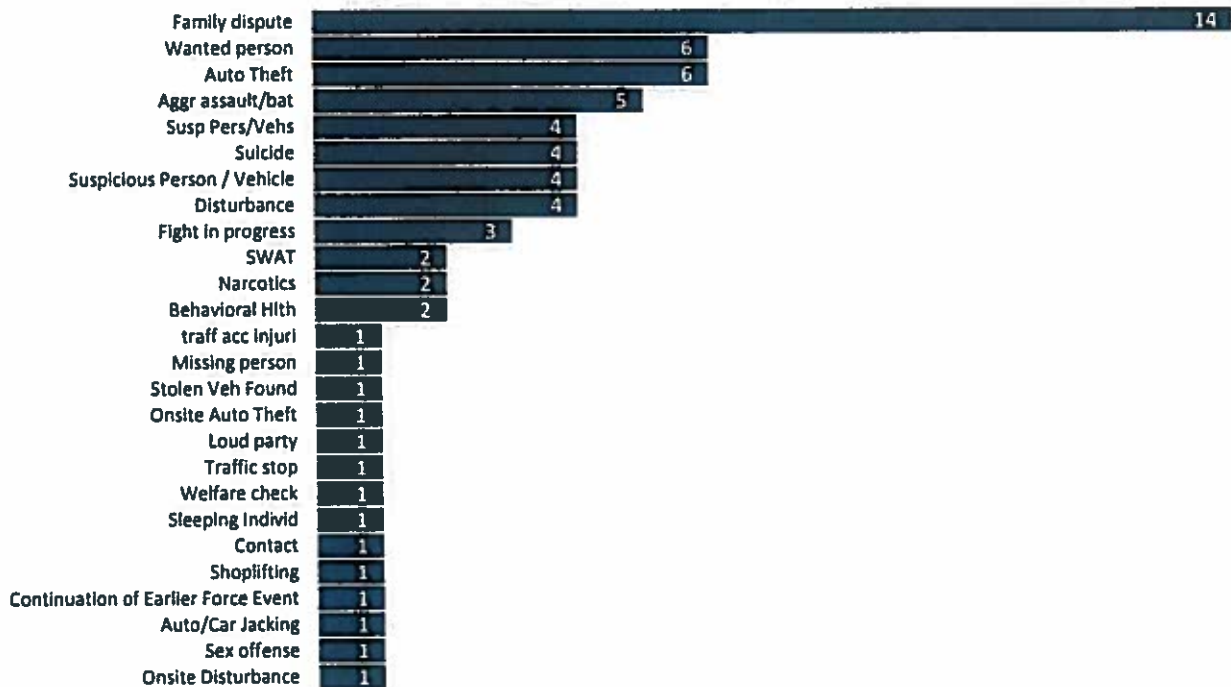
Force cases are now categorized by three levels. If a case involves multiple applications of force, it is categorized as the most serious at the case level. If one event involves both a force event and a tactical activation, the event is categorized as a force event for this report. These counts are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

September 2020 Force Events

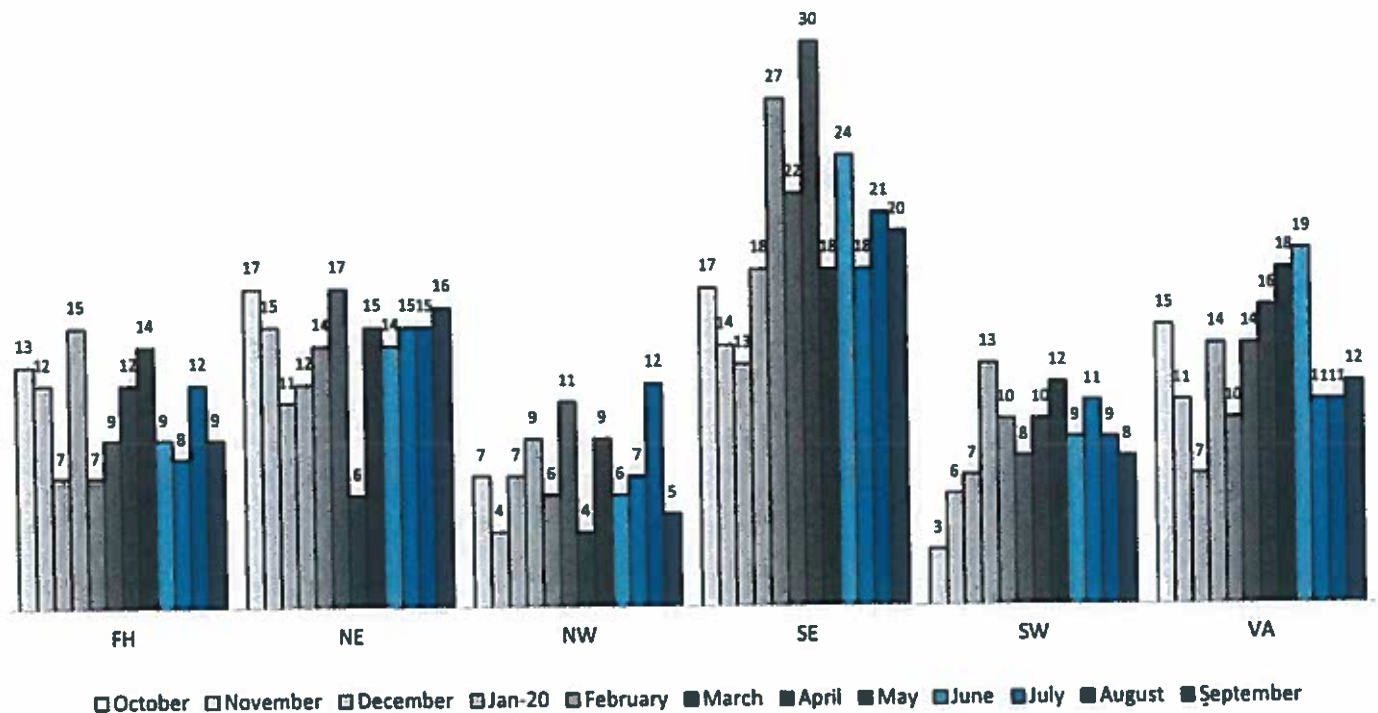


Civilian Police Oversight Agency Board
INTERNAL AFFAIRS FORCE DIVISION
STATISTICAL DATA FOR THE MONTH OF SEPTEMBER 2020

Call Types Associated with September 2020 Force Events



Twelve Months of Force Data



Outreach

The Outreach subcommittee met on September 29, 2020.

Director Harness provided a status update on filling the CPC Liaison and Admin Support positions. There are 112 applications for the admin position and Director Harness has identified an additional 4 individuals for the liaison position and will be conducting interviews the first week of October.

The CPC Ordinance passed at City Council with a handful of minor amendments.

The CPC Council of Chairs met to discuss the progress with the CPC Guidelines. Four of the six CPC approved the guidelines. They are trying to determine how best to move forward since there was no consensus among CPCs.

The other items discussed included an update on the Executive Summary of the CASA paragraphs pertaining to Civilian Oversight and the Community Policing Councils, the Media Policy (Director Harness suggested Amanda reach out to Lindsey Van Meter for Board resources at the City), and what actions the Board might consider taking with City Council with regards to the vacant Board positions. Director Harness will verify that there is nothing prohibiting the CPOA Board from more involvement in the applicant review process and Chantal Galloway will work on drafting a letter to Council President Davis outlining a request for the CPOA Board to have more direct involvement for the Board's consideration.

The next meeting of the Outreach Subcommittee is scheduled for October 27, 2020 at 3:00 PM.

Case Review

Case Review is scheduled to meet on October 27, 2020 at 4:30 to discuss the 3rd Quarter Audit of CPC Case Numbers 147-20, 155-20, and 169-20.

These cases were submitted to Director Harness and files were made available to the CRC.

Policies and Procedures Review Subcommittee October report

OPA will review the following policies on October 7. Policies of particular to the CPOA are SOP 1-1 and SOP 3-13 which deal with officer conduct and will be combined into one policy. SOP 1-1 has been identified as a frequently cited policy in complaints cases.

- 1-1 Personnel Code of Conduct presented by Commander Cori Lowe
- 3-13 Officer's Duties presented by Commander Cori Lowe
- 1-15 (currently 5-2) Air Support Unit presented by Sgt. Will Taylor
- 1-35 (formerly 5-8) Crime Scene Specialists Unit presented by Lt. Matthew McElroy
- 2-1 Uniforms presented by Det. Robert Carlson
- 2-47 Crashes Involving Police Vehicles presented by Lt. Nick Wheeler

PPRB will meet October 8 to review and advance the following policies. The PnP has identified SOP 2-68 as a particular policy of interest.

SOP 1-10 Peer Support Program

SOP 2-68 Interviews and interrogations

Ali Abbasi presented a brief review of the findings in the July-December 2019 report. He has identified SOP 1-1 as a frequently cited SOP in citizen complaints.

The training manual for SOP 1-46 Field Training Evaluation was circulated to the PnP for review following a presentation of this policy at an earlier OPA meeting.

SOP 2-68 Interviews and Interrogations was discussed as a policy of interest that will be presented at PPRB on October 8. This policy and a related policy SOP 2-33 Rights and Safety of Onlookers are key policies in conducting constitutional policing. Proper training to these policies is also key to successful citizen-officer encounters which protect citizen rights. The PnP will request the training curriculum materials related to the Training Academy module on Searches and Seizures.

The APD training committee established by SOP 3-34 has asked for training topic suggestions from the CPOA. Diane McDermott will provide information from investigation findings. The PnP agreed to ask for an invitation to the next meeting of the Training Committee.

An update on the request for more information from Commander Arturo Sanchez regarding the recently installed gunshot detection system covered by SOP 2-98 Gunshot Detection Procedure was presented. The request was made when the policy was presented at the September OPA meeting. Clearance for the data is going through city legal and the APD executive staff.

SOP 3-52 Policy Development Process is coming up for review soon. A white paper analysis of this policy authored by W. J. Kass was sent to OPA in anticipation of this review. Patricia Serna of OPA indicated that this policy will be reviewed by her team in about three weeks and they will invite the PnP representative to present our suggestions.

Personnel Subcommittee Report

Meeting Date: 9/28/20

The Personnel Subcommittee met with the primary goal of discussing the 2020 and 2021 evaluation materials to be presented at the next board meeting. Input was solicited from staff present including Director Harness. Director Harness indicated that he supported the new proposed process and felt it was clear and fair. Some changes to the proposed amendments to the board policies and procedures were made by unanimous agreement of the members of the subcommittee. Changes centered around clearing up some language and better organizing the flow of the process.

The subcommittee also received an update on the 2019 evaluation. Board Members and others involved in the evaluation should receive a survey in their email during the week of the 28th and will have 1 week to respond. The agency has only paid for 1 month of the survey platform, so it is impeditive that members, staff, and monitor respond to the survey promptly. The subcommittee chair will follow-up with any members that do not respond within 1 week. The subcommittee discussed the timeline for board approval and agreed that a presentation of the evaluation at the November board meeting was possible depending of the speed of responses and analysis.

The October meeting of the subcommittee is expected to focus on the 2019 evaluation data.

E. The Board Chairperson may request that subcommittee reports be submitted in writing and provided to the full Board. If written reports are submitted, reports of the minority of the subcommittee may be also included.

F. Subcommittees shall report on all matters referred to them without unnecessary delay. If a subcommittee refuses or neglects to report on any matter referred to it, the Chairperson may take the matter from the subcommittee.

G. A subcommittee may be designated to review civilian police complaints and related matters. Any subcommittee designated responsibility for reviewing civilian police complaints may recommend that specific complaint cases be placed as a consent agenda item for a Board meeting. At such meeting, any Board member may request that a complaint case on the consent agenda be removed and placed instead on the non-consent agenda.

The Agency will continue to process investigations as they currently
The findings of the review and approval findings letters will be sent to the complainant
The other Board members individually review complaints and findings letters and
reports of the Agency's findings at a properly noticed meeting. All complaints and
reporting complaint findings must be reviewed by the Board/Chairperson no later than
the findings are given to the Board meeting as a body that are to be approved or rejected
by the Board.

Commented [TMG1]: These items in green are not part of the March or May vote. Where did these items get voted on? I reviewed all of 2020 and 1/4 of 2019 and did not locate this.

In the months of January, April, July and October members of the Law Review
Subcommittee (CRC) will

Commented [TMG2]: The minutes from April and May meeting do not provide where these are supposed to be placed. Updated to include the changed language voted on by Board at 9/10/20 meeting.

Unless a randomizer tool to select a minimum of 3 or up to 10% of
investigations, whichever is greater, conducted by the agency in the previous
quarter, are
Review the investigative file and all pertinent evidence and report to the full
Board their findings no later than the next quarterly meeting.

The CRC will present their findings and any recommendations or concerns at the next
regularly scheduled meeting of the full Board for approval of the quarterly audit or for further
action deemed necessary.

It is important to keep in mind that the complainant's rights remain unaffected under the
proposed new functionality of CRC. Should the complainant believe that the findings in their case
were in error and their reasoning fits one of the criteria for an appeal, the Board may grant that
appeal. A notice of a complainant's request for an appeal will be provided by the Executive
Director and relevant information uploaded to Sharepoint in advance of the meeting at which the
Board would vote to grant or deny the appeal. It will be the responsibility of individual Board
members to review that information and be prepared to decide at the meeting where a Request for
Appeal is to be heard.

Additionally, a more thorough review of the case file and evidence, if found to have
contained errors, will provide the Agency and Director the opportunity to review and rectify
mistakes as needed.

H. The Open Meetings Act typically does not apply to subcommittees, subcommittees

Proposed Additions to Policies and Procedures in relation to Executive Director Evaluation

Article III. Section 8.C.

Add:

- (1) The annual review period for the Executive Director shall run from January 1st of a given year until December 31st of year end.
- (2) The goals for a new evaluation period shall be approved by the board no later than September of the year prior to the evaluation period. Goals shall be drafted with input from stakeholders including: CPOA staff, board members, the executive director, ~~and members of the public.~~
- (3) Evaluation materials shall be prepared and approved in final form by the board no later than November of the year preceding the evaluation period.
- (4) A mid-year informal evaluation update meeting shall occur between the Executive Director and the Personnel Subcommittee during the month of June **in the year of the evaluation period.** This meeting shall allow the executive director to communicate any concerns or difficulties in achieving goals to the board.
- (5) The board or a representative of the board shall present and discuss the draft **completed** evaluation matrix and **evaluation** summary with the Executive Director prior to final board approval.
- (6) The final evaluation summary shall be approved by the board no later than April of the year following the evaluation period.
- ~~(7) The board reserves the authority to modify the evaluation goals and any evaluation materials at any time during the evaluation period or after the period has elapsed.~~