

CIVILIAN POLICE OVERSIGHT AGENCY

Thursday, June 11, 2015

Vincent E. Griego Chambers, Basement Level
City/County Government Center - One Civic Plaza NW
Albuquerque, New Mexico

Members Present:

Leonard Waites (By Phone)
Beth Mohr (Acting Chair)
Jeffrey Scott Wilson (Co-Vice Chair)
Dr. Jeannette Baca
Susanne Brown
Eric Cruz
Joanne Fine
Rev. Dr. David Ring III

Members Absent

Dr. Moira Amado-McCoy

Others Present:

Robin Hammer
Paul Skotchdopole
Diane McDermott
Chris Davidson
Erin O'Neil
Paul Cash
Michelle Contreras
APD Lt. Jennifer Garcia
Jessica Hernandez, City Attorney
Nicholas Bullock, City Attorney
Julian Moya, City Council

MINUTES

I. WELCOME AND CALL TO ORDER: Acting Chair Mohr called the meeting to order at 4:10 p.m.

II. PLEDGE OF ALLEGIANCE: Board Member Amado-McCoy led the Board in the Pledge.

III. APPROVAL OF AGENDA - Acting Chair Mohr requested that there be a reorder of the agenda so that Item X will be discussed after Item VI. Board Member Fine made a motion to approve the Agenda with the above change. Board Member Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

IV. APPROVAL OF MINUTES – The Board discussed changes to the April 2015 minutes to better reflect what occurred at the April meeting. Board Member Ring made a motion to accept April 2015 minutes with revisions. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring. The Board discussed May 2015 minutes and Board Member Wilson made a motion to defer acceptance of May 2015 minutes until the revisions could be verified. Board Member Amado-McCoy seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

V. PUBLIC COMMENTS – There were no public comments.

VI. DISCUSSION AND POSSIBLE ACTION OF IPRA AND OMA RESOLUTION –

Attorney Baker informed the Board that the draft resolutions for IPRA and OMA were on the way over to the Board. Attorney Baker discussed the appointment of a records custodian. Board Member Ring felt the records custodian should be an administrative office employee, and Attorney Baker agreed. Board Member Amado-McCoy raised the question of the administrative office staff's capacity for the position of records custodian. Board Member McCoy made a motion to defer this decision until more research can take place. Board Member Wilson seconded the motion. Passed. For: 7 – Waites, Mohr, Wilson, Baca, Brown, Fine, Ring. Against: 1 – Cruz.

Board Member Ring spoke about IPRA requests that are now pending. Attorney Baker discussed the statutory process, and that there is a three-day time period to provide an initial response to the requestors. There is a 15-day normal response time to provide reports, but in the event the request is overly broad and burdensome, the statute allows for additional time. Attorney Baker informed the Board that the City has been providing assistance and that the statutory guidelines have been met. Attorney Baker informed the Board that his function is to provide legal advice to the Board. In response to Board Member Amado-McCoy's inquiry, the Acting Executive Director informed the Board that the requestors are in the loop regarding the status and timeline of their requests. Ms. Hammer informed the Board that it is a joint effort between the City Clerk, City Attorney, and herself to coordinate the IPRA requests.

X. MEETING WITH COUNSEL RE: PENDING LITIGATION AND PERSONNEL ISSUES -

Board Member Fine made a motion that the Board go into Executive Session. Board Member Ring seconded the motion. A roll call vote was taken. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring. The Board went into Executive Session at 4:34 p.m.

The Board reconvened at 7:07 p.m. Acting Chair Mohr stated that the Board discussed select personnel matters and pending litigation. Nothing of merit was discussed during the dinner break.

Board Member Wilson made a motion to confirm Acting Chair Mohr's statement. A roll call vote was taken. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

VII. REPORTS FROM CITY STAFF

A. Acting Executive Director Hammer – Acting Executive Director Hammer reported May 2015 statistics as follows:

May 2015:

25 new Citizen Police Complaints
10 Job Well Done Letters

Acting Executive Director Hammer informed the Board that the NACOLE conference will be held in Albuquerque in September 2016. Board Member Ring stated that some of the Board should attend the October NACOLE meeting. Acting Executive Director Hammer informed the Board that funds should be available so that the entire Board can attend the conference.

B. SOP Update – CPOA Lead Investigator Paul Skotchdopole reported that he is now back on the APD board, and attended a meeting on June 10, 2015. Prior to Mr. Skotchdopole returning to the board, ten SOPs were revised because of outdated and duplicate policies. Mr. Skotchdopole reported to the Board that the SOPs now indicate an effective date and expiration date, and the SOPs will come up for review every six months.

C. Mayor’s Staff – No one was present to report.

D. City Council Staff – Mr. Moya stated that the budget for fiscal year 2016 has been approved, which includes increases for training and for Independent Legal Counsel.

E. City Attorney’s Staff – City Attorney Hernandez stood for questions. None were presented in the open session.

F. APD – Lt. Jennifer Garcia from APD Internal Affairs presented the report for May 2015.

APD Calls for Service: 42,898
Internal Affair cases for May 2015
Received - 13 Inactivated - 2 Completed -20
Mediated - 0 Pending - 4

Discipline imposed in May 2015
4 verbal reprimands 9 letters of reprimands
1 8-hour suspension 1 15-hour suspension
1 32-hour suspension 1 40-hour suspension
1 48-hour suspension 1 termination

VIII. REPORT FROM SUBCOMMITTEES

A. Complaint Review Subcommittee – Board Member Fine informed the Board that the Complaint Review Subcommittee met on June 9, 2015. Paul Cash will continue to refine the monthly reports submitted to the Board. Board Member Fine stated that the 90-day time frame seems to be a problem, and that staff keeps cases for up to seven times that period. The Subcommittee will continue to meet every two weeks. Board Member Fine wants open communication with the Chief, and suggested that the Board could meet with the Chief if necessary. Acting Executive Director Hammer informed the Board that cases received after the DOJ settlement agreement are priority cases. Board Member

Wilson will no longer serve on this committee. Board Member Amado-McCoy made a motion to replace Board Member Wilson with Board Member Fine. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

B. Outreach Subcommittee – Board Member Baca reported that the Subcommittee met on May 26, 2015. Human Resources provided a draft advertisement for the position of an outreach coordinator. The ad was posted immediately and will run for three weeks. The official title of the position will be Community Engagement Specialist. Board Member Baca reported that the Subcommittee will be involved and will work with Acting Executive Director Hammer in the selection for this position.

Board Member Baca reported on the New Mexico Youth Forum, and their desire for their organization to be involved with the Police Oversight Board. Board Member Baca desired more time to respond to the organization.

Board Member Baca discussed locations where information regarding the Citizen Police Complaints could be posted, such as on buses and at Healthcare for the Homeless. Board Member Baca observed handouts located at APD substations.

Board Member Baca discussed business cards for the Board. The Board requested that “volunteer member” be added after the Board Member’s name, with their personal e-mail address, and that no reference to “City” be listed on the card. Board Member Baca moved for the acceptance of the business card as revised. Board Member Ring seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

C. Rules and Regulations Subcommittee – There was no meeting of this Subcommittee.

D. Personnel Subcommittee – Acting Chair Mohr reported that the job posting for the Executive Director position went on line June 8, 2015, with a closing date of July 17, 2015. Acting Chair Mohr discussed the application process and timeline. The questionnaire that will be sent to the applicants was discussed by the Board. The finalists will be interviewed on live TV. Board Member Baca made a motion to approve the questionnaire with revisions. Board Member Ring seconded the motion. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

IX. POB TRAINING – INTERNAL AFFAIRS PROCESS

Acting Chair Mohr made a motion to table this item. Board Member Wilson seconded the motion. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

XI. POB TRAINING – ATTORNEY BAKER

A. Police Oversight Ordinance –

B. Consent Decree (formerly DOJ Settlement Agreement)

Board Member Ring made a motion to table these items. Board Member Walker seconded the motion. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

XII. OTHER BUSINESS – No other business.

XIII. ADJOURNMENT - *Next POB meeting will be on Thursday, July 9, 2015, at 4:00 PM in the Vincent E. Griego Chambers.* The meeting adjourned at 9:00 p.m.

APPROVED:

Beth Mohr, Acting Chair
Civilian Police Oversight Agency

DATE

CC: Julian Moya, City Council Staff
Natalie Howard, City Clerk
Rey Garduno, City Council President