Civilian Police Oversight Agency Board

Eric Olivas, Chair	*Chantal M. Galloway, Vice-Chair*	*Tara Armijo-Prewitt*
Jesse Crawford	*Patricia J. French*	*Richard Johnson*
Dr. William J. Kass	*Eric Nixon*	*Gionne Ralph*

Edward Harness, Executive Director

BOARD AGENDA

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

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 for assistance.

Public Comment: The agenda for the meeting will be posted on the CPOA website by 5:00 p.m., Monday, November 1, 2021 at www.cabq.gov/cpoa.

The CPOA Board will take general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 pm on Thursday, November 4, 2021. Submit your public comments to: POB@cabq.gov. These comments will be distributed to all CPOA Board members for review.

I. **Welcome and call to order**

II. **Mission Statement – *Eric Olivas, Chair***

"Advancing Constitutional policing and accountability for APD and the Albuquerque Community."

III. **Approval of the Agenda**

IV. **Public Comments**

V. **Review and Approval of Minutes from October 14, 2021 and October 19, 2021 Special Meeting**

VI. Reports from City Departments

a. **APD**
   1. **IA Professional Standards Division (SOP 7-1, SOP 3-41, SOP 3-46) – *Commander Zak Cottrell***
   2. **IA Force Division (SOP 2-52 through SOP 2-57) – *Acting Commander Richard Evans***

b. **City Council – *Chris Sylvan***
c. **Public Safety Committee - *Chris Sylvan***
d. **Mayor's Office – *Pastor David Walker***
e. **City Attorney**
f. **CPC – *Kelly Mensah***
g. **CPOA – *Edward Harness, Executive Director***

VII. Requests for Reconsideration

101-21

VIII. Review of Cases:

a. **Administratively Closed**
   115-21 180-21 203-21 206-21

b. **Exonerated**
   141-21

c. **Exonerated and Unfounded**
   030-21 125-21

d. **Sustained and Exonerated**
   144-21

IX. Serious Use of Force Cases/Officer Involved Shooting

a. **20-0037851 HC**
b. **20-0051552 HC**
c. **21-0001037 HC**
d. **21-0015637 HC**
e. **19-0077270 OIS – *APD Response: Acting Commander Richard Evans***
f. **19-0094605 OIS**
g. **16-0048656 OIS**
h. **File Requests:**
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**

X. Reports from Subcommittees

a. **Community Outreach Subcommittee – *Chantal Galloway***
   1. **Met October 26, 2021 at 3:00 p.m. (video conference)**
   2. **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. **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. **Next meeting TBD**
d. **Personnel Subcommittee – *Eric Olivas***
   1. **Met October 25, 2021 at 4:00 p.m. (video conference)**
   2. **Next meeting November 29, 2021 4:00 p.m.**

XI. Discussion and Possible Action:

a. **Consideration of Commendation Letter for SOP 3-52 Policy Development Process**
b. **Consideration of PPRB Policies with No Recommendation: - *Dr. William Kass***
c. **Consideration of Proposed MOU between the City of Albuquerque, CPOA/CPOAB and APOA on OIS/SUOF Materials – *Tina Gooch, CPOA Counsel***
d. **Case Review Process and Materials – *Chantal Galloway***
e. **Ordinance Changes and Related Public Input – *Eric Olivas***
f. **Consideration of Communication to City Council and Stakeholders on CPOAB Direction and Future – *Chantal Galloway***
g. **Consideration of 2022 Executive Director's Evaluation Tools – *Eric Olivas***
h. **Consideration of Proposed Timeline and Process for CPOA Director Appointment – *Eric Olivas***
i. **Development of Supplemental Questions and Interview Questions for CPOA Director Appointment Process – *Eric Olivas***
j. **Board Member Responsibilities – *Eric Olivas***
   - **New Member Training Requirements**
   - **8-Hour Annual Training Requirement**
   - **Email Communications**
   - **Member Review Process**
k. **CPOAB Calendar and Scheduling Tool – *Chantal Galloway***
l. **CPOAB Community Outreach 2022 – *Chantal Galloway***
m. **Executive Director Job Posting – *Eric Olivas***
n. **CPOAB Subcommittee Assignments – *Eric Olivas***
o. **City Attorney's Training Proposal – *Eric Olivas***
p. **Non-Concurrence Letter to APD update – Eric Olivas**

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

XIII. Other Business

XIV. Adjournment- ***Next Regularly scheduled CPOA Board meeting will be on December 9, 2021 at 5:00 p.m.***

CITY OF ALBUQUERQUE

October 8, 2021

Via Certified Mail

7020 1810 0000 6296 7395

Re: CPC # 115-21

Dear: Mr. L

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. L reported following the safe house interview, CYFD contacted Detective S and requested a 48- hour hold be issued due to the disclosures that James made. Mr. L reported that Detective S stated that he would not have authority to do this due to "jurisdictional issues between Albuquerque and Sandoval County."

Mr. L provided several other dates in reference to APD Officers having interaction with Ms. C and James.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: No

APD Employee Involved: Detective S

Other Materials:

Date Investigation Completed: October 8, 2021

FINDINGS

1. **Unfounded**. Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☐
2. **Sustained**. Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☐
3. **Not Sustained**. Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.	☐
4. **Exonerated**. Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.	☐
5. **Sustained Violation Not Based on Original Complaint**. Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.	☐
6. **Administratively Closed**. Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.	☑

Additional Comments:

Please be advised the concerns involving Detective S were Administratively Closed as Detective S no longer worked for APD.

In reference to the other concerns, they were reviewed and additional information is located in the investigative file.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane Mildenstein for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7017 2680 0000 5951 9099

Re: CPC # 180-21

Dear Ms. C

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

R G alleged the sergeant of vice was setting her up for killing her mother and implanted a device in her brain. She wanted to press charges for having her set up. She does not have warrants, but alleged officers kept harassing to arrest her.

EVIDENCE REVIEWED:

Video(s): N/A APD Report(s): N/A CAD Report(s): N/A

Complainant Interviewed: N/A Witness(es) Interviewed: N/A

APD Employee Interviewed: N/A

APD Employee Involved: n/a

Other Materials: n/a

Date Investigation Completed: October 12, 2021

FINDINGS

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☐
2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☐
3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.	☐
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6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.	☑

Additional Comments:

A search of NM Courts and Records did not reveal any case involving her and APD in 2019, which was the year she reported the incident. The name she provided did not match an employee. She was spoken to briefly, but her call disconnected and she did not respond to further attempts to get more information. This case should be closed for a lack of information to proceed with an investigation.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Email

Re: CPC # 203-21

Dear Ms. S

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. S observed a police vehicle driving erratically, speeding and tailgating her.

EVIDENCE REVIEWED:

Video(s): N/A APD Report(s): N/A CAD Report(s): N/A

Complainant Interviewed: N/A Witness(es) Interviewed: N/A

APD Employee Interviewed: N/A

APD Employee Involved: Officer J

Other Materials:

Date Investigation Completed: October 12, 2021

FINDINGS

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☐
2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☐
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Additional Comments:

There was a miscommunication at APD. The situation was reviewed and resolved by the supervisor of the officer, but also opened as a CPC. This has already been resolved through informal resolution due to the nature of the complaint.

You have the right to appeal this decision.

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If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7016 2140 0000 1857 1142

Re: CPC # 206-21

Dear Ms. W

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

The written complaint stated that there have been multiple incidents where APD has been called to take care of situations and nothing happens. Ms. W reported her neighbor was making drugs. She was upset no reports were made and they needed to make reports when coming out.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): N/A CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: N/A

APD Employee Involved: n/a

Other Materials: n/a

Date Investigation Completed:

FINDINGS

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☐
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Additional Comments:

The CPOA Investigator explained the various ways officer actions are documented. Ms. W was concerned there was no record of her call. The CAD was located and discussed with Ms. W . She wished to withdraw the complaint because there was record of the officers coming to her apartment.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7020 1810 0000 6296 7388

Re: CPC # 141-21

Dear M O M

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

M. O M submitted a complaint reference D B being placed in the back of a patrol vehicle when paralyzed and confined to a wheelchair. Ms. C M believed Mr. B was in pain and officers should have waited for an ambulance and had Mr. B placed on a gurney. When interviewed, Ms. O M advised after hours an ambulance arrived and Mr. B was placed onto a gurney. When interviewed, Ms. O M advised Mr. B was arrested for discharging a firearm inside a residence yet she observed no evidence to support the charge.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Sergeant H.

Other Materials: N/A

Date Investigation Completed: October 21, 2021

FINDINGS

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer. ☐

2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer. ☐

3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur. ☐

Policies Reviewed: Transport 2-82-4B11f & Investigation 2-60-4A5d

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training. ☑

5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur. ☐

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Additional Comments:

The investigation determined by a preponderance of the evidence that the alleged conduct occurred as D. B who is wheelchair-bound was placed into a patrol vehicle on the order of Sgt. H after being arrested, but doing so did not violate APD policies, procedures, or training. Mr. E was in the patrol vehicle for approximately twenty-seven minutes before being removed and placed onto a gurney. The investigation determined by a preponderance of the evidence that the alleged conduct occurred as E B was arrested for battery on a police officer and negligent use of a deadly weapon among other things, but doing so did not violate APD policies, procedures, or training. The information that could be obtained judiciously was obtained during the preliminary investigation.

You have the right to appeal this decision.

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If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane Mulcahy for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7020 1810 0000 6296 7401

Re: CPC # 030-21

Dear Mr. A

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. A wrote officers responded to a call involving a deputy chief's son. The individual had an outstanding warrant. The officers failed to arrest the individual despite a court order to do so, which was a violation of policy. The deputy chief failed to order an internal investigation into the officers' actions.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: No Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Sgt. S

Other Materials: MDT messages, warrant

Date Investigation Completed:

FINDINGS

Policies Reviewed: 1-1-4D19

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☑
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Policies Reviewed:

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.	☐
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Additional Comments:

There was no evidence to support the allegation that Sgt. S directed a report to be falsified.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7020 1810 0000 6296 7401

Re: CPC # 030-21

Dear Mr. A

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. A wrote officers responded to a call involving a deputy chief's son. The individual had an outstanding warrant. The officers failed to arrest the individual despite a court order to do so, which was a violation of policy. The deputy chief failed to order an internal investigation into the officers' actions.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: No Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: DC M

Other Materials: MDT messages, warrant

Date Investigation Completed:

FINDINGS

Policies Reviewed: 1-1-4E9, 1-1-4E11

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☑
2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☐
3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.	☐

Policies Reviewed: 3-14-4A6

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.	☑
5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.	☐
6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.	☐

Additional Comments:

There was insufficient evidence to support the allegations DC M interfered in an investigation or gave any orders to other personnel to change their investigation into a family member. Personnel did not identify an incidents of retaliation. Being that a situation involved a family member, DC M was not the Chief at the time and was conflicted out from being able to direct investigations into officers' actions.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

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Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7016 2140 0000 1857 1166

Re: CPC # 125-21

Dear J A

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

J A. submitted a complaint reference being held at gunpoint over a coincidence, having an officer with a bigger gun hold his finger over the trigger while she was in the patrol car then unloading the gun in front of her, and being told, I'll get to that later after asking several times for the reason for detainment.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

Other Materials: APD Procedural Order 2-53-2P1

Date Investigation Completed: October 13, 2021

FINDINGS

Policies Reviewed: Force 2-52-4F1a & Conduct 1-1-5A1

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☑
2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☐
3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.	☐
4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.	☐
5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.	☐
6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.	☐

Additional Comments:

Upon review it was determined by clear and convincing evidence that all weapons were kept in the low ready position and not aimed at Ms. A. and therefor did not constitute a use of force. Upon review it was determined by clear and convincing evidence that Officer H was armed with a rifle, but did not have his finger on the trigger and unloaded it while facing the patrol vehicle and away from Ms. A . Upon review it was determined by clear and convincing evidence that no member told Ms. A , I'll get to that later when asking about why she was being detained.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

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Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7016 2140 0000 1857 1166

Re: CPC # 125-21

Dear J A :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

J A submitted a complaint reference being held at gunpoint over a coincidence, being patted down by a male officer when a female officer was on scene and being told, I'll get to that later after asking several times for the reason for detainment.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Sergeant P

Other Materials: APD Procedural Order 2-53-2P1

Date Investigation Completed: October 13, 2021

FINDINGS

Policies Reviewed: Force 2-52-4F1a & Conduct 1-1-5A1

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☑
2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☐
3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.	☐

Policies Reviewed: Seizure 2-71-3B1f

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.	☑
5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.	☐
6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.	☐

Additional Comments:

Upon review it was determined by clear and convincing evidence that all weapons were kept in the low ready position and not aimed at Ms. A and therefor did not constitute a use of force. Upon review it was determined by clear and convincing evidence that no member told Ms. A I'll get to that later when asking about why she was being detained. Upon review it was determined by a preponderance of the evidence that Ms. A was stopped, but did not violate APD policies, procedures, or training.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
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D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

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Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

October 13, 2021

Via Certified Mail

Re: CPC # 125-21

Dear J A

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

J A submitted a complaint reference being held at gunpoint over a coincidence, being patted down by a male officer when a female officer was on scene, officers laughing about a stuck handcuff, and being told, I'll get to that later after asking several times for the reason for detainment. Ms. A alleged she was told by her attorney that a female officer falsified documents reporting she did the pat down of Ms. A .

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer S

Other Materials: APD Procedural Order 2-53-2P1

Date Investigation Completed: October 13, 2021

FINDINGS

Policies Reviewed: Force 2-52-4F1a & Conduct 1-1-5A1

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer. ☑

2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer. ☐

3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur. ☐

Policies Reviewed: Search 2-71-3B2g

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training. ☑

5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur. ☐

6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile. ☐

Additional Comments:

Upon review it was determined by clear and convincing evidence that all weapons were kept in the low ready position and not aimed at Ms. A and therefor did not constitute a use of force. Upon review it was determined by clear and convincing evidence that no member told Ms. A , I'll get to that later when asking about why she was being detained or laughed about a stuck handcuffed. Upon review it was determined by a preponderance of the evidence that Officer S did conduct a pat down search of Ms. A , but did not violate APD policies, procedures or training. No evidence was submitted or discovered which supported the claim of a falsified document submitted by a female officer claiming they conducted the pat down of Ms. A

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

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Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 5, 2021

Via Certified Mail

7016 2140 0000 1857 1159

Re: CPC # 144-21

Dear Ms. A -N

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. A -N submitted a complaint alleging police never took her statement, identified no witnesses and did not take speed into account on her crash report.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: PSA M

Other Materials: Supplemental Report Information & Witness Statement

Date Investigation Completed: October 4, 2021

FINDINGS

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.	☐

Policies Reviewed: 1-1-5A4

2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.	☑
3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.	☐

Policies Reviewed: 2-40-3G3

4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.	☑
5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.	☐
6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.	☐

Additional Comments:

Upon review it was determined by a preponderance of the evidence that PSA M failed to document Ms. A -N statement about being distracted by a call and Francisco Arroyo Ontiveros statement about his speed. PSA M did interview Ms. A -N and attempts were made on scene to identify wittnesses.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
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Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

by Diane McDermott for

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

MAY 27, 2021

TIME: 1005 TO 1135 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	Commander Elizabeth Armijo (Special Operations Bureau)
VOTING MEMBERS (P78)	DCOP Donny Olvera (Field Services Bureau) DCOP Arturo Gonzalez (Investigative Bureau) Commander Arturo Sanchez (Northwest Area Command) A/Commander [redacted] (Training Academy)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (Legal) Edward Harness (CPOA Director) Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Commander Cori Lowe (IAFD)- via teleconference Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (SOD/CNT) Sergeant [redacted] (SOD) Detective [redacted] (IAFD) – via teleconference Patricia Serna (OPA) – via teleconference
OBSERVERS (P78b)	Lieutenant [redacted] (SOD/Presenter) Sergeant [redacted] (IAFD/Presenter) DCOP Eric Garcia (Compliance Bureau) – via teleconference Superintendent Sylvester Stanley (Police Reform) A/ Commander [redacted] (COD) Sergeant [redacted] (observing for IAFD) – via teleconference Detective [redacted] (IAFD) – via teleconference Christine Bodo (Compliance Bureau) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Corey Sanders (USDOJ) – via teleconference Sara Lopez (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference Phillip Coyne (IMT) – via teleconference Darreill Bone (EFIT) – via teleconference Darryl Neier (EFIT) – via teleconference Bill Hurlock (EFIT) – via teleconference
PREVIOUS MINUTES	May 20, 2021
UNFINISHED BUSINESS	• None

CASE #: 20-0037851 TYPE: LEVEL 3	DATE OF INCIDENT: MAY 10, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0630 HOURS

(P78)	
CASE PRESENTER	SERGEANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WITH THE INDIVIDUAL HAVING THREE PRIOR USE OF FORCE INCIDENTS, IS HE CURRENTLY IN THE CIT CASE MANAGEMENT? A. NO BUT WILL ADD. 2. AFTER THE INDIVIDUAL WAS HANDCUFFED AND IN UNIT, ANY CONSIDERATION TO WAIT FOR ANOTHER OFFICER TO BE PRESENT BEFORE PUTTING HIM IN THE PRS? A. BELIEVED OTHER OFFICERS WERE ON SCENE BUT DID NOT SEE ANYWHERE IN

DOCUMENTATION THEY REQUESTED ANY ADDITIONAL OFFICERS.

   B. PRS APPLICATION IS TAUGHT WITH TWO OFFICERS BUT TRAINING SUGGESTS TO ADD ANOTHER IF NEED BE.

3. OFFICERS DID A GREAT JOB EXPLAINING WHAT THEY NEEDED THE INDIVIDUAL TO DO AND EXPLAINING HOW THE PRS WOULD BE PLACED ON HIM
   A. JOB WELL DONE WILL BE ENTERED BY DC OLVERA.
4. NEED TO REEDUCATE OFFICERS ABOUT NOT PUTTING FULL WEIGHT ON A PERSON FOR POSSIBLE POSITIONAL ASPHYXIA?
   A. RECENT REFERRAL ADDRESSED THIS CONCERN AND WAS PUBLISHED IN THE FEB/MAR IAFD NEWSLETTER.
   B. THE OFFICERS DID POSITION THEMSELVES ACCORDING TO THE TRAINING BY NOT BEARING THEIR WEIGHT ON THE INDIVIDUAL.
5. ANY REASON TO BELIEVE HE COULD NOT BREATHE DURING THIS CONTACT BECAUSE IT DID NOT APPEAR THAT HE HAD ANY TROUBLES?
   A. DETECTIVE [redacted] ADVISED HE DID NOT ASK THIS SPECIFIC QUESTION.
6. THE IDEA OF "IF YOU'RE TALKING YOU'RE BREATHING" USE TO BE A COMMON THOUGHT AMONGST OFFICERS, HAS THIS BEEN ADDRESSED?
   A. YES IN THE RECENT TRAINING AND NEWSLETTERS.
7. AFTER PLACED IN PRS AND IN THE POLICE UNIT, THE STRAP TO PRS WAS CLOSED IN DOOR. TRAINING AND POLICY ADVISES NOT TO DO THIS. WAS THIS ADDRESSED DURING THE INVESTIGATION?
   A. NONE OF THE INVESTIGATIVE DOCUMENTS ADVISE IT WAS ADDRESSED DURING THE INVESTIGATION; HOWEVER, THE RECENT RBT TRAINING ADDRESSED THIS DURING THE PRS TRAINING.
8. OBRD CONFUSION AS TO THE OFFICER USING ANOTHER OFFICER'S OBRD, HOW WAS THIS ADDRESSED?
   A. LIEUTENANT [redacted] USED ANOTHER OFFICER'S OBRD DUE TO HIS BEING INOPERABLE. HE PROPERLY INSURED HE HAD A WORKING OBRD FOR HIS SHIFT.
9. STATUS ON SEARCH AND SEIZURE TRAINING?
   A. A NEW CTU MANAGER STARTED, WHICH WILL ASSIST TO SPEED UP THE PACE OF PREPARING TRAINING. THEY ARE CURRENTLY READING THROUGH THE TRAINING.
10. CURRENT TIMELINE FOR SEARCH AND SEIZURE NEWSLETTER?
   A. NEWSLETTER PUSHED TO COMMANDER LOWE TO REVIEW, UNKNOWN CURRENT TIMELINE.
11. DOES DIRECTOR HARNESS GET THE QUARTERLY USE OF FORCE REPORTS?

			A. QUARTERLY REPORT GOES TO FORCE REVIEW BOARD EMAIL EVERY QUARTER; THEREFORE, DIRECTOR HARNESS RECEIVES IT AS WELL.			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:			
(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO
WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?			☐ YES ☒ NO			
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)			N/A			
SOP TITLE OF VIOLATION			N/A			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)			
MAJORITY VOTE			☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)			
MAJORITY VOTE			☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)			
MAJORITY VOTE						

	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. OBSERVATION THERE IS A RISE IN NON-RECORDED EVENTS OCCURRING AND SUGGESTS IT TO BE TRACKED THROUGH FRB TO SEE IF THIS IS A CONCERNING TREND. A. QUARTERLY AND ANNUAL USE OF FORCE REPORTS DO TRACK THIS INFORMATION. 2. IN POLICY.

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☐ NO ☒ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☒ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO A SUCCESS DEPUTY CHIEF OLVERA WILL COMPLETE A JOB WELL DONE FOR THE OFFICERS FOR THEIR EXCEPTIONAL EFFORTS WHEN EXPLAINING WHAT THEY NEEDED THE INDIVIDUAL TO DO AND HOW THE PRS WOULD BE PLACED ON THE INDIVIDUAL
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	DEPUTY CHIEF DONOVAN OLVERA
DEADLINE: (P78e)	JUNE 14, 2021

CASE #: 21-0000728	DATE OF INCIDENT: JANUARY 3-4, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 2339 HOURS CALL TO TACTICAL: 0111 HOURS SWAT ACTIVATION: 0349 HOURS
TYPE: SOD (P78)			
CASE PRESENTER	LIEUTENANT		

DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WAS IT THE INTENT OF THE DEPLOYMENT OF THE NFDD TO BREAK THE WINDOW? A. NO. ON INITIAL DEPLOYMENT, SOD GAVE AMPLE TIME FOR THE INDIVIDUAL TO RESPOND. WHEN THEY DID NOT RECEIVE A RESPONSE, SOD DEPLOYED THE SECOND NFDD, WHICH DEFLECTED, CAUSING THE WINDOW TO BREAK. 2. WOULD THIS BE SOMETHING TO CONSIDER IN FUTURE ACTIVATIONS WHEN DEALING WITH A SIMILAR WINDOW? A. THIS WAS THE FIRST WINDOW BROKEN WITH AN NFDD. APPEARED TO BE A STATISTICAL OUTLIER

	SO IT DOES NOT SEEM TO BE A CONCERN AT THIS TIME. 3. HOW WOULD IT BE TRACKED BY FUTURE SOD PERSONNEL IF NOT ADDRESSED ON AAR? A. AGREED. WILL PROPERLY DOCUMENT IN AARS MOVING FORWARD. 4. WHILE CONTACTING THE INDIVIDUAL AND COMMUNICATION WITH GIRLFRIEND, THEY BOTH IMPLIED THE INDIVIDUAL WAS GOING TO COME OUT, WHAT PRECAUTIONS WERE TAKEN TO ENSURE THE INDIVIDUAL WAS NOT GOING TO COME OUT AT THE SAME TIME THE NFDD WAS BEING DEPLOYED? A. USING CNT'S EXPERTISE, THEY BELIEVED IT WAS STALL TACTIC BY THE INDIVIDUAL AND HE HAD NO INTENTIONS OF COMING OUT. 5. WHAT DISCUSSION OCCURS WITH THE AUTHOR OF THE WARRANTS TO ENSURE NIGHTTIME AUTHORIZATION IS MET? A. SOD COMMANDER CHECKS TO ENSURE THE CRITERIA IS MET TO ENSURE NIGHTTIME AUTHORIZATION IS COVERED AND THE NEEDED VERBIAGE IS INCLUDED IN THE WARRANT. B. NOT A TYPICAL CONCERN WITH THE WARRANTS AND ONLY WHEN IT IS A QUESTIONABLE TIMEFRAME, NEARING 2200 HOURS, SOD COMMANDER WILL ENSURE THIS CONCERN IS MET.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?

MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1 NONE

CASE #: 20-0081816 TYPE: SOD (P78)	DATE OF INCIDENT: OCTOBER 9, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1738 HOURS CALL TO TACTICAL: 1927 HOURS SWAT ACTIVATION: 2114 HOURS
CASE PRESENTER	LIEUTENANT		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME		

	☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES")	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. THIS CASE IS STILL BEING REVIEWED BY IAFD? A. YES. 2. NEEDS TO BE A PRIORITY CASE FOR IAFD TO COMPLETE FOR FRB REVIEW. A. REFERRAL FOR HAVING IAFD TO MAKE THIS CASE A PRIORITY TO BE COMPLETED. 3. IS THE INDIVIDUAL ON CIT CASE DATABASE? A. NO. B. SPOKE TO VA CHARGE NURSE THAT NIGHT WHO CONFIRMED THE INDIVIDUAL HAS NO HISTORY ON MENTAL HEALTH. 4. IS THE INVOLVED PSD STILL IN SERVICE? A. NO, HE IS RETIRED. 5. WHAT WERE THE ENVIRONMENTAL FACTORS? A. THERE WAS A TRUCK IMPEDING THE PSD'S VIEW OF THE INDIVIDUAL. THIS CAUSED THE PSD TO GO TOWARDS THE TRUCK.

	6. WAS THIS ADDRESSED WITH THE HANDLERS TO MAKE SURE THESE CONSIDERATIONS ARE BEING IDENTIFIED AND PROPERLY HANDLED WHEN THEY OCCUR? A. YES. 7. WHAT IS SOD DOING TO ENSURE THE COMMUNICATION ISSUES BETWEEN CNT AND SOD DO NOT HAPPEN. A. SOD NOW CHECKS WITH CNT PRIOR TO CONTACT WITH THE INDIVIDUAL TO GET ANY INFORMATION IMMEDIATELY. B. OPEN COMMUNICATION WITH COMMAND POST TO FRONT LINES TO ENSURE THIS DOES NOT OCCUR.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)

MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☒ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO SUPERVISION. COMMANDER LOWE WILL ENSURE THIS CASE IS PRIORITIZED FOR COMPLETION IN ORDER FOR IT TO BE REVIEWED BY THE FRB.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	COMMANDER CORI LOWE
DEADLINE: (P78e)	JUNE 28, 2021

Next FRB Meeting: June 3, 2021

Signed: _____
Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

JUNE 10, 2021

TIME: 1002 TO 1226 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP Donny Olvera (Field Services Bureau) DCOP Arturo Gonzalez (Investigative Bureau) Commander Tim Espinosa (Southwest Area Command) A/ Commander [redacted] (Training Academy)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (Legal) Edward Harness (CPOA Director) Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Commander Cori Lowe (IAFD)- via teleconference A/ Commander [redacted] (SOD) Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (SOD/CNT) Sergeant [redacted] (SOD/K9) Patricia Serna (OPA) Lieutenant [redacted] (SOD/Presenter) Sergeant [redacted] (IAFD/Presenter)
OBSERVERS (P78b)	DCOP Eric Garcia (Compliance Bureau) Superintendent Sylvester Stanley (Police Reform) Deputy Commander Ben Bourgeois (IAFD) A/ Deputy Commander [redacted] (IAFD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference Detective [redacted] (IAFD) – via teleconference Officer [redacted] (IAFD/FRB) Christine Bodo (Compliance Bureau) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Corey Sanders (USDOJ) – via teleconference Stephen Ryals (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference Darreill Bone (EFIT) – via teleconference Darryl Neier (EFIT) – via teleconference
PREVIOUS MINUTES	June 3, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS

19-0031543	11/19/2020	Send the case back to IAFD for additional investigation specifically to review the potential vehicle pursuit and conduct additional interviews regarding the use of force, specific to shows of force in this case.	Commander Cori Lowe	Commander Lowe requested a 30-day extension.	Update due July 12, 2021
20-0037586	5/20/2021	The FRB has identified a deficiency/concern related to training. The Training Academy will use this incident as an example in the EPIC curriculum for when officers should intervene another officer's actions.	A/Commander [redacted]	Sergeant [redacted] completed a department memorandum, which was provided to the FRB on June 9, 2021.	Closed
20-0037586	5/21/2021	he FRB has identified a deficiency/concern related to supervision. Deputy Chief Donovan Olvera will complete a Mandatory Behavior Services Referral Form for Officer [redacted]	Deputy Chief Donovan Olvera	Deputy Chief Olvera advised the referral form was completed on May 25, 2021.	Closed

CASE #: 20-0051552 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: JUNE 29, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0513 HOURS
CASE PRESENTER	SERGEANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ NOT AN IAFD PRESENTATION		

INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. THE INDIVIDUAL ALLOWED OFFICERS INTO THE ROOM CORRECT? A. YES. SHE WAS ANGRY BUT SAID, "COME ON IN." 2. THE INDIVIDUAL TOLD OFFICERS SHE WOULD PAYED UNTIL 11 AND WOULD STAY UNTIL THEN. ANY REASON OFFICERS HAD TO REMOVE HER PRIOR? A. THERE IS A CITY ORDINANCE THAT ALLOWS HOTELS/MOTELS TO REMOVE DISORDERLY GUESTS. OFFICERS SPOKE TO TWO EMPLOYEES WHO WERE ADAMANT ABOUT HAVING HER REMOVED. 3. IN THESE TYPES OF CASE, JUST BECAUSE WE CAN, DOES NOT ALWAYS MEAN WE HAVE TO. ASSESS WHETHER OR NOT IT IS ABSOLUTELY NECESSARY THAT WE DO. WHAT IS THE TRAINING FOR OFFICERS ON TAKING ACTION ON THESE TYPES OF CALLS? A. NOTHING SPECIFIC TO THIS SCENARIO WITH THE EXCEPTION OF LOOKING AT THE TOTALITY OF CIRCUMSTANCES. B. IT IS IMPORTANT TO ALSO TAKE INTO ACCOUNT THE REQUEST FROM THE HOTEL MANAGER WHO SAID THEY WANTED THE SUBJECT REMOVED.

4. HOW MUCH CONVERSATION WITH THE EMPLOYEES WAS THERE? WERE THEY ADAMANT ABOUT HAVING HER REMOVED OR JUST REQUESTED?
    A. WHEN THE FIRST OFFICER SPOKE TO THE CLERK, THEY REQUESTED. THE SECOND CONVERSATION, THE CLERK WAS ADAMANT.
5. OVERALL GOAL IS FOR OFFICERS TO MOVE FORWARD IN THE LEAST INTRUSIVE MANNER. THEY OFFERED TO MOVE HER TO A SECOND ROOM BUT HER REACTION WAS NOT POSITIVE. THEY TRIED THE LESSER INTRUSIVE WAY AND WHEN THEY REALIZED THIS WAS NOT WORKING AND ALONG WITH HER ELEVATED STATE, MADE IT REASONABLE FOR OFFICERS TO TAKE ACTION.
6. DID OFFICERS REVIEW VIDEO PRIOR TO TALKING WITH HER?
    A. UNKNOWN.
7. ANY INTOXICATION NOTICED BY THE OFFICERS?
    A. UNKNOWN.
8. IS SHE IN THE CIU DATABASE?
    A. NO; HOWEVER, SHE WAS NOT FROM HERE.
9. APPEARS THERE WAS A MENTAL HEALTH CONCERN ON BOARD. WHEN DOES DISENGAGEMENT COME INTO PLACE?
    A. AGREED. GOOD TRAINING OPPORTUNITY TO PROVIDE OFFICERS MULTIPLE WAYS TO HANDLE THE CALL. WOULD THE CLERK BE OK IF SHE WERE TO QUIET DOWN, THEY TO ALLOW HER TO STAY UNTIL CHECKOUT. IF SHE DOES NOT, OFFICERS CAN RESPOND BACK OUT.
10. DID THE MANAGER EVER TELL HER TO LEAVE?
    A. UNKNOWN. WHEN SHE BROKE THE PLEXIGLAS, HE IMMEDIATELY GOT ON THE PHONE AND TOLD HER HE WAS CALLING FOR OFFICERS.
11. REFERENCE DE-ESCALATION, WHAT WAS CIU'S ASSESSMENT?
    A. SEEMED LIKE A HALF-HEARTED EFFORT. IT IS HARD TO PREDICT WHAT COULD HAVE HAPPENED BUT SEEMS LIKE THERE COULD HAVE BEEN BETTERS WAYS TO DE-ESCALATE.
    B. REFERRAL NEEDED?
        I. THIS IS JUST ANOTHER CONSIDERATION BUT HARD TO TRAIN ON EVERY SITUATION.
12. THERE ARE MULTIPLE CONSIDERATIONS TO MAKE ON THIS CALL. (E.G. THE INDIVIDUAL'S BEHAVIOR, THE VIDEOS, CRIMES COMMITTED, ETC.) GOOD TRAINING SITUATION.
13. IT'S A GOOD EXAMPLE OF EMOTIONS BEING HIGH ON THE REPORTING PARTY AND BY PROVIDING THEM TIME TO SETTLE AND DE-ESCALATE THEM AS WELL WOULD ALSO BE BENEFICIAL TO CHANGING THE OUTCOME OF THE CALL.
    A. AGREED WITH PROVIDING THEM A MULTITUDE OF OPTIONS ON A CALL LIKE THIS.

14. DOES SEEM LIKE THEY ESCALATED HER. DO YOU THINK IT WOULD HAVE CHANGED THE OUTCOME OF THE CALL?
    A. NO.
15. THEY COULD HAVE DONE A BETTER JOB COMMUNICATING; HOWEVER, TIER 4 ADDRESSED THESE CONCERNS.
16. YES BUT THE TRAINING OCCURRED IN AN OPEN SPACE. THE OFFICERS WERE HAVING ISSUES IN THE CONFINED SPACE. ANY CONSIDERATIONS FOR TRAINING UNDER THESE CIRCUMSTANCES?
    A. WE DO NOT PRACTICE HANDCUFFING OR DEFENSIVE TACTICS ENOUGH AS IS; HOWEVER, THE TEAM TRAINING TACTICS, THERE IS A REFRESHER TRAINING TO FOLLOW THIS UP.
        I. IT IS A GOOD CONSIDERATION TO TRAIN UNDER THESE CIRCUMSTANCES AS WELL.
17. REEDUCATE THE BOARD ON THE TRAINING/TECHNIQUES FOR HANDCUFFING LARGER INDIVIDUALS AND/OR AMPUTEES?
    A. TRAINING USING MULTIPLE SET OF HANDCUFFS AND EVALUATING THE PROPER AMOUNT TO USE. ALSO TRANSPORTING LARGER SUBJS BY USING AN AMBULANCE, ETC.
    B. RECENT REFERRAL WILL ALSO ADDRESS THIS CONCERN BY LOOKING INTO EQUIPMENT TO PREVENT SUBJS MOVING HANDCUFFS TO FRONT BY HANDCUFFING TO A NYLON BELT. THIS WOULD HELP THIS CONCERN AS WELL.
18. REGARDING WHEN OFFICER [redacted] GOT SPIT ON. WAS HER REACTION A DISTRACTION TECHNIQUE OR JUST A REACTION?
    A. A REACTION CAN STILL BE A TECHNIQUE. WE ARE TRAINED TO REACT WITH CERTAIN TECHNIQUES. TRAINED IN EMPTY HAND STRIKES AND DISTRACTION TECHNIQUES AND SINCE WE ARE TRAINED IN THEM, A REACTION CAN BE USING A TRAINED TECHNIQUE.
19. CHARGES WERE DROPPED. IS THERE A WAY TO DO A DEEPER DIVE TO FIND OUT WHY THESE CHARGES ARE DROPPED? IT WOULD BE BENEFICIAL TO SEE WHY THIS IS OCCURRING TO IMPROVE PROSECUTION ON THE OFFENDERS WE ARE USING FORCE.
    A. AGREED THIS WOULD BE GOOD.
20. IT COULD HAVE BEEN DUE TO HER NOT LIVING HERE.
    A. CORRECT BUT IT IS OCCURRING ON MANY OF THESE INVESTIGATIONS. YES, CASELOAD IS HIGH BUT STILL GOOD INFORMATION TO HAVE.
    B. POSSIBLE ACCOUNT WITH ODYSSEY CASE MANAGER IN ORDER TO GET THIS INFORMATION.
    C. THERE COULD ALSO BE THE CONCERN OF DISMISSING THE CASE TO PREVENT THE CASE FROM BEING DISMISSED DUE TO TIMELINES.
21. WHAT IS THE POLICY OF INTERVIEWING CHILDREN WHERE THE CHILD BELONGS TO THE PERSON WE USE FORCE ON?

	A. MIRANDA ON JUVENILES IF UNDER ARREST? YES, THERE IS A POLICY. B. BEING THE INDIVIDUAL'S CHILD WAS NOT UNDER ARREST AND DID NOT MEET POLICY. THERE IS A LOT OF TRAINING AVAILABLE TO DETERMINE WHETHER OR NOT A CHILD CAN BE A INTERVIEWED AS A WITNESS. 22. THERE IS POLICY NOT TO USE A CHILD AS AN INTERPRETER FOR A DOMESTIC VIOLENCE SITUATION. THIS MIGHT NOT BE THE BEST TO INTERVIEW THEM. IS THERE CONFLICT WITH THE TWO POLICIES? A. WOULD NOT BE A CONFLICT IF THERE IS NOT A POLICY. 23. NO NEED TO PROHIBIT, BUT MAYBE POLICY TO MAKE CONSIDERATIONS TO THIS CONCERN. 24. ARE THERE GUIDELINES FOR INTERVIEWING PROCESS IN THE IAPS SOP THAT IAFD CAN MIRROR? A. NOTHING IN THIS SPECIFIC SOP. B. REFERRAL TO P&P IF WHAT WE ARE DOING NOW FOR INTERVIEWING CHILDREN IN ADMIN 27S IS THE BEST PRACTICE. DUE DATE: 30 DAYS 25. IS THIS IS BEING TAUGHT AT THE DETECTIVE ACADEMY? A. UNKNOWN. 26. ON THE USE OF FORCE DETECTIVE NARRATIVE BY IAFD, QUESTIONS 5, 6, AND 12 WERE CUT AND PASTED FROM A RESPONSE. IS THIS STILL A CURRENT PRACTICE? A. NO. THE PROCESS HAS EVOLVED AND NOW REQUIRES AN ANALYSIS FROM THE DETECTIVE.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☐ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?

MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. OFFICERS DO NEED TO BE EMPOWERED TO BE ABLE TO GO BACK TO THE MANAGER TO DETERMINE WHETHER DISENGAGEMENT WOULD BE APPROPRIATE. A. IMPORTANT TO ALSO CONSIDER THE PROPERTY DAMAGE ELEMENT. I. AGREED BUT DISENGAGEMENT COULD STILL BE A POSSIBLE OPTION. 2. IF THE INVESTIGATIVE SERGEANT INCORRECTLY DETERMINED THE USE OF FORCE TO BE A LEVEL 2, HOW WAS THIS HANDLED? A. IT WAS AN ACTING SERGEANT COMPLETING THE ON SCENE FORCE INVESTIGATION. HE UNDERSTOOD A TAKEDOWN AND STRIKE OCCURRED; HOWEVER, DID NOT CONSIDER THE FACT THE INDIVIDUAL WAS HANDCUFFED AT THE TIME. IT WAS AN OVERSIGHT, WHICH WAS CAUGHT BY IAFD WHEN THEY RESPONDED. I. WAS THE OFFICER NOTIFIED OF THE MISTAKE? 1. UNKNOWN BUT IT WAS COVERED IN TIER 4. 3. IN POLICY.

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☒ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. POLICY AND PROCEDURE MANAGER PATRICIA SERNA WILL REVIEW POLICY TO DETERMINE IF THE CURRENT PRACTICE OF INTERVIEWING CHILDREN IN ADMINISTRATIVE INVESTIGATIONS, THE DEPARTMENT FOLLOWS IS BEST PRACTICE.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	POLICY AND PROCEDURE MANAGER PATRICIA SERNA
DEADLINE: (P78e)	JULY 12, 2021

CASE #: 20-0096558 TYPE: SOD (P78)	DATE OF INCIDENT: DECEMBER 1-2, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1845 HOURS CALL TO TACTICAL: 2104 HOURS SWAT ACTIVATION: 0014 HOURS
CASE PRESENTER	LIEUTENANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☐ YES ☒ NO		
DAMAGE TO PROPERTY	☒ YES ☐ NO		

DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. COULD HEAR SOD PERSONNEL COUGHING FROM THE NFDD. WHEN DOES IT BECOME A REQUIREMENT FOR THEM TO WEAR GAS MASKS? A. UPON ENTRY. B. SOD PURCHASED EQUIPMENT FOR BETTER COMMUNICATION WHILE USING THE GAS MASKS. 2. WERE DRONES UTILIZED DURING THIS CALL? A. NO THIS INCIDENT OCCURRED DURING THE IMPLEMENTATION OF THE DRONES. 3. WERE THERE CONCERNS WITH DRIVING THE ROOK SO CLOSE NOW KNOWING THE INDIVIDUAL'S ACCESSIBILITY TO WEAPONS INSIDE THE RESIDENCE? A. CONSIDERATIONS MADE AND THE ROOK CAN WITHSTAND A 50-CALIBER BULLET.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO

PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE

CASE #: 20-0099001 TYPE: SOD (P78)	DATE OF INCIDENT: DECEMBER 11, 2020	LOCATION: 1 [redacted]	TIMES: DISPATCH / ON SITE: 2026 HOURS CALL TO TACTICAL: 2257 HOURS SWAT ACTIVATION: 0023 HOURS

CASE PRESENTER	LIEUTENANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P73b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, 'DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE.' TO BE ANSWERED 'YES'.)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. THE INDIVIDUAL HAD A BLOODY ARM. REASON WHY?

	A. THE INDIVIDUAL WAS HIGHLY INTOXICATED. HE PUNCHED THE WINDOWS, ETC. SO IT WAS DETERMINED TO WALK UP TO HIM TO MAKE CONTACT, IN LIEU OF USING LESS LETHAL MUNITIONS. 2. INVESTIGATION IDENTIFIED THE INDIVIDUAL WAS BARRICADED. HOW WAS THIS CONFIRMED? A. SPATIAL SEPARATION TO PREVENT CONTACT WITH OFFICERS AND AN OVERT ACTION FROM PREVENTING OFFICERS FROM MAKING CONTACT. I. THE INDIVIDUAL WAS PLACING FURNITURE IN FRONT OF THE DOOR. B. SOD USED A ROBOT IN ATTEMPT TO OPEN THE DOOR AND WAS UNABLE TO DO SO DUE TO THE ITEMS PLACED IN FRONT. 3. ACCOLADES FOR SERGEANT [redacted] RESPONSE WITH CONSIDERING THE TOTALITY AND HOW TO APPROPRIATELY RESPOND. A. SERGEANT [redacted] HAS BEEN INSTRUMENTAL IN IMPLEMENTING THE CHANGES AT SOD.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

P78a	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE

Next FRB Meeting: June 17, 2021

Signed: _____
Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

JULY 22, 2021

TIME: 1002 TO 1139 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	Commander Elizabeth Armijo (Aviation Division)
VOTING MEMBERS (P78)	DCOP Michael Smathers (Special Operations Bureau) A/DCOP Luke Languit (Investigative Bureau) Interim DCOP Joshua Brown (Field Services Bureau) Commander Johnny Yara (Southeast Area Command) A/Commander [redacted] (Training Academy)
NON-VOTING MEMBERS (P78)	Trevor Rigler (City Legal) Edward Harness (CPOA Director) Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Interim Deputy Chief Cori Lowe (IAFD) – via teleconference A/ Commander [redacted] (SOD) Lieutenant [redacted] (CIT) – via teleconference Policy Manager Patricia Serna (Policy and Procedure) Katharine Jacobs (IAFD/Presenter of Quarterly Update) Detective [redacted] (IAFD/Presenter) Sergeant [redacted] (SOD/Presenter)
OBSERVERS (P78b)	A/Commander Richard Evans (IAFD) Deputy Commander Ben Bourgeois (IAFD) A/ Deputy Commander [redacted] (IAFD) Officer [redacted] IAFD ILD) Bill Hurlock (EFIT) – via teleconference
PREVIOUS MINUTES	July 15, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS
19-0031543	11/19/2020	Send the case back to IAFD for additional investigation specifically to review the potential vehicle pursuit and conduct additional interviews regarding the use	Interim Deputy Chief Cori Lowe	A/Commander Rich Evans provided the investigative addendum, which was provided to the board on 7/21/2021. A/Commander Evans advised with the approval from the board, the case will be inserted back into the FRB	Closed

		of force, specific to shows of force in this case.		presentation pool to be presented to the FRB.	
20-0051552	6/10/2021	Policy and procedure manager Patricia Serna will review policy to determine the current practice of interviewing children in administrative investigations.	Policy and Procedure Manager Patricia Serna	Policy and Procedure Manager Patricia Serna complete a memorandum in response to the referral. A synopsis of the memo was provided to the FRB during the meeting on 7/22/2021.	Closed
20-0026670	6/24/2021	Lieutenant [redacted] will evaluate the timeline on what it will take to audit the IAPRo database to back check each officer for the EIS query during the timeframe from when the EIS changes were made ensuring the EIS is triggered.	Lieutenant [redacted]	Lt [redacted] provided a memorandum responding to the referral, which was provided to the board on 7/21/2021.	Closed

USE OF FORCE 2ND QUARTER REPORT	
PRESENTER	KATHARINE JACOBS
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WHY IS THE PTC REPRESENTED SEPARATE RATHER THAN IN THE VA? A. PTC IS BROKEN OUT SEPARATELY BECAUSE OF HOW MANY DIFFERENT AREA COMMANDS ARE REPRESENTED. 2. NOT SURPRISED OF THE UPTICK AT THE MALL BECAUSE OF THE MAYOR AND CHIEF'S INITIATIVE THIS IS NOT A SURPRISE. 3. WHY HAVE THERE NOT BEEN ANY POLICY RECOMMENDATIONS REGARDING THE HIGH PERCENTAGE OF CASES INVOLVING INDIVIDUALS ENTERING AND/OR EXITING A PATROL CAR? EVEN IF IT DOES NOT GET INCORPORATED, IT SHOULD AT LEAST BE ASSESSED. A. POLICY WILL LOOK INTO IT. 4. IS THIS DATA FOR THE DISCIPLINE REGARDING OBRD VIOLATIONS RESULTING FROM BOTH THE MONTHLY INSPECTIONS AND FORCE INVESTIGATIONS? A. UNSURE WILL CHECK WHAT SEQUEL CODE WAS RAN BUT BELIEVES IT WAS ONLY GENERATED FROM FII'S. 5. TYPE OF ALLEGATION IS APPLICABLE DUE TO THE DIFFERENCE IN THE SERIOUSNESS BETWEEN AN OFFICER WHO DID NOT DOWNLOAD THEIR OBRDS BY END OF SHIFT VS. DID NOT RECORD

	AN INCIDENT. THIS MIGHT EXPLAIN THE REVERSE VARIATION OF DISCIPLINE. A. HAD NOT CONSIDERED THESE FACTORS. WILL ANALYZE THESE ADDITIONAL POINTS OF DATA AND INCLUDE IN THE NEXT QUARTERLY UPDATE. 6. ALSO WOULD BE GOOD TO SEE HOW MANY ARE COMING FROM THE MONTHLY INSPECTIONS VS. FORCE INVESTIGATION.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. WAS THE DATA REGARDING THE HIGH PERCENTAGE OF CASES INVOLVING INDIVIDUALS ENTERING AND/OR EXITING A PATROL CAR USED TO REWRITE POLICY 2-52? A. NO.

CASE #: 21-0001037 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: JANUARY 4, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 2040 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☐ YES ☒ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE		

	☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. CONFIRMING WHILE OFFICERS WERE WAITING FOR MEDICAL TO ARRIVE TO EVALUATE THE INDIVIDUAL, THERE WAS A 27-MINUTE TIMEFRAME WHERE OFFICERS ATTEMPTED DE-ESCALATION. A. CORRECT. 2. LIEUTENANT [redacted] NOTICED THE INDIVIDUAL MADE SEVERAL COMMENTS REGARDING BEING SEXUALLY MOLESTED A WEEK PRIOR. DID OFFICERS FOLLOW THIS UP? A. SERGEANT [redacted] ASKED THE INDIVIDUAL IF IT WAS REPORTED, TO WHICH THE FEMALE ADVISED SHE DOES NOT TRUST OFFICERS OR THE FBI. 3. ANY FOLLOW UP REGARDING HER BEING SUICIDAL. WAS SHE EVALUATED FOR HER SUICIDAL THOUGHTS. A. HOSPITAL EVALUATION WAS A MEDICAL CLEARANCE AFTER WHICH SHE BOOKED. AT MDC IF THERE WERE ALLEGATIONS OF SUICIDE, IT IS MANDATORY THEY BE CLEARED BY MEDICAL AT MDC. 4. OFFICERS DID COMPLETE A MENTAL HEALTH FORM WAS THIS FOLLOWED UP BY CIT? A. CIT IS NOT SHOWING HER ON THEIR CASELOAD OR A REFERRAL.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P73e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A

SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P79a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. APPRECIATED SGT [redacted] CONVERSATIONS WITH THE INDIVIDUAL. SHE DID AN EXCELLENT JOB. A. THANK YOU. 2. IN POLICY.

CASE #: 21-0029927 TYPE: SOD (P78)	DATE OF INCIDENT: APRIL 19, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1614 HOURS CALL TO TACTICAL: 1755 HOURS SWAT ACTIVATION: 2046 HOURS

CASE PRESENTER	SERGEANT
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	

<table>
<tr><td colspan="3"></td><td colspan="4">1. NOTHING.</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:</td></tr>
<tr><td>(P78e)</td><td>POLICY</td><td>TACTICS</td><td>EQUIPMENT</td><td>TRAINING</td><td>SUPERVISION</td><td>SUCCESSES</td></tr>
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<tr><td colspan="3">WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?</td><td colspan="4">☐ YES ☒ NO</td></tr>
<tr><td colspan="3">PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)</td><td colspan="4">N/A</td></tr>
<tr><td colspan="3">SOP TITLE OF VIOLATION</td><td colspan="4">N/A</td></tr>
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</table>

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. HOW WERE THE OFFICERS ABLE TO TRACK THE INDIVIDUAL'S CELL PHONE TO THE APT? A. UNKNOWN THAT WAS COMPLETED BY THE FIELD OFFICERS PRIOR TO SOD'S RESPONSE.

CASE #: 21-0032465 TYPE: SOD (P78)	DATE OF INCIDENT: MARCH 28, 202	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1226 HOURS CALL TO TACTICAL: 1306 HOURS SWAT ACTIVATION: 1827 HOURS
CASE PRESENTER	SERGEANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☐ YES ☒ NO		
DAMAGE TO PROPERTY	☒ YES ☐ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED 'YES ')	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE		

	☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WAS THE CONCERN REGARDING MCT NOT RESPONDING TO THE SCENE ADDRESSED? A. IT IS A STANDARD PART OF THE VETTING PROCESS TO ENSURE THE FIELD HAS ATTEMPTED TO HAVE MCT RESPOND TO THE SCENE TO ASSIST PRIOR TO SOD RESPONDING. 2. DOES A CALL WITH CRIMINAL CHARGES AND THE SUBJECT IS NOT COMPLIANT FIT THE RESPONSE CRITERIA FOR MCT? A. NO, LIEUTENANT [redacted] WOULD NOT RECOMMEND USING MCT FOR THIS PROCESS. 3. THERE WAS A 4-HOUR DELAY BETWEEN THE FIELD RESPONSE AND TACTICAL COMING OUT, WOULD IT BE BENEFICIAL TO HAVE CIU RESPOND TO ATTEMPT THIS RESOURCE PRIOR TO SOD RESPONDING? A. TO TIE UP CIU DETECTIVES AND/OR MCT ON A TACTICAL ACTIVATIONS WITH SOMEONE WHO IS REFUSING TO COMMUNICATE WHEN THEY COULD BE OUT ASSISTING ON OTHER CALLS IS NOT A GOOD USE OF RESOURCES AND WOULD NOT MAKE A DIFFERENCE ON THE CALL. 4. HOW CAN WE ENSURE THIS WOULD NOT MAKE A DIFFERENCE WHEN THEY HAVE MORE EXPERIENCE AND OTHER TOOLS TO ENCOURAGE AN INDIVIDUAL TO COMMUNICATE WITH THEM? A. ACCORDING TO THE CADS, MCT4 DID RESPOND. 5. IS THE VETTING BETWEEN BY SOD FOR BOTH ECIT AND MCT OR JUST MCT? A. IT IS EITHER. 6. SOD ACTIVATIONS DO NOT OCCUR EVERY DAY. TO ADDRESS THIS TYPE OF DELAY, HOW CAN THIS NOT BE A BENEFIT TO AT LEAST TRY? A. IN THIS CASE, ECIT WAS TRYING TO CONTACT THE INDIVIDUAL WITHOUT SUCCESS. CIU WOULD NOT HAVE HAD FURTHER SUCCESS. 7. CIU HAS MORE EXPERIENCE THAN ECIT AND IT SEEMS LIKE THIS NEEDS TO BE AT LEAST A CONSIDERATION. A. SOD DOES CNT WHO RESPONDS WITH THEM TO HAVE THE ENHANCED ABILITY TO COMMUNICATE

			8. WHERE ARE WE WITH GETTING THE CLINICIAN FOR SOD? A. SHE HAS BEEN HIRED AND IS GOING THROUGH THE CITY ENTRANCE AND TRAINING PROCESS. EXPECTS TO BE READY BY 8/16/21.			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:			
(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO
WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?			☐ YES ☒ NO			
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)			N/A			
SOP TITLE OF VIOLATION			N/A			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?			
MAJORITY VOTE			☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?			
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DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)			

MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

Next FRB Meeting: July 29, 2021

Signed: _____
Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

AUGUST 26, 2021

TIME: 1119 TO 1304 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP Arturo Gonzalez (Investigative Bureau) DCOP Michael Smathers (Special Operations Bureau) Interim DCOP Joshua Brown (Field Services Bureau)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (City Legal) Edward Harness (CPOA Director) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Commander Terysa Bowie (SOD) Lieutenant [redacted] (SOD) – via teleconference Lieutenant [redacted] (CIT) – via teleconference Policy Manager Patricia Serna (Policy and Procedure) – via teleconference Detective [redacted] (IAFD/Presenter) Sergeant [redacted] (SOD/Presenter) Superintendent Sylvester Stanley (Police Reform) – via teleconference DCOP Eric Garcia (Police Reform) – via teleconference Chief of Staff Cecily Barker (Chief's Office) – via teleconference Interim DCOP Cori Lowe (COD) – via teleconference Commander Zakary Cottrell (IAPS) – via teleconference
OBSERVERS (P78b)	Sergeant [redacted] (IAFD) – via teleconference Detective [redacted] (IAPS) – via teleconference Detective [redacted] (IAPS) – via teleconference Christine Bodo (Compliance Bureau) – via teleconference Carlos Pacheco (City Legal0 – via teleconference Corey Sanders (USDOJ) –via teleconference Patrick Kent (USDOJ) – via teleconference Sarah Lopez (USDOJ) – via teleconference Darryl Neier (EFIT) – via teleconference
PREVIOUS MINUTES	August 12, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS
19-0044654	5/7/2020	The Training Academy will develop a module	A/Commander [redacted]	A/ Lt [redacted] provided an extension memorandum	Referral to be reassigend to Commander

		on Miranda training, which will be provided via PowerDMS.		responding to the referral.	McDermott. Update from Commander McDermott on a definitive status of completion for each portion of the training due September 6, 2021.
20-0035593	1/21/2021	The Training Academy will develop a training, which need to include de-escalation techniques, planning, threat assessment, and tactics, to address situations, which require officers to remove individuals from vehicles safely and within policy.	A/Commander [redacted]	A/ Lt [redacted] provided a response memorandum addressing the referral where he advised the following information: The training video has been filmed and is being prepared for upload to PowerDMS. There are no further training needs related to this referral.	Board wants notification of when the video is uploaded to PowerDMS. Update due September 6, 2021.
20-0047550	4/8/2021	The Training Academy will ensure a department representative will be involved in the instruction portion of the warrant-writing section of the detective academy.	A/Commander [redacted]	Lieutenant [redacted] provided a memorandum responding to the referral.	Closed.
20-0037586	5/20/2021	The FRB has identified a deficiency/concern related to training. The Training Academy will complete retraining with Officer [redacted] In addition, Officer [redacted] will not receive another recruit until the retraining and internal affairs investigation is complete.	A/Commander [redacted]	A/ Lt [redacted] provided a memorandum and completed training form responding to the referral	Closed.
20-0037586	5/20/2021	Deputy Chief Smathers will complete an	Commander Zakary Cottrell	Commander Cottrell advised the IA	Update due September 27, 2021.

		Internal Affairs Request (IAR) for the Internal Affairs Professional Standards Division (IAPS) to assess the potential policy violations from SOP 2-52-5-C: Officers shall not use force against a restrained or handcuffed individual unless the force is necessary: 1. To prevent imminent bodily harm to the officer or another person or persons; 2. To overcome active resistance; or 3. To move an individual who is passively resisting; and SOP 2-52-4-B, C, and D: B. Reasonable Force: 1. Force is reasonable when it is the minimum amount of force necessary to effect an arrest or protect an officer or other individual under the circumstances. C. Necessary Force: 1. Force is necessary when no reasonable alternative to the use of force exists. When force is necessary, officers shall use the minimum amount of force required that is reasonable. D. Proportional Force: 1. Force is proportional when it includes consideration of the totality of the circumstances surrounding the situation, including the presence of		investigative due date is September 23, 2021.	

		articulable imminent danger to the officer or others. 2. The use of proportional force by an officer does not require the use of the same type or amount of force as that used by the individual. IAPS Commander Cottrell will provide the policies investigated, findings of the investigations, and response of the findings. Responsible party: Commander Cottrell.			
20-0081816	5/27/2021	Commander Lowe will ensure this case is prioritized for completion in order for it to be reviewed by the FRB.	Interim Deputy Chief Cori Lowe	Sergeant [redacted] provided an extension memorandum responding to the referral.	Email Sergeant [redacted] to identify the due date of the misconduct investigation in order to determine a referral update due date (to be 30 days after due date of misconduct investigation).
20-0036730	7/29/2021	Internal Affairs Force Division will amend the ruling of the use of force number four to be out of policy through all recorded votes.	A/Commander Richard Evans	Lieutenant [redacted] emailed Internal Affairs Unit Coordinator Samantha Stefoin informing her to amend the force findings to reflect the recorded votes of the FRB.	Closed.
20-0036730	7/29/2021	Internal Affairs Force Division will present cases under current standards and any discrepancies or issues will be addressed prior to presentation.	A/Commander Richard Evans	Pending	Update due August 30, 2021.

CASE #: 21-0047521	DATE OF INCIDENT: JUNE 19, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1336 HOURS CALL TO TACTICAL: 1446 HOURS SWAT ACTIVATION: 1804 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	SERGEANT
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE" TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	

	1. SEEMS EGREGIOUS THE K9 OFFICER WOULD TAKE INDEPENDENT ACTIONS BASED ON TRAINING RECEIVED. A. YES ALL TRAINING ON THIS TOPIC IS STRESSED DUE TO THE POTENTIAL OF INJURY AND A DEBRIEF OCCURRED WITH THIS OFFICER TO ENSURE THEY UNDERSTOOD THE SERIOUSNESS OF THEIR ACTIONS. 2. DOES SOD BELIEVE THIS CONCERN WAS PROPERLY REMEDIATED? A. YES MISTAKES ARE MADE BUT THE CONSEQUENCE STOOD OUT TO HIM. 3. HOW DID SOD CONFUSE A FIRE ALARM CHIRP AS A COUGH AND HOW DID THEY VERIFY IT WAS IN FACT A CHIRP AND NOT A COUGH? A. SOD PERSONNEL IDENTIFIED THE NOISE WAS CONSISTENTLY OCCURRING SO THEY STARTED TIMING IT AND REALIZED THE NOISE WAS TIMED APART AND WERE LATER ABLE TO CONFIRM. 4. NOT USING A WEAPON LIGHT AS A PRIMARY SOURCE OF LIGHT CORRECT? A. WHILE DOING A BUILDING SEARCH, YES. B. DANGEROUS NOT TO HAVE A FREE HAND TO THE PRIMARY WEAPON SO MUST USE WEAPON-MOUNTED LIGHTS WHILE SEARCHING. 5. UNDERSTOOD, BUT PERSONNEL ARE NOT USING IT ON ROUTINE CONTACTS (E.G. VEHICLE CONTACT). A. NO NOT USED IN THIS MANNER.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?

MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

CASE #: 21-0048246 TYPE: SOD (P78)	DATE OF INCIDENT: JUNE 22-23, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 2141 HOURS CALL TO TACTICAL: 2305 HOURS SWAT ACTIVATION: 0406 HOURS
CASE PRESENTER	SERGEANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME		

	☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. NONE.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?

MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

CASE # 21-0015637 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: FEBRUARY 27, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1539 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		

WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE " TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. IT IS NOTED ON THE PRESENTATION THERE WERE NO CONSTITUTIONAL VIOLATIONS A. MISTAKE ON SLIDE AND IDENTIFIED AS VIOLATED UNDER SOP 1-1. 2. THIS INVESTIGATION WAS REFRESHING. INCONSISTENT STATEMENTS BY THE OFFICER WERE PROPERLY CHALLENGED BY THE IAPS DETECTIVE. CHAIR COMMENDED THE IAPS DETECTIVE OF THE INVESTIGATION COMPLETED. 3. DID OFFICER #2 HAVE AN UNDERSTANDING THE INCIDENT WAS OUT OF POLICY?

<table>
<tr><td colspan="3"></td><td colspan="4">A. WHEN HE WAS ASKED HE ADVISED HE DID NOT FEEL THREATENED BY THE INDIVIDUAL.
B. WHETHER IT WAS OUT OF POLICY, HE ASSUMED THE OTHER OFFICER HAD BEEN HIT AND/OR FELT THREATENED, WHICH IS WHY HE ASSISTED.
4. KNOWING OFFICER #1 WAS ECIT AND WAS "SUCKED INTO CONTEMPT OF COP," IS THERE A BLOCK OF TRAINING OR A SCENARIO DURING TRAINING TO ADDRESS THIS CONCERN?
A. YES BOTH CIT AND ECIT HAVE TRAINING FOR RECOGNIZING WHEN TO BACK OFF, PASS THE CONTACT TO ANOTHER OFFICER, AND/OR HAVE ANOTHER OFFICER STEP IN AND TAKE OVER.</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:</td></tr>
<tr><td>(P78e)</td><td>POLICY</td><td>TACTICS</td><td>EQUIPMENT</td><td>TRAINING</td><td>SUPERVISION</td><td>SUCCESSES</td></tr>
<tr><td></td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td></tr>
<tr><td colspan="3">WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?</td><td colspan="4">☐ YES ☒ NO</td></tr>
<tr><td colspan="3">PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)</td><td colspan="4">N/A</td></tr>
<tr><td colspan="3">SOP TITLE OF VIOLATION</td><td colspan="4">N/A</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?</td></tr>
<tr><td colspan="3">MAJORITY VOTE</td><td colspan="4">☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?</td></tr>
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☐ YES ☒ NO</td><td colspan="4">FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)</td></tr>
<tr><td colspan="3">MAJORITY VOTE</td><td colspan="4">☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)</td></tr>
</table>

MAJORITY VOTE	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. IAPS ADDRESSED CONCERNS WELL. 2. CONCURS WITH THE INVESTIGATOR'S FINDINGS FOR BOTH OFFICERS.

CASE # 21-0017967 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: FEBRUARY 27, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1539 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☒ YES ☐ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE THIS WILL RESULT IN THE BELOW QUESTION DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED YES)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT		

	TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WHAT WAS DCOP BROWN'S INVOLVEMENT IN THIS CASE? A. PURSUIT REVIEW ONLY.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. DETECTIVE WHO COMPLETED THE INVESTIGATION WAS ASKING LEADING QUESTIONS. (PG. 27 – "DID THE OFFICER USE DEADLY FORCE TO PROTECT THEMSELVES OR ANOTHER?" THIS IS A LEADING QUESTION.) NEEDS TO BE ADDRESSED IF THIS DETECTIVE IS TO REMAIN IN THE UNIT. 2. CONCURS WITH THE FINDINGS.

Next FRB Meeting: September 2, 2021

Signed: _____
Harold Medina, Chief of Police

Force Review Board- Chief's Report

CHIEF'S REPORT
(P78F)

SEPTEMBER 10, 2020 **TIME: 1100 TO 1245 HOURS**

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	Deputy Chief of Staff [redacted]
VOTING MEMBERS (P78)	DCOP [redacted] via teleconference DCOP [redacted] – via teleconference Commander [redacted] – via teleconference Commander [redacted] – via teleconference
NON-VOTING MEMBERS (P78)	Lindsay Van Meter (City Legal) – via teleconference Edward Harness (CPOA) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Commander [redacted] (IAFD) – via teleconference Deputy Commander [redacted] (IAFD) – via teleconference Commander [redacted] (SOD)- via teleconference Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (CNT) – via teleconference Officer [redacted] (SOD) – via teleconference Patricia Serna (OPA) – via teleconference
OBSERVERS (P78b)	Sergeant [redacted] (Presenter/SOD) Detective [redacted] (Presenter/IAFD) – via teleconference DCOP [redacted] (Compliance) Commander [redacted] (AOD) – via teleconference Lieutenant [redacted] (SOD) – via teleconference Lieutenant [redacted] (SOD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference Detective [redacted] (TDY IAFD) – via teleconference Esteban Aguilar (City Legal) – via teleconference Tina Archuleta (SOD) –via teleconference Elizabeth Martinez (USDOJ) – via teleconference Stephen Ryals (USDOJ) – via teleconference Patrick Kent (USDOJ) – via teleconference Corey Sanders (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference
PREVIOUS MINUTES	August 3, 2020 - approved
UNFINISHED BUSINESS	• None

CASE #: 19-0094657	DATE OF INCIDENT: OCTOBER 14, 2019	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0203 HOURS CALL TO TACTICAL: 0320 HOURS SWAT ACTIVATION: 0425 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	**SERGEANT** [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID THE BOARD REVIEW THE CASE WITHIN 30 DAYS OF RECEIVING THE CASE INFORMATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c) (SOD)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:**

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?**
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?**
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE?** (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY?** (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE?** (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO	**REFERRAL INFORMATION**
TYPE OF REFERRAL(S): (P78e)	☐ POLICY DEFICIENCY ☐ POLICY VIOLATION (IAR) ☒ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A CONCERN RELATED TO TRAINING, SPECIFIC TO THE NEED FOR A CRITICAL ANALYSIS TO BE CONDUCTED AFTER TACTICAL ACTIVATIONS TO DETERMINE IF ANYTHING CAN BE IMPROVED UPON IN THE PROCESS REGARDING TACTICS, EQUIPMENT, TRAINING, POLICY, AND SUPERVISION. THE SPECIAL OPERATIONS DIVISION WILL CONDUCT A CRITICAL ANALYSIS AFTER TACTICAL ACTIVATIONS TO DETERMINE IF ANYTHING CAN BE IMPROVED UPON IN THE PROCESS REGARDING TACTICS, EQUIPMENT, TRAINING, POLICY, AND SUPERVISION.

EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	COMMANDER [redacted]
DEADLINE: (P78e)	October 1, 2020

CASE #: 19-0094605/19-0094657 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: OCTOBER 14, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0202 HOURS

CASE PRESENTER	**DETECTIVE** [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☒ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID THE BOARD REVIEW THE CASE WITHIN 30 DAYS OF RECEIVING THE CASE INFORMATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:**

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?**
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	**FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?**

MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DISCUSSION	☐ YES ☒ NO

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO

Next FRB Meeting: September 17, 2020

~~Approved:~~ [redacted] Interim Chief of Police

Received

Force Review Board- Chief's Report

CHIEF'S REPORT	JULY 23, 2020	TIME: 1007 TO 1143 HOURS	APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR	Chief of Staff John Ross
VOTING MEMBERS	DCOP [redacted] via teleconference DCOP [redacted] – via teleconference DCOP [redacted] ia teleconference Commander [redacted] – via teleconference Commander [redacted] via teleconference
NON-VOTING MEMBERS	Robyn Rose (City Legal) – via teleconference Edward Harness (CPOA) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Commander [redacted] (IAFD) – via teleconference Deputy Commander [redacted] (IAPS) – via teleconference Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (SOD) – via teleconference Patricia Serna (OPA) – via teleconference
OBSERVERS	Detective [redacted] resenter/IAFD) – via teleconference Detective [redacted] (Presenter/IAFD) – via teleconference Detective [redacted] (Presenter/IAFD) – via teleconference DCOP [redacted] (Compliance) Commander [redacted] (AOD) – via teleconference Deputy Commander [redacted] (IAFD) Sergeant [redacted] (IAFD) – via teleconference Detective [redacted] (IAFD) – via teleconference Corey Sanders (USDOJ) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference
PREVIOUS MINUTES	July 9, 2020 - approved
UNFINISHED BUSINESS	• 20-0006029 (10% - Level 2) • 16-0048656 (SUoF – OIS) • 20-0008743 (10% – Level 2)

CASE #: 16-0048656 TYPE: SUOF-OIS	DATE OF INCIDENT: MAY 28, 2016	LOCATION: [redacted]	TIME: 2142 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
INJURIES SUSTAINED	YES		
DAMAGE TO PROPERTY	YES		
DID THE BOARD REVIEW THE CASE WITHIN 30 DAYS OF	YES		

RECEIVING THE CASE INFORMATION?					
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:			
POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒NO	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		<u>FOR TACTICAL ACTIVATIONS ONLY</u>: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?			
MAJORITY VOTE		☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		<u>FOR TACTICAL ACTIVATIONS ONLY</u>: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?			
MAJORITY VOTE		☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		<u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE?			
MAJORITY VOTE		☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		<u>FOR IAFD INVESTIGATIONS ONLY</u>: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY?			
MAJORITY VOTE		☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		<u>FOR IAFD INVESTIGATIONS ONLY</u>: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE?			
MAJORITY VOTE		☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			
DISCUSSION		☒ YES ☐ NO			

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO	REFERRAL INFORMATION
TYPE OF REFERRAL(S):	☐ POLICY DEFICIENCY ☐ POLICY VIOLATION (IAR) ☒ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☒ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S)	THE FRB HAS IDENTIFIED CONCERNS RELATED TO TRAINING AND TACTICS, SPECIFIC TO WHETHER CURRENT AND UPCOMING TRAINING INCLUDES AND ADEQUATELY ADDRESSES TACTICAL RETREATING AND CONTAINMENT. THE TRAINING ACADEMY WILL REVIEW CURRENT AND UPCOMING TRAINING TO ENSURE IT INCLUDES AND ADEQUATELY ADDRESSES TACTICAL RETREATING AND CONTAINMENT
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S)	*COMMANDER* [redacted]
DEADLINE	AUGUST 20, 2020

CASE #: 20-0006029	DATE OF INCIDENT: JANUARY 20, 2020	LOCATION: [redacted]	TIME: 0019 HOURS
TYPE: 10% - LEVEL 2			

CASE PRESENTER		DETECTIVE [redacted]			
INJURIES SUSTAINED		NO			
DAMAGE TO PROPERTY		NO			
DID THE BOARD REVIEW THE CASE WITHIN 30 DAYS OF RECEIVING THE CASE INFORMATION?		YES			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:			
POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO		FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?			
MAJORITY VOTE		☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO

CASE #: 20-0008743 TYPE: 10% - LEVEL 2	DATE OF INCIDENT: JANUARY 28, 2020 LOCATION: [redacted] TIME: 1121 HOURS
CASE PRESENTER	DETECTIVE [redacted]
INJURIES SUSTAINED	YES
DAMAGE TO PROPERTY	NO
DID THE BOARD REVIEW THE CASE WITHIN 30 DAYS OF RECEIVING THE CASE INFORMATION?	YES

<table>
<tr><td colspan="2">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
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<tr><td colspan="2">DISCUSSION</td><td colspan="4">☒ YES ☐ NO</td></tr>
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DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO

Next FRB Meeting: July 30, 2020

Approved: _____
Michael J. Geier, Chief of Police