

CIVILIAN POLICE OVERSIGHT ADVISORY BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE

Aaron Calderon, Chair

Rowan Wymark, Member

Diane McDermott, CPOA Executive Director

Ali Abbasi, CPOA Deputy Director

Thursday, April 3, 2025, at 3 p.m.
Plaza Del Sol Building, 600 2nd Street NW
Basement Hearing Room

Members Present:

Aaron Calderon, Chair
Rowan Wymark

Members Absent:

Others Present

Diane McDermott, CPOA
Ali Abbasi, CPOA
Gabe Remer, CPOA
Katrina Sigala, CPOA
Valerie Barela, CPOA
Omotayo Olubiyi, CCO

Minutes

- I. Welcome and Call to Order.** Member Calderon called to order the Policy and Procedure Review Subcommittee meeting at 3:03 p.m.
- II. Approval of the Agenda**
- a. Motion.** A motion was made by Chair Calderon made a motion to approve the Agenda as written. Member Wymark seconded the motion. The motion was passed unanimously.
- III. Public Comment**
- a. None.** (*See attached Sign-in Sheet*)
- IV. Approval of Minutes from March 6, 2025**
- a. Motion.** A motion was made by Chair Calderon that the Minutes from March 6, 2025, be approved as written. Member Wymark seconded the motion. The motion was passed unanimously.
- V. APD Policy-Related Activities/Discussion Items:**
- a. PPRB Drafts Awaiting CPOAB Comment**
- 1. SOP 1-41 Evidence Unit**

- a. CPOA Data Analyst Gabe Remer presented policy recommendations for SOP 1-41. (*See attached Policy and Procedure Review Subcommittee Report*)
 - b. **Motion.** A motion was made by member Chair Calderon that the recommendation from the CPOA be forwarded to the full board. Member Wymark seconded the motion. The motion was passed unanimously.
- 2. **SOP 1-56 (Formerly 6-12) Horse Mounted Unit**
 - a. There were no policy recommendations regarding SOP 1-56.
- 3. **SOP 1-65 Metropolitan Court Protection Unit**
 - a. There were no policy recommendations regarding SOP 1-65.
- 4. **SOP 2-3 (Formerly 2-22) Firearms and Ammunition Authorization**
 - a. CPOA Data Analyst Gabe Remer presented policy recommendations for SOP 2.3. (*See attached Policy and Procedure Review Subcommittee Report*)
 - b. **Motion.** A motion was made by member Chair Calderon that the recommendation from the CPOA move forwarded to the full board for approval. Member Wymark seconded the motion. The motion was passed unanimously.
- 5. **SOP 2-15 Small Unmanned Aircraft Systems (SUAS) Operations**
 - a. There were no policy recommendations regarding SOP 2-15.
- 6. **SOP 2-43 Roadblocks and Checkpoints**
 - a. There were no policy recommendations regarding SOP 2-43.
- 7. **SOP 2-51 Safe Driver Award Program**
 - a. There were no policy recommendations regarding SOP 2-51

8. SOP 2-69 Informants

- a. There were no policy recommendations regarding SOP 2-69.

9. SOP 2-78 (Formerly 4-25) Domestic Abuse Investigations

- a. CPOA Data Analyst Gabe Remer presented policy recommendations for SOP 2-78. (*See attached Policy and Procedure Review Subcommittee Report*)
- b. **Motion.** A motion was made by member Chair Calderon that the recommendation from the CPOA be forwarded to the full board for consideration. Member Wymark seconded the motion. The motion was passed unanimously.

10. SOP 2-92 Crimes Against Children Investigations

- a. CPOA Data Analyst Gabe Remer presented policy recommendations for SOP 2-92. (*See attached Policy and Procedure Review Subcommittee Report*)
- b. **Motion.** A motion was made by member Chair Calderon that the subcommittee approve the recommendation from the CPOA to be forwarded to the full board pending any possible additional information provided by the Executive Director prior to the next Board meeting. Member Wymark seconded the motion. The motion was passed unanimously

11. SOP 2-103 Trespass Notifications

- a. CPOA Data Analyst Gabe Remer presented policy recommendations for SOP 2-103. (*See attached Policy and Procedure Review Subcommittee Report*)
- b. **Motion.** A motion was made by member Chair Calderon that the three recommendations from the CPOA be forwarded to the full board for consideration.

Member Wymark seconded the motion. The motion was passed unanimously.

12. SOP 2-110 Facial Recognition Management System

- a. There were no policy recommendations regarding SOP 2-110

13. SOP 3-51 Department Orders

- a. There were no policy recommendations regarding SOP 3-51.

c. APD Response to Policy Recommendations [Standing Item]

- a. CPOA Data Analyst Gabe Remer provided an update on the responses received from APD regarding SOP 1-2, SOP 1-11, and SOP 2-7. (*See attached Policy and Procedure Review Subcommittee Report*)
- b. The Subcommittee recommended moving the policy responses to the full board for further discussion.

VI. Other Business

- a. None.

VII. Next Meeting Thursday, May 1, 2025, at 3 p.m.

VIII. Adjournment

- a. **Motion.** A motion by Chair Calderon to adjourn the meeting. The motion was passed unanimously.
- b. The meeting was adjourned at 4:31 p.m.

APPROVED:

Aaron Calderon, Chair
Policy & Procedure Review Subcommittee

Date

CC: Isaac Padilla, City Council Staff
Ethan Watson, City Clerk
Brook Bassan, City Council President (via email)

Minutes drafted and submitted by:
Valerie Barela, Administrative Assistant

DRAFT



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE
PUBLIC COMMENT SIGN-IN SHEET

SUBCOMMITTEE MEETING DATE: April 3, 2025

NAME (PLEASE PRINT)

1. _____	11. _____
2. _____	12. _____
3. _____	13. _____
4. _____	14. _____
5. _____	15. _____
6. _____	16. _____
7. _____	17. _____
8. _____	18. _____
9. _____	19. _____
10. _____	20. _____



City of Albuquerque

Civilian Police Oversight Agency



Diane McDermott
Executive Director

Policy and Procedure Review Subcommittee Report

04/03/2025

1-41 Evidence Unit: It is the policy of the Department to maintain the integrity of all evidence and non-evidentiary items in the evidence warehouse, to comply with the legal standards for evidence handling and storage, and to maintain the chain of custody.

- **Recommendations from CPOA, if any:**

- Page 5. 1-41-4-G-1-a-i: this could lead to misunderstanding.
 - As written, is the evidence unit advising the finder that they will hold the item for 180 days when they will only hold it for another 90 days, having already had it for 90 days?
 - APD says they advise an additional 90 days. Should that be more explicit?
 - "...the Evidence unit will hold the item for the additional ninety (90) days"
 - Take out the reference to 180 days total and leave it for the next sentence?

- **PnP Subcommittee Discussion:**

1-56 Horse Mounted Unit: It is the policy of the Department for the HMU to conduct proactive patrols, crowd control, searches, and crime prevention initiatives in high-crime areas while on horseback, and to perform community outreach while on horseback.

- **Recommendations from CPOA, if any:** None

- **PnP Subcommittee Discussion:**

1-65 Metropolitan Court Protection Unit: It is the policy of the Albuquerque Police Department (Department) for Metropolitan Court Protection Unit personnel to collaborate with Bernalillo County Metropolitan Court personnel and to protect community members within the Bernalillo County Metropolitan Court and the court's facilities.

- **Recommendations from CPOA, if any:** None

- **PnP Subcommittee Discussion:**

2-3 Firearms and Ammunition Authorization: It is the policy of the Albuquerque Police Department (Department) to provide sworn personnel with a duty handgun, a less-than-lethal beanbag shotgun, or a 40-mm less-than-lethal munition. Sworn personnel who are authorized to carry a firearm may be issued a patrol rifle, 12-gauge shotgun, or an enhanced shotgun after successfully completing additional training and obtaining the required certification. Specialty units who are authorized to carry a firearm may be issued additional firearms and ammunition after successfully completing additional training. Furthermore, it is the policy of the Department to provide the necessary training and ammunition for all Department-issued firearms used by sworn personnel.

- **Recommendations from CPOA, if any:**

- Page 4-5. 2-3-4-C-2-b-ii
 - Under what circumstances would an officer carry personally owned patrol rifle optics? What is considered "new" (after the publication of SOP? Should we make this explicit)?

- **PnP Subcommittee Discussion:**

2-15 Small Unmanned Aircraft Systems (SUAS) Operations: It is the policy of the Department to use SUAS to enhance public safety in a manner that takes into consideration the privacy rights of individuals as established by the United States Constitution and the New Mexico Constitution, including the Fourth Amendment and applicable federal, state, and local laws. Department personnel shall obtain a warrant anytime it is necessary to do so. It is also the policy of the Department to operate any SUAS only under the circumstances set forth in this Standard Operating Procedure (SOP). Furthermore, the SUAS shall only be operated by trained and qualified Department personnel and be consistent with Federal Aviation Administration (FAA) regulations.

- **Recommendations from CPOA, if any:** None
- **PnP Subcommittee Discussion:**

2-43 Roadblocks and Checkpoints: It is the policy of the Department to use roadblocks and checkpoints when reasonably necessary to detour motorists from hazardous roadway conditions, for selective traffic enforcement, to prevent the escape of a felon(s) from a contained area, and to stop the driver of a vehicle attempting to avoid apprehension after all other means have failed.

- **Recommendations from CPOA, if any:** None
- **PnP Subcommittee Discussion:**

2-51 Safe Driver Award Program: It is the policy of the Albuquerque Police Department (Department) to present the Safe Driver award to Department personnel who operate Department-issued vehicles without being involved in chargeable vehicle accidents.

- **Recommendations from CPOA, if any:** None
- **PnP Subcommittee Discussion:**

2-69 Informants: It is the policy of the Albuquerque Police Department (Department) to take necessary precautions when using Informants by developing sound Informant control procedures.

- **Recommendations from CPOA, if any:** None
- **PnP Subcommittee Discussion:**

2-78 Domestic Abuse Investigations: It is the policy of this law enforcement agency to provide a proactive, victim-centered approach when responding to domestic abuse. Additionally, it is the policy of this law enforcement agency to take a position of zero tolerance for domestic abuse. Any domestic abuse incident will be thoroughly investigated, to include when law enforcement officers or individuals in positions of power or influence are involved in domestic abuse.

- **Recommendations from CPOA, if any:**
 - Page 1. Minor grammar change in – “this law enforcement agency to take a position of zero tolerance for (on) domestic abuse.” – Should keep “for.” - Or –
 - Rewrite: "It is the policy of this law enforcement agency to provide a proactive, victim-centered response to domestic abuse. The agency has a zero-tolerance policy for domestic abuse and will thoroughly investigate all incidents, including those involving law enforcement officers or individuals in positions of power or influence."
- **PnP Subcommittee Discussion:**

2-92 Crimes Against Children Investigations: It is the policy of the Albuquerque Police Department (Department) to provide procedures for Department personnel when responding to incidents involving crimes against children, in addition to determining if a Crimes Against Children Unit (CACU) Detective is required for assistance.

- **Recommendations from CPOA, if any:**
 - Page 7. 2-92-4-D-6 I: Confusing
 - “If the caseworker has no facts to support taking custody of a child, and the officer does not find reasonable grounds to remove the child, the officer shall...”

- Seems like an unrealistic situation to have "no facts" to support and for CYFD to request custody of a child.

▪ **PnP Subcommittee Discussion:**

2-103 Trespass Notifications: It is the policy of the Albuquerque Police Department (Department) to provide the CT form as requested and authorized by law.

▪ **Recommendations from CPOA, if any:**

- General: How long does a CT issuance stay active? (indefinite in NM, should policy state this?)
- Top of Page 2, 2-103-4-A-1-b-1
 - Does not apply if the proprietor's name is already filled / is public property and doesn't have an owner. For example, Airport, Police Stations
 - Recommendation: add underlined: "The owner, lessee, proprietor, or any other person in lawful possession of real property, unless issuing the CT form for public property,"
 - OR remove the requirement entirely? Does the signature serve a necessary legal purpose?
- Page 2, 2-103-4-A-1-e
 - Should only redact from the copy given to the owner, lessee, proprietor, or any other person in lawful possession of the real property.
 - Recommendation: "After obtaining all appropriate signatures on the CT form, redact the individual's month and day of birth, and full Social Security number only on the copy of the form that is provided to the owner, lessee, proprietor, or any other person, in accordance with the Inspection of Public Records Act (IPRA), NMSA 1978, §§ 14-2-1 to 14-2-12."

▪ **PnP Subcommittee Discussion:**

2-110 Facial Recognition Management System: It is the policy of the Albuquerque Police Department's (Department) Investigation Bureau units to use facial recognition software when investigating criminal activity or identifying a person who may be in danger. Furthermore, when the facial recognition software identifies an individual, that information will only be treated as an investigative lead, and further investigation will need to be done to verify an individual's identity.

- **Recommendations from CPOA, if any:** None
- **PnP Subcommittee Discussion:**

3-51 Department Orders: It is the policy of the Department to maintain a system of Department Orders and to provide for the distribution, accountability, and control of such information.

- **Recommendations from CPOA, if any:** None
- **PnP Subcommittee Discussion:**

APD Responses to Policy Recommendations

SOP 1-2 Social Media Recommendation

- 9/30/24 - Recommendation to address clarity and documentation concerns.
 - 1-2-4-A-7: Specify if this is regarding an employee posting on their personal page or on behalf of the Department 2) Add that approval from the PIO shall be documented in writing to 1-2-4-A-2 or wherever the Department deems appropriate
- 3/31/25 – APD Concurred (for future revisions) [delayed response/misunderstanding]
 - "This issue was raised during the final step upon approving the last revisions. I believe I said at the time that this was probably worth doing, but that we should wait until the next revision to make the addition. I still believe it can be productive and can be added during the next revision."

SOP 1-11 Transit Safety Section (TSS) Recommendation

- 3/14/25 – (1) Recommend adding in accordance with SOP 2-73: Collection, Submission and Disposition of Evidence and Property to 1-11-6- D-1-c-i. (2) If armed crimes is not the case, this should be clarified by removing “armed.” (3) Define the best witness possible within the definitions section (1-11-3)
 - “1) 1-11-6-D: Section refers to “Found Items”, not just ID cards and licenses. 2) 1-11-7-A: This reads that the procedure for crimes committed in the presence of TSS personnel in public are limited to armed crimes. 3) 1-11-7-A-1: This is a sanctionable offense and has no clear measurement by which to assess it.”
- 3/14/25 – APD Partially Concur
 - “1. I agree with the concern. It should be added. The 2-73 will also need to be referenced at the top of the policy.
 - 2. I do not agree. This section discusses the defense of the TSO. The word “arm” is to clarify when self-defense may be applicable. No changes will be made.
 - 3. This has been addressed several times before. No changes will be made.”

SOP 2-7 Damage to Civilian Property Recommendation

- 3/17/25 – Recommendation for cleaning up language – use “personnel” instead of “officer” so PSAs are included, 2-7-4-B.
 - “section pertains to all Department personnel but special direction is given to officers. For example, 2-7-4-B-1-a and 2-7-4- B-1-b say that the primary officer causing damage is to document this in a Uniform Incident Report but that the other officer causing damage is to document this in a Supplemental Report. In 2-7-4- B-2-a and 2-7-4-B-2-b, the primary officer must remain on the scene until photographs of the damaged items are taken. This provision also pertains to PSA/TSS but there is no guidance on which PSA/TSS will document the information in a Uniform Incident Report or Supplemental Report or if they are to stay on the scene until photographs have been taken.”
- 3/17/25 APD Does Not Concur
 - “TSS and PSAs do need to file a report. The a and b pertain to the officers only. Clarified by Policy Owner. No action taken.”