

# CITY OF ALBUQUERQUE



## CIVILIAN POLICE OVERSIGHT BOARD

Thursday, August 11, 2016 – 5:00 PM  
Vincent E. Griego Chambers, Basement Level  
City/County Government Center – One Civic Plaza NW  
Albuquerque, New Mexico

### Members Present:

Beth Mohr, Chair  
Leonard Waites, Vice Chair  
Susanne Brown  
Eric Cruz  
Joanne Fine  
Dr. Lisa M. Orick-Martinez  
Rev. Dr. David Z. Ring III

### Members Absent

Dr. Carlotta Garcia

### Others Present:

Edward Harness, Exec. Director  
Mark Baker, Esq.  
Lt. Jennifer Garcia  
Amanda Bustos  
Miriam Verploegh  
Diane McDermott  
Michelle Contreras

### Amended Minutes

**I. Welcome and call to order:** Chair Mohr called the meeting to order at 5:04 p.m.

**II. Pledge of Allegiance** – Dr. Lisa Orick-Martinez led the Board in the Pledge of Allegiance.

**III. Approval of the Agenda:** Copies of the agenda were distributed. An amendment to the agenda is as follows:

**A.** Remove Miriam Verploegh from item X, letter f, ii on the agenda.

**B.** Vice Chair Waites made a motion to approve the agenda as amended. Member Ring seconded the motion. **Approved.**

**For: Brown, Cruz, Fine, Mohr, Orick-Martinez, Ring, Waites**

### **IV. Public Comments**

**A. Tony Pirard** - Summary of comments to the Board: Mr. Pirard attends one of the Citizen Policing Councils and would like to help them out in getting the Police Department fixed. Mr. Pirard says that all the propaganda regarding Officer Involved shootings that have been coming out is untrue. Mr. Pirard says that the CPCs are not working as well as they should and would like to see the citizens who live in surrounding neighborhoods be informed of the CPC meetings because he has observed that very few people attend the CPCs. He would like to see more truthful information distributed to the people in the neighborhoods so they can more interested in coming to these meetings and to see exactly what APD is doing. Mr. Pirard says that the real purpose of the CPCs is to fix APD and that is not being addressed neither are the murders that have been committed by APD. He says that he is not afraid to stand up in front of the board to say that Mr. Edward Harness and the DOJ need to do a better job in investigating the police murders. Mr. Pirard says that these murders by police

will not be swept under the rug and will lead in the fight. Mr. Pirard would like to see the CPCs attendance increase so that they can run properly. Mr. Pirard also feels that the name, "Civilian Police Oversight" should be labeled "Citizen Police Oversight" because for the past several decades, citizens have been cut out of every aspect of City government and it needs to be put back so the departments can run correctly. Mr. Pirard usually attends the Los Durance South Valley CPC meetings.

- i. Member Fine clarified to Mr. Pirard that the Board share the same concerns as he does. Ms. Fine explained says that the POB will be addressing every OIS case but weren't able to until they fixed the backlog of civilian cases. Ms. Fine reassured Mr. Pirard that they are starting the process of reviewing OIS cases and that it has always been the Board's intention to get to those cases.
  - ii. Member Fine clarified to Mr. Pirard that the reason that the name is Civilian Police Oversight and not Citizen Police Oversight is because there are people who live in Albuquerque who are not legal citizens of the United States and they are also affected by APD so that is why the name is Civilian Police Oversight. The intention by the name Civilian Police Oversight is to include everyone. Mr. Pirard disagrees.
- B. Tadeusz Niemyjski** - Summary of comments to the Board: Mr. Niemyjski says that he has not seen any difference between the old Oversight and the new one. He says that nothing has changed with the new Director of the CPOA as far as he can see and that he is not sure of Police Oversight Board either. Mr. Niemyjski has met with the Commander of the SE Substation to discuss several issues. Mr. Niemyjski says that the Lapel recordings are edited and that is only a partial problem. He says that the CPOA investigators don't do much because it's the citizen's word against their word. Mr. Niemyjski says that we are the same way like before and more need to be done.
- C. Geraldine Amato** – Summary of comments to the Board: Ms. Amato wanted to clarify that the book she cited at the last meeting is titled *Deep Cover* by Mike Levene. Ms. Amato says that the American Flag does not stand for the Republic as the Republic does not exist because it only existed for a short period. She says that the first major blow to the Republic was the Constitution Conventions of 1787. The second major blow was the passing of the First Judicial Act which over time has buried local powers. The death to the Republic was the Civil War. The Civil war was financed by the same banks that control the economy today. The American Bar Association did not exist until after the Civil War and there was a short time when lawyers were actually free agents. Ms. Amato says that we are under the Uniform Commercial Code. She says that the 13 colonies were business enterprises of the British Royalty and we are in a similar situation today. The major decisions are made by those in control of the wealth of the Nation. Ms. Amato discussed her opinion of the candidates of the White House. Ms. Amato says that white men dressed up like Indians in order to start a war so that they can make a pathway clear for the railroad and whatever business establishments who wanted to move in.

- V. **Review and Approval of Minutes**
- A. Member Fine made a motion to approve the minutes from the July 14, 2016 POB Meeting as written. Vice Chair Waites seconded the motion. **Approved.**  
**For: Brown, Cruz, Fine, Mohr, Orick-Martinez, Ring, Waites.**
- VI. **Discussion:**
- A. **Updated re: DOJ Meeting & Status Conference with Judge Brack.**
- i. Copies of an email communication dated July 15, 2016 sent by Chair Beth Mohr to Assistant US Attorney Elizabeth Martinez was distributed and discussed. **See attachment "A".** Prior to the meeting with Judge Brack, the following topics were discussed with the various parties involved in the Settlement Agreement:
- a. **Inadequate timelines permitted for review of cases.**
1. This topic focused on the inadequate timelines permitted for the CPOA, POB, APD to review Serious Use of Force and Officer-Involved Shooting cases.
  2. For CIRT cases (Serious Use of Force cases), there was a combined 30 days.
  3. The City Attorney and the CPOA/POB and the APD will each have their own 30 days to review these cases.
- b. **POB Member's required training is unduly burdensome for volunteers.**
1. The Police department has offered to change the schedule were needed.
  2. The Police department will offered to give us a list of which training sessions that are mandatory vs. optional.
  3. Chief Roseman said he would vacate the training that is scheduled for the same date as the POB meeting and would create make up sessions that the new POB members missed.
  4. Chair Mohr asked Mr. Baker to work with the two newest members to work with Chief Roseman and Chair Mohr to see which training they haven't yet completed.
- c. **APD is preventing new POB Members from being able to complete their training.** This topic was discussed together with item VI, A, i, b.
- d. **CPOA and POB excluded from meaningful policy input.**
1. Since the POB cannot go back and fix the past, we will see how the new process will work for future policies.
- e. **Data.** Data was also discussed at the meeting of the parties. The POB wrote a letter to Chief Eden requesting a blank approval of access to all the data that CPOA is supposed to have according to the Settlement Agreement. For more information and to see a copy of the letter sent to Chief Eden regarding the POB's request for APD data, please refer to the minutes from July 14, 2016, attachment A.

- ii. **Memorandum to Judge Brack, dated July 28, 2016 from POB Member Joanne Fine.** Copies of the Memo to Judge Brack dated July 28, 2016 was distributed and discussed. See **attachment “B”**. Member Fine was the member who appeared and gave testimony at the Settlement Agreement hearing in front of Judge Brack on July 28, 2016 the additional topics:
  - a. **Policy.** For more detailed information, please see attachment B, item #1. Member Fine spoke to Judge Brack about the policy process:
    - 1. The 37 policies that were submitted by APD and approved by the DOJ without a structural process that included the POB.
    - 2. Member Fine envision taking those policies one at a time and creating a vehicle by which the community and civilian groups can discuss the quality of the policies that have been passed as they compared to best practices per the DOJ. This will expand and deepen the policy involvement of the POB and other Civilian groups.
  - b. **CPOA Investigations.** For more detailed information, please see attachment B, item #4. Member Fine spoke to Judge Brack about non-concurrent cases.
    - 1. The DOJ has asked that we now inform them of those non-concurrence cases and include the monitor the DOJ and the APOA union in all the concerns and reports we file.
  - c. **Time limits.** For more detailed information, please see attachment B, item 6.
    - 1. The DOJ gave some suggestions on how we could take a look at cases, especially the ones that are very old.
    - 2. The monitor stated that there is not going to be a cut off in when a complaint can be filed but the monitor suggested that we can come up with a Tier system in which complaints could be classified and investigated based on the amount of information that is in the complaint.
- iii. Member Ring started a discussion regarding Power DMS training.
  - a. Chair Mohr mentioned that this topic was discussed at the previous POB meeting (July 14, 2016), in which each board member could contact John Whitsitt for individual training on PowerDMS.
  - b. Member Fine discussed that she is all for training on PowerDMS but she would like to see the POB be more involved content and principal of policy other than just grammar change.
  - c. Member Fine stated she would like to see that POB understand the background of policy and that they have a community conversation about the policy.
  - d. Member Orick-Martinez discussed that she was in a training session about the Use of Force policy at the Citizen Police Academy and that she was confused and has a Ph.D. Her concern is that POB was not involved in the process like they should have been.
  - e. Chair Mohr says that one of her criticisms was that the UOF policy was confusing and too legalistic.

**B. Letters and Responses from Chief and 2<sup>nd</sup> letter sent to Chief**

- i. Chief Eden replied to the POB's second letter regarding UOF policy. The July 26, 2016 response letter was distributed to the POB via email.
- ii. Chair Mohr requested that the letters that come from the Chief be distributed at the POB meetings.
- iii. During other business in item XII, Chair Mohr revisited this agenda item. Chair Mohr summarized the letter from the Chief dated July 26, 2016.
- iv. The CPOA to send Luis Salcedo a packet of the materials from the non-concurrence cases.

**VII. Consent Agenda Cases:** The cases on the consent agenda have been individually reviewed by the Board members and the POB agrees with the CPOA's findings. The findings become part of the officer's file, if applicable.

**A. Administratively Closed Cases**

043-16      080-16      086-16      089-16      099-16  
108-16      110-16      122-16      124-16

Vice Chair Waites made a motion to approve the *Administratively Closed Cases* as written. Member Fine seconded the motion. **Approved.**

**For: Brown, Cruz, Fine, Mohr, Ring, Waites**

**B. Cases more than 120 Days**

253-15      002-16      006-16      017-16      030-16  
031-16      036-16      041-16

Vice Chair Waites made a motion to approve *Cases more than 120 Days* as written. Member Fine seconded the motion. **Approved.**

**For: Brown, Cruz, Fine, Mohr, Ring, Waites**

**C. Cases less than 120 Days**

062-16      067-16      084-16

Vice Chair Waites made a motion to approve the *Cases less than 120 days* as written. Member Fine seconded the motion. **Approved.**

**For: Brown, Cruz, Fine, Mohr, Ring, Waites**

**D. Copies of the full findings letters to citizens can be found at:**

<http://www.cabq.gov/cpoa/findings-letters/civilian-complaints-pob-findings>

**VIII. OIS – Alfred Redwine I-37-15:** According to the Agreement between the APD Union and the City of Albuquerque, the POB is not allowed to know the identity of the police officer named in the complaint. In accordance with the bargaining agreement, the CPOA does not reveal the officer's name to the Board.

**A.** The POB will hear this case since there was a quorum of POB Members to vote on the findings of this case.

**B.** Director Harness read his findings summary of I-37-15. The Findings letter to Chief Eden, Jr. dated August 11, 2016 is posted on the CPOA's website located here: <http://www.cabq.gov/cpoa/findings-letters/special-cases-sent-to-internal-a/officer-involved-shootings>

**C. CPOA's Findings and Recommendations for I-37-15 Officer E. are:**

- i. Exonerated as to SOP 2-52-4 concerning deadly force.
- ii. Recommendations to Chief Eden, Jr.:

- a. Review the investigation techniques utilized by the team to ensure completeness;
  - b. Initial an investigation as to the presence of the minor child in Lt. S's squad car on the night of March 25, 2014.
- D. Members Brown and Fine would like to commend Lt. S. for being calm during the situation.
- E. Chair Mohr would like to recommend that police put the camera on their weak side so as to keep the view of the area.
- F. Member Brown made a motion to accept the findings of CPOA Director Edward Harness. Member Ring seconded the motion. **Approved.**  
**For: Brown, Cruz, Fine, Mohr, Ring, Waites**
- G. Member Fine made a motion requesting Mr. Harness to ask the Albuquerque Police Department to open a separate investigation into the identity and nature of the child that was in the in the car. Member Ring seconded the motion.  
**Approved.**  
**For: Brown, Cruz, Fine, Mohr, Ring, Waites**
- H. Member Cruz made a motion to request APD to have the officers put their cameras on their weak side. Member Fine seconded the motion.
  - i. Discussion was held regarding the lapel camera being placed on the officer's weak side.
  - ii. Lt. Garcia from IA clarified to the Board that the manufacturer recommends that the officer wear his lapel mic on the stronger side because of the vantage point.
  - iii. Director Harness added that the body worn camera policy is the next policy coming up with the Office of Policy Analysis (OPA) and suggested that the Board could submit this and other recommendations to the CPOA Data Analyst Miram Verploegh since she is currently working on comprehensive recommendations for the camera policy.
  - iv. After the discussion, Member Cruz withdrew his motion.
  - v. Chair Mohr recommended that the CPOA Investigator's test out a lapel camera with some scenarios.

**IX. Reports from Subcommittees:**

- A. **Outreach Subcommittee – Leonard Waites, Chair:** For more information regarding POB Outreach Subcommittee meetings and minutes, please refer to our website located here: <http://www.cabq.gov/cpoa/subcommittees/outreach-committee>.
  - i. Amanda Bustos, CPOA Community Engagement Specialist gave the following report regarding the NACOLE Conference:
    - a. **NACOLE Press Release:** Ms. Bustos will forward an updated press release to the POB which will include that the Community meeting is free. The Community meeting is scheduled to be held on the first day of the conference on September 25, 2016. **See attachment "C" for NACOLE Press release.**
    - b. **Talking Circles:** The NACOLE Local committee decided that the theme of the community meeting will be "Talking Circles: Looking

- forward to Policing” in which there will be three (3) talking circles with different topics the public can participate in. NACOLE could assist with facilitators.
- c. **Scholarship Dinner:** The local vendors have been booked and secured. The dinner will be a New Mexican themed with mariachis and a special speaker. If anyone wants to attend the Scholarship event, the tickets cost \$35.00 each and they can be purchased on the NACOLE.org website. There are only around 20 tickets left.
  - d. **Gift baskets.** Ms. Bustos passed on a thank you from Ms. Cameron McEllhiney of NACOLE to Member Fine for her collecting all those local goods and that she really appreciates her efforts.
  - e. **Volunteers for NACOLE:** Member Ring is coordinating the volunteers for the NACOLE conference.
    - 1. Member Ring has notified Ms. Bustos that there are 45 out of 71 volunteers that have chosen their slots.
    - 2. Ms. Bustos will be forwarding the link for the volunteer sign up to the POB for distribution.
    - 3. Member Orick-Martinez can offer the volunteer opportunity to her students once CNM begins.
    - 4. Volunteers can attend the NACOLE Conference for free on their scheduled volunteer day(s) as long as the session times do not interfere with their volunteer time slot(s).
  - f. Since the NACOLE conference is almost a month away, they would like to have regular phone conference meetings. They will coordinate the meetings and send out calendar invites to local planning committee.
  - g. Member Fine is coordinating with Clear Channel to advertise the NACOLE conference on electronic billboards throughout the city a month before the event.
  - h. Ms. Bustos has posted all the NACOLE information onto the Civilian Police Oversight Agency’s website located on the front page under Community Engagement opportunities. Member Fine would like for this information to be posted in a prominent place on the CPOA’s website the closer we get to the conference. Ms. Bustos will work with Member Fine to work on that task.
- ii. **CPOA Complaint Forms:**
    - a. By September 1, 2016, APD will be assisting on helping the CPOA to replenish the CPOA complaint forms at all 56 locations, (all libraries, substations and community centers).
    - b. Ms. Bustos clarified to Member Cruz that they made some minor changes on the demographic section of the complaint form.
  - iii. **Partnership with the Independent Monitor’s Community Outreach office:** The CPOA has established a partnership with the Monitor’s Community Outreach office.
    - a. If anyone wants to give their feedback regarding APD, they can call Dr. Ray Leal to schedule an appointment at (505) 767-5833.

- b. If people call the Monitor's office to file a complaint, they will guide individuals through the process and refer individuals to the CPOA.
- iv. **Polo Shirts.** The polo shirts will be ready before NACOLE comes to town.

**B. Policy and Procedure Subcommittee – Dr. Susanne Brown, Chair.** For more information regarding POB Policy and Procedure Subcommittee meetings and minutes, please refer to our website located here: <http://www.cabq.gov/cpoa/subcommittees/policy-procedure-review-committee>

i. Member Brown gave the following report for the Policy and Procedure Subcommittee:

**a. APD Data:**

1. In order to intelligently critique data and to move forward, Member Brown suggested that the POB stay on top of the data request to APD.
2. Member Brown discussed what she learned at the research meeting at John Jay College in March regarding compiling data. In summary, they recommended that agencies like the CPOA or POB go to media outlets, such as newspapers, to compile data.
3. APD should think twice about this alternative method of compiling data, such as retrieving it from the media, if we can't get the real data.
4. The APD website contains only national data and that may be confusing for people who read their website. [**Correction per Sue Brown at the 9/8/2016 POB meeting: APD's annual report contains a mix of APD and national data.**]

**b. Policy on Policies:** Members discussed the Policy on Policies:

1. The last suggestions on the Policy on Policies were not important enough to change or interrupt the process but it will come back in 6 months. It is clear that we want to forward with the suggestions that we have already made.
2. Members discussed the Policy on Policies that was included in the Monitor's report.

**c. Body Worn Camera Policy:** The Body Worn Camera Policy is also ready to go forward with Dr. Verploegh's research on comparing body use cameras across the nation.

**d. Policy SOP 3-1 Selection, Authority, and Responsibilities of the Chief of Police.** (See attachment "D"). Members discussed Policy SOP 3-1. Member Brown would like to send this policy to OPA with the following additions to the 3-1-2 *Selection* paragraph:

1. That the public be made aware of the Chief of Police candidates' qualifications prior to Council vote.
2. That the candidate for Chief of Police is a certified law enforcement officer that had progressively moved through the ranks and has five (5) years of management and supervisory experience.



- e. **Distribution of DOJ Policies to Board Members for Review.** Members discussed the 37 DOJ policies that have been flagged by the Department of Justice for review and approval. **See attachment “E” for list of policies.**

- 1. Member Brown made a motion that POB Members to sign up for the policies that are coming up for review during the different stages, 1 through 4. The idea is to get ahead of the timelines of each of those policies so that they can incorporate meaningful content when the policy comes up for review. Member Cruz seconded the motion. **Approved.**

For: Brown, Cruz, Fine, Mohr, Ring, Waites

---Dinner break at 6:56 p.m. Meeting reconvened at 7:25 p.m. ---

- C. **Case Review Subcommittee – Leonard Waites:** For more information regarding POB Case Review Subcommittee meetings and minutes, please refer to our website located here: <http://www.cabq.gov/cpoa/subcommittees/case-review-committee-crc>. Case Review Subcommittee Chair Leonard Waites gave the following report:

- i. **POB Review of “Garrity materials in OIS Mary Hawkes I-2014-99:** Director Harness discussed that after consulting with the Internal Affairs Commander Jeremy McRae, the Administrative portion of the OIS Mary Hawkes case has been completed and the case is ready to be considered by this POB. The District Attorney has no opposition. Mr. Harness recommended that board vote to review the Garrity materials for their review.

- a. Member Waites made a motion that the POB vote to review the Garrity information as request on the Mary Hawkes case. Member Brown seconded the motion. **Approved.**

For: Brown, Cruz, Fine, Mohr, Ring, Waites

- ii. **Appeals:** The appeal process for citizen complaints can be located at: <http://www.cabq.gov/cpoa/appeal-process>.

- a. **CPC 251-15.**

- 1. The complainant observed an officer in his uniform without a lapel camera during a court hearing. Complainant stated that the officer was a violation the uniform SOP. The CPOA investigator found that the officer’s conduct to be exonerated as to SOP 2-01-2E2bi and not sustained as to SOP 1-39-3A.
- 2. In his appeal request, the complainant stated that 6 of the 7 people that he included in his complaint were not interviewed.
- 3. Member Fine made a motion that the Case Review Subcommittee recommended that the POB hear the appeal in CPC 251-15. Vice Chair Waites seconded the motion. **Approved.**

For: Brown, Cruz, Fine, Mohr, Orick-Martinez, Ring, Waites

**D. Personnel Subcommittee – Beth Mohr.** For more information regarding POB Personnel Subcommittee meetings and minutes, please refer to our website located here: <http://www.cabq.gov/cpoa/subcommittees/personnel-committee>. Subcommittee Chair Beth Mohr gave the following report:

- i. Executive Director Evaluation process.** The Personnel Subcommittee met on August 10, 2016 to discuss the evaluation process of CPOA Executive Director Harness.
  - a.** The Survey Monkey survey will go out to all the professional associations and stakeholders such as the Monitor, DOJ, CPOA staff, APOA, and City Attorney. The results of the survey will be synthesized and given to the POB. See attachment “F” for survey draft.
  - b.** An evaluation form will be sent to the POB next month where the POB will have the opportunity to comment.
  - c.** The evaluation of Executive Director Harness will be presented in October during a special session prior to his anniversary date of October 17, 2016.

**X. Reports from City Staff:**

**A. APD Lt. Jennifer Garcia, Internal Affairs:** Lt. Garcia gave a report on Statistical Data for the Month of July, 2016. Copies of the following documents were distributed (See “Attachment G”):

- *APD Internal Affairs, Statistical Data for the Month of July 2016.*
- *Graph: Internal Investigations, Year to Date (January through July), Year to date total received cases 2011 through 2016;*
- *Graph: Internal Investigations January through July.*

- i.** Lt. Garcia will start including in her report to the POB the SOP’s that resulted in discipline.
- ii.** Chair Mohr wanted to the know status of an incident in which an officer who alleged kneed a person in the head that was in the paper in last few days and wanted to know when the case be presented to the POB.
  - a.** Lt. Garcia says that the case was completed through Internal Affairs and through the chain of command but are waiting to impose discipline. This case will not be reviewed by CIRT and this case will not be presented to the POB.
  - b.** Discussed why the case was not submitted to CIRT as a UOF.
  - c.** Lt. Garcia will look in to this case to see if this case can be presented to the POB after the case is closed and will notify the POB if they do consider it for CIRT.
  - d.** Mark Baker clarified for the POB the thresholds are for Serious UOF cases.
  - e.** Lt. Garcia says that she will create an easy-to-read flow chart on how the UOF cases are processed.

- B. City Council:** Julian Moya gave the following report:
    - i. At the upcoming City Council meeting on August 15, 2016, they will be considering the staff recommendation to appoint Mr. Johnny J. Armijo to the POB.
      - a. Mr. Armijo is currently a manager for the Bernalillo County Housing Department.
        - 1. Mr. Armijo's experience includes housing, parks and recreation and YDI.
        - 2. Mr. Armijo's community work includes President of Towers Home Owners Association and chair of the Albuquerque/Bernalillo County DWI Planning Council.
      - b. City Council received 54 applications for the POB vacancy with a few withdrawing or was disqualified.
      - c. City Council will keep 48 prequalified applications for future POB vacancies.
    - ii. Chair Mohr would like to see Mr. Armijo's be appointed and to be signed up for the upcoming APD Citizen's Academy that begins on August 30, 2016.
  - C. Mayor's Office.** No one present to give report.
    - i. Mr. Alan Armijo will be attending and speaking at the NACOLE conference in proxy for Mayor Berry because of a conflict in the Mayor's schedule.
  - D. City Attorney:** No one present to give report.
  - E. Community Policing Councils:** No one present to give report.
  - F. CPOA Reports:**
    - i. **CPOA Executive Director Edward Harness:** Director Harness gave the following report for the CPOA:
      - a. For the month of July, 2016, there were twelve (12) Job Well Done's for APD.
      - b. Twenty six (26) new complaints.
      - c. As of 4 p.m. on this date, the CPOA received two (2) new CIRT cases with a CIRT review date deadline of August 26, 2016, which is a less than 30 days that was agreed on.
        - 1. Director Harness to email Chair Mohr, Commander McRae, City Attorney Jessica Hernandez and Lt. Garcia regarding the short review period.
      - d. Director Harness has yet to review the CPOA's 2016 Semi-Annual report but it is completed and will be ready to submit to City Council prior to the POB's next meeting.
    - ii. **Miriam Verploegh, CPOA Analyst. (Removed from the Agenda)**
- XI. Meeting with Counsel re: Closed session to discuss matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the CPOA is or may become a participant-Board Attorney Mark Baker.**

- A. The Board did not meet in closed session during this meeting, as there were no matters to discuss with Attorney Mark Baker at this time.

**XII. Other Business:**

- A. The next scheduled meeting of the Policy and Procedure will be on August 24, 2016 at 9 a.m.
- B. The next scheduled meeting of the Case Review Subcommittee will be on September 1, 2016 at 10:30 a.m.
- C. The next scheduled meeting of the Personnel Subcommittee will be on September 7, 2016 at 4 p.m.

- XIII. Adjournment:** Member Orick-Martinez made a motion to adjourn the meeting. Member Brown seconded the motion. **Approved.**  
**For: Brown, Cruz, Fine, Mohr, Orick-Martinez, Ring, Waites**

Meeting adjourned at 8:05 p.m.

*Next regularly scheduled POB meeting will be on  
Thursday, September 8, 2016 at 5 p.m. in the Vincent E. Griego Chambers.*

**APPROVED:**

  
\_\_\_\_\_  
Beth Mohr, Chair  
Civilian Police Oversight Agency

  
\_\_\_\_\_  
Date

CC: Julian Moya, City Council Staff  
Natalie Howard, City Clerk  
Dan Lewis, City Council President

# ATTACHMENTS

**Martinez, Elizabeth (USANM)**

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**From:** Beth Mohr <cabq.pob.mohr@gmail.com>  
**Sent:** Friday, July 15, 2016 3:04 PM  
**To:** Martinez, Elizabeth (USANM)  
**Cc:** CPOA-Harness; CPOA-Mark Baker; Jacobi, Jenica L. (jjacobi@cabq.gov); Fred Mowrer; IM  
- Dr. Ginger; Laurie Owens; Saucedo, Luis E (CRT); Jessica Hernandez  
**Subject:** Re: USA v. ABQ -- Raising Matters during July 28, 2016 Status Conference

All: In the Police Oversight Board meeting held on the evening of July 14, 2016, the POB decided that it would be appropriate to address the following longstanding issues with the Court on the July 28th status meeting. I'm sure none of these issues will come as a surprise to anyone, as we have been struggling with most of these issues for more than a year.

If you have any questions, please don't hesitate to call me at my office 505-554-2968 or my cell phone 505-450-2818. We look forward to working with you to finally resolve these issues and move forward with our shared goals. Thanks much,

Inadequate timelines permitted for review of cases:

The CASA specifies a review period for completed investigations of 30 days, which complies with the previous APOA union contract language. The CPOA, POB and APD all have to try to squeeze their review time into those 30-days, and the deadline has proven untenable, particularly for the most important cases. For the most important cases, such as CIRT (shooting and serious use of force) cases, the APD has thus far required that the CPOA and POB complete their review and report back findings and no more than seven (7) calendar days after receiving the complete investigative package.

This means that CPOA staff receives what can be a huge investigative file, usually with no notice whatsoever, and must work long hours and weekends to review the file. Since the POB only meets monthly, there is no meaningful opportunity for POB review or input. There is not even adequate opportunity to notice a special meeting. A few individual POB members or the Case Review Subcommittee may be able to convene a meeting and conduct at least a cursory review of the file, but at times even this isn't possible due the schedule of the volunteer POB members.

The net result of this process is that the most important cases receive the least civilian review. There is a large backlog of CIRT and shooting cases, but the CPOA and POB have little opportunity to successfully review them, much less provide meaningful input or draw useful conclusions from the cases when limited to 7 days to complete their work. The POB is happy to hold special or emergency meetings to deal with these cases, but there is not even time to notice and hold such a meeting, much less for members to have the opportunity to review the case file prior to such a meeting. In order for the CPOA and POB to provide meaningful review and input into the most serious cases, there must be adequate time for our work to be completed. Certainly this is an issue for APD as well, as some of those in the reviewing chain-of-command have as few as 72 hours to review the file. It's hard to imagine that any step in the review process has time to be as thoughtful as they'd like to be about their decisions.

The entire issue of allowing time for meaningful civilian review, with time for the POB to meet and review the matter, with adequate time that the CPOA and POB's conclusions and recommendations actually reach the

1

Attachment "A"

Chief of Police in time to impact his decision, while still allowing time for discipline as appropriate, must be rethought. The timelines in place at this time are completely untenable, and serve only to minimize the impact of civilian review on individual cases. Ironically, the more important the case, the shorter the time allowed for CPOA and POB review.

POB member's required training is unduly burdensome for volunteers:

POB members are required to attend the Citizen Academy, as well as a long list of other mandatory training, plus two 8-hour ride-alongs every six months. This amounts to about 120 hours of training prior to POB members being allowed to vote on any cases. Within the same number of hours of training a POB member could become a certified EMT, a barber or get a license to practice as a certified counselor or therapist, it's also the same number of hours that CPAs are required to achieve for continuing education requirements in a rolling three-year period, and it's the same number of CLE hours that New Mexico attorneys are required to take over a ten-year period. In other words, a person could start a whole new career with the number of hours of training that are required to sit on the POB.

POB members are volunteers, most of whom work full-time; POB members are willing to complete training, but they are not being allowed to complete their training and believe it is worthwhile to examine whether some of the required training can be streamlined or eliminated. The concern related to this issue has risen as the POB has lost members.

APD is preventing new POB members from being able to complete their training:

APD has taken the position that the entire Citizen's Academy must be attended by a POB member prior to graduation. APD has scheduled the Citizen Academy opposite POB meetings, and the same course missed opposite a POB meeting in one Academy is also scheduled against another POB meeting in the subsequent Academy. This leaves POB members having to decide either to miss three consecutive POB meetings, or never finish the Academy. We have suggested that Citizen Academy classes be videotaped, so that members can make up classes that are missed due to POB meetings or other dates of unavailability. We were told that APD would never consent to taping these classes.

For the first group of POB members, APD Academy Staff held individual courses to complete our certification. For the two newest members, however, APD has not adjusted the schedule or held special courses to facilitate their training. Applications are open for the currently unfilled position, and that new person will shortly have the same problem.

This means, as a practical matter, that our newest POB members already have served for many months without being able to complete their training or vote on all matters that come before the Board. If this continues into the future, we would eventually have the effect of an entire replacement POB Board being unable to complete their training. The City Council amended the Police Oversight Ordinance earlier this year to require that APD streamline the Citizens Academy, but the POB is waiting for APD to actually do so.

Our newest members have become despondent over the impossibility of completing their coursework, despite all the hours they have put in, and have expressed their intention to quit if they cannot be successful and make a meaningful contribution to the Board.

The POB has already lost 1/3 of our original members. Each of them quit out of frustration - because they felt like the POB wasn't a good use of their time because APD and the City had squelched meaningful

Attachment "A"

contributions, and because APD was so resistant to accepting citizen input that they felt that any successful outcome from their work was hopeless. These individuals felt so disenfranchised that some declined to even serve until replaced, and we still have one vacancy as a result. Now our newest members cannot complete their training, and their frustration predictably is rising quickly as a result. APD's inflexible approach to the training issue has directly contributed to turnover on the Board, and we believe the matter needs to be resolved immediately.

CPOA & POB excluded from meaningful policy input:

Although City representatives have told the Court that there were systems in place to receive input from the Police Oversight Board (POB), when CPOA and POB representatives tried to provide input on the critical early policies before APD adopted them, including the Use-of-Force policy – arguably the most important of the 36 policies cited by the DOJ – representatives were shut down when they tried to submit specific suggestions on which Board members had spent many hours of work. The reason cited was that APD was trying to meet timelines for SOP approvals. As a result, the opportunity to provide input into the first review of all of the most important policies has been lost.

The POB wrote letters to the Chief regarding this, but the Chief waited until the very last of the 45-day period allowed for his response, and then failed to adequately address our concerns, including providing no explanation for why specific proposed changes to the Use of Force policy were not adopted. We wrote another letter to the Chief, asking for a full response to our specific recommendations regarding the use-of-force policy, and after 35 days we have not yet received a response.

Representatives from APD and the City Attorney's office acknowledged in the June 9, 2016 meeting that the CPOA and POB were cut out of this important policy-making opportunity, and have pledged to allow our input in the future. While we appreciate their candor and efforts to accept our input in the future, the fact remains that the CPOA and POB were excluded from having input on the most important policies in order to "save time" and meet a deadline.

We are concerned that APD's primary goal is to "get finished on time", rather than trying to achieve the desired outcomes of improving policy and training, and ensuring that officers are using force appropriately in the field. Now that we have missed the opportunity to provide citizen input on these policies the first time around, we have an uphill road to climb to add meaningful input as these policies come up for their period review after officers already have been trained on the version adopted without input. We are hopeful that the new system which is in the process of implementation will be a dramatic improvement over what has occurred thus far.

Beth A. Mohr  
Chair, Police Oversight Board  
Albuquerque, New Mexico

*Justice will not be served until those who are unaffected are as outraged as those who are. – Benjamin Franklin*

Attachment "A"



## Memo

**To:** Judge Brack

**From:** Prepared by Joanne Fine, POB Board Member, at the request of the POB Board

**Date:** July 28, 2016

**Re:** Update on Concerns of the Police Oversight Board

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At our meeting of the Parties on Tuesday, July 26. We presented the following concerns to the other Parties to the Settlement Agreement.

Overall, POB/CPOA concerns center on obstacles which impede our ability to adequately complete our work in a timely fashion, at a quality level. For the last 18 months volunteers on the Police Oversight Board have struggled to get access to the information necessary to do our assigned work. Now, as a recognized party to the Settlement Agreement, it is our hope that we will finally be fully included in the work of civilian input into improving practices and policies of the Albuquerque Police Department. To that end, we discussed the following concerns.

1. **POLICY:** Thirty seven policies, including Use of Force, were submitted by APD and approved by the Monitor without a structural process that included the POB. We were ignored. We were told that we did NOT have a seat at the table. Then we were told that we had no seat, but we have one now. The current response to our expressed concern on this matter has been met with the assurance that we can comment, along with the general public, in the 6 month review process. This is unsatisfactory to us.

*Our exclusion has resulted in having to create our own learning curve on policy. We will work on our own with the Monitor to learn about best practices in other communities related to the issues identified by DOJ so we have something against which to compare ABQ's newly approved policies.*

2. **DATA:** Our role includes policy recommendations and data analysis. In fact, 51% of our work is to be policy recommendations. In order to do that work, we need access to specific data. Data can be mined to raise policy and procedure concerns, and possibly give rise to the discovery of trends which could inform the process we are ALL working on. We need to be able to ask for and get the data we need. To date, we have not had the access we need.

*This issue is not yet resolved.*

3. **TIMELINES:** There is a structural problem with the timelines spelled out in the different documents related to our work. These include our own City Council Ordinance, the Settlement Agreement, and the Union contract. We attempted to map out the workflow with input from all parties and find that the timelines are not sufficient to do the work necessary to produce quality investigations by IA or CPOA while also meeting the 30 day discipline requirements in the APOA contract. We were allotted 5-7 calendar days for our review and comment on OIS and SUF cases.

“Attachment B”

*The City has agreed to open up that timeline to be concurrent with the chain of commands timeline. We are grateful for this change, but still worry that it may not ultimately be enough.*

*Ms. Martinez has agreed to examine that contract and its impact on the entire process.*

4. **CPOA INVESTIGATIONS:** We have recently found through CPOA investigations that there is a discrepancy between a CIRT review finding and our own findings on a UF case. We sent a letter to the Chief asking that a new review of that investigation be initiated. In another case we documented an officer being untruthful and inappropriate with a female domestic violence suspect. The Chief objected to the finding that the officer had been doing these things while on duty on a regular basis (3 hours out of an 8 hour shift). The Chief disagreed with those findings as well. What does the judge want us to do with those "non-concurrent" cases? Currently, we post them on our website for the edification of the public.

*Does the Court, the Monitor or the DOJ want to be informed about non-concurrent cases?*

5. **TRAINING OF POB MEMBERS:** The training requirements are significant to serve as a POB member. We have no issue with the training itself. We do have a problem with the required training being inaccessible to our new members as it is scheduled opposite our long standing POB meetings. Until the training is complete, those new board members cannot vote on cases.

*APD has agreed to vacate the training scheduled during our POB meetings. This solves this problem for us.*

6. **TIME LIMIT FOR COMPLAINTS:** We know that the Settlement Agreement says we will review ALL complaints. We have indeed caught up on a significant backlog of cases and are now current, at least on civilian complaints. In that process we learned that some of those cases were so old that they could not be meaningfully investigated by CPOA staff. The officer was retired, the civilian had forgotten who the officer was, where it happened or exactly when, no videos or other evidence was available, etc. We also researched other oversight organizations across the country to learn how they addressed this concern. Some of those cities were under DOJ review and currently have time limits. The average is 174 days. Our first question is does 'ALL' mean DOJ does not want any time limits for complaints? If that is accurate, what does 'review' mean? Does it mean a full investigation or something less that determines what is available to investigate. We do not want to hold out the illusion to the public that complaints, no matter how old, can be fully and meaningfully investigated. By the same token, we do not want to cut off complaints which, though dated, have the possibility of a resolution or helpful data. We are interested in the advice of the DOJ, the Monitor, the US Attorney and the Judge.

*We were given good advice on how to assess our older complaints by degree of seriousness by the Monitor and will be doing further research on how other communities, assisted by the DOJ intervention, address these issues. We will create a policy and procedure based on our findings.*



FOR IMMEDIATE RELEASE

AUGUST 12, 2016

Contact: Cameron McElhiney, Director of Training and Education, NACOLE (National Association for Civilian Oversight of Law Enforcement), 317-721-8133 or [McElhiney@NACOLE.org](mailto:McElhiney@NACOLE.org) OR Amanda Bustos, Community Engagement Specialist, Albuquerque CPOA (Civilian Police Oversight Agency), 505-924-3770 or [abustos@cabq.gov](mailto:abustos@cabq.gov).

**NACOLE, THE ALBUQUERQUE CIVILIAN POLICE OVERSIGHT AGENCY, AND THE POLICE OVERSIGHT BOARD TO HOST TALKING CIRCLES AT THE 2016 NACOLE CONFERENCE IN ALBUQUERQUE, NM.**

The National Association for Civilian Oversight of Law Enforcement (NACOLE), the Albuquerque Civilian Police Oversight Agency (CPOA) and the Police Oversight Board (POB) want to hear from Albuquerque citizens about issues in policing, transparency, and police accountability.

The 22<sup>nd</sup> Annual Conference of the National Association for Civilian Oversight of Law Enforcement (NACOLE) will take place September 25-29 at the Albuquerque Convention Center, 401 2<sup>nd</sup> St. NW. The public is invited to a free event, entitled "Talking Circles: Looking Forward on Policing" from 1:00 – 2:30 p.m. on Sunday, September 25 at the Convention Center in the Cochiti/Taos rooms.

The theme of the conference is "Confronting Systemic Injustice." Keeping with that, conference attendees and the public will discuss how to improve the interaction between law enforcement, the mentally ill, the homeless population, and underserved populations, as well as discuss how to effectively improve civilian oversight in Albuquerque. During this event, community activists, police department members, oversight practitioners from around the world, and local oversight practitioners will be available to engage in an open and honest discussion.

NACOLE, in conjunction with the Albuquerque Civilian Police Oversight Agency (CPOA) and the Police Oversight Board (POB) is bringing its 22<sup>nd</sup> annual conference to Albuquerque. It typically draws 350-450 attendees from across the United States and around the world.

"Since 1995, NACOLE has been bringing together individuals and agencies working to establish or improve oversight of police," the organization's website states. Conference attendees will "...explore the different ways civilian oversight can work to confront the systemic injustices that have plagued our country for far too long."

P.O. Box 87227 • Tucson, Arizona 85754 • (317) 721-8133  
E-mail: [info@nacole.org](mailto:info@nacole.org) • Website: [www.nacole.org](http://www.nacole.org)

**"Attachment C"**

Registration for the conference is still open and interested parties can visit the NACOLE website, [www.NACOLE.org](http://www.NACOLE.org), to learn more information about the conference and civilian oversight of law enforcement.

**About NACOLE:** Established in 1995, NACOLE is a non-profit organization that works to enhance accountability and transparency in policing and build community trust through civilian oversight. To further its mission, NACOLE holds an annual conference that brings together the growing community of civilian oversight practitioners, law enforcement officials, journalists, elected officials, students, community members, and others to meet and exchange information and ideas about issues facing civilian oversight and law enforcement. In addition to the annual conference, NACOLE publishes a regular newsletter, hosts an e-mail listserv, conducts regional training, offers a professional credential in the practice of oversight, administers a professional mentoring program for newer oversight practitioners, and provides assistance to communities looking to start or review their existing oversight process.

**What:** 22nd Annual NACOLE Conference

**When:** September 25-29, 2016

**Where:** Albuquerque Convention Center, 401 2<sup>nd</sup> St. NW, Albuquerque, NM 87102

**Info:** Flyer and registration available at [http://www.nacole.org/annual\\_conference](http://www.nacole.org/annual_conference)

###

**“Attachment C”**

### **SOP 3-1 Selection, Authority, and Responsibilities of the Chief of Police**

#### **3-1-1 Purpose**

The chief of police is the community's chief peace officer and is responsible for the overall functioning of the department, staff, policies and budget. The chief of police is the face of the department to the public, serves as an appointee of the mayor, and is confirmed by City Council.

#### **3-1-2 Selection**

A competitive examination shall be given in order to adequately test the qualifications of each candidate for chief of police. All records of such examinations shall be filed with the City Council by the mayor together with his or her appointment of the chief of police. Such records shall be open to public inspection for at least seven days prior to the City Council taking action on said appointment.

#### **3-1-2 Duties**

1. Approve all new policies and revisions of policies
2. Oversee all the staff, sworn officers, and civilians.
3. Conduct annual written performance evaluations of deputy chiefs and mayors.
4. Respond to correspondence directed to the chief.
5. Call for audits as appropriate for deployment of staff, budget expenditures, and department property to improve overall police operations.
6. Department budget formation in conjunction with city council.
7. Determination of on duty status of Officer Involved Shootings and other high profile cases.
8. Declaration of honorary events as parades and other tributes.
9. Spokesperson for high profile cases.
10. Spokesperson for any major changes in policy and procedures.
11. Establishes Department's long-range plans, objectives, policies, directives, regulations, and procedures based upon the needs of the Town and the Police Department; continually monitors and evaluates the effectiveness and responsiveness of the Department.
12. Conducts regular inspections of the Department's facilities, personnel, and equipment.
13. Responsibilities for training programs being in compliance N.M. Department of Public Services, APD policy, and in accordance with existing state and federal guidelines.
14. Cooperates with law enforcement officials from other jurisdictions on investigations and in the apprehension and detention of suspects.
15. Plans, implements, and maintains effective customer relations and public education programs. Serves as primary representative of the Department with civic organizations, public interest groups, elected representatives, schools, etc., by attending meetings related

## **“Attachment D”**

to public safety problems and law enforcement. Insures that any complaints against the Department or its personnel are handled effectively and in a timely manner.

16. Actively participates in professional law enforcement associations; acts as liaison between Town and other law enforcement agencies; attends and participates in meetings involving or relating to the Police Department.

17. Prepare and present concise and meaningful oral and written material relating to the activities of the Department.

**3-1-3 Evaluation**

The mayor performs a written evaluation of the chief of police performance of duties annually and submits it to city council for consideration of contract renewal.

**3-1-3 Succession**

In the event that the chief becomes incapacitated they will be replaced by the deputy chief on an interim basis.

\*Formulated with fragments from observed duties of APD chief, City of Albuquerque Policies, the Duties of the Chief of Police from Seattle, LAPD, Kensington, New Hampshire, and Wikipedia.

**“Attachment D”**

**Distribution of DOJ policies to Board Members for Review**

The following document outlines the policies that have been flagged by the Settlement Agreement with the DOJ for review and approval. This document breaks down the policies into 4 groups in order of time till review by APD. The first group will be reviewed by APD first; the second group will be next, followed by the third and fourth group. The Policy and Procedure Subcommittee would like to recommend that each POB member sign up for one policy in each group and be responsible for reading research on best practices and model policies for their assigned policy. This distribution of policies among POB members would allow POB to be an informed body for making recommendations on these policies as they come up for review by APD.

**First Group of Policies:**

| Policy Name                           | SOP # | OPA Review Date | POB Member |
|---------------------------------------|-------|-----------------|------------|
| Early Intervention System             | 3-49  | 19-Jul-16       |            |
| Officer's Duties and Conduct          | 1-2   | 19-Jul-16       |            |
| Uniforms                              | 2-6   | 19-Jul-16       |            |
| On-Body Recording Devices             | 1-39  | 16-Aug-16       | SSS        |
| Behavioral Science                    | 1-14  | 16-Aug-16       | SSS        |
| Command Responsibilities              | 3-2   | 27-Sep-16       |            |
| Firearms and Ammunition Authorization | 2-22  | 27-Sep-16       | BAM        |
| Hostage, Suicidal, Barricaded Subject | 2-42  | 27-Sep-16       |            |

NAOLE

“Attachment E”

**Second Group of Policies:**

| Policy Name               | SOP # | OPA Review Date    | POB Member |
|---------------------------|-------|--------------------|------------|
| Personnel Code of Conduct | 1-4   | 25-Oct-16          |            |
| Force Review Board        | 3-30  | 25-Oct-16          |            |
| Recruiting                | 2-04  | 22-Nov-16          |            |
| Employee Work Plan        | 3-19  | 22-Nov-16          | BAM        |
| Complaints                | 3-43  | 20-Dec-16          |            |
| Department Orders         | 3-20  | 20-Dec-16          |            |
| Discipline                | 1-09  | 20-Dec-16          |            |
| Peer Support              | 1-10  | Tentative for 2017 |            |

**“Attachment E”**



**3<sup>rd</sup> Group of Policies:**

| Policy Name                                            | SOP # | OPA Review Date | POB Member |
|--------------------------------------------------------|-------|-----------------|------------|
| Response to Behavioral Health                          | 2-13  | No OPA Date     |            |
| Response to Demonstrations                             | 3-19  | No OPA Date     | <i>BAM</i> |
| Review of Completed Administrative Investigation Cases | 3-24  | No OPA Date     | <i>ZW</i>  |
| Special Investigations                                 | 3-01  | No OPA Date     | <i>WMA</i> |
| Criminal Investigations                                | 3-06  | No OPA Date     |            |
| Training                                               | 6-01  | No OPA Date     |            |
| Explosives Ordinance                                   | 4-03  | No OPA Date     | <i>WMA</i> |
| Internal Affairs                                       | 2-05  | No OPA Date     |            |

**“Attachment E”**

**4<sup>th</sup> Group of Policies:**

| Policy Name                                                 | SOP.# | OPA Review Date    | POB Member   |
|-------------------------------------------------------------|-------|--------------------|--------------|
| Investigative Response                                      | 2-09  | No OPA Date        |              |
| Investigations of Lethal Use of Force and in Custody Deaths | 2-31  | No OPA Date        |              |
| Policy Development Process                                  | 3-29  | No OPA Date        | MBB          |
| Use of Force Appendix                                       | 2-55  | No OPA Date        |              |
| Use of Force                                                | 2-52  | No OPA Date        | Josanne Fine |
| Electronic Control Weapons                                  | 2-53  | No OPA Date        |              |
| Use of Force Reporting                                      | 2-54  | No OPA Date        | BAM          |
| Critical Incident                                           | 7-2   | No OPA Date        |              |
| Supervisor's Responsibilities                               | 3-18  | Tentative for 2017 | BAM          |
| Emergency Response Team                                     | 1-46  | Tentative for 2017 | BAM          |

**“Attachment E”**

**Other Non-Settlement Agreement Policies I Would Like to Work On:**

| Policy Name | SOP # | OPA Review Date | POB Member |
|-------------|-------|-----------------|------------|
|             |       |                 |            |
|             |       |                 |            |
|             |       |                 |            |
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|             |       |                 |            |
|             |       |                 |            |
|             |       |                 |            |
|             |       |                 |            |

**“Attachment E”**



CPOA Director Harness - Comments for Annual Performance Evaluation

Comments to contribute to CPOA Director's Annual Evaluation

1. You are invited to share your comments on the performance of Ed Harness, the Executive Director of the City of Albuquerque Civilian Police Oversight Agency (CPOA). These comments will inform the decisions and opinions of the Police Oversight Board (POB) members as they evaluate Mr. Harness' performance.

Please indicate your relationship to Mr. Harness, the CPOA or POB. You may check as many as apply.

- City Official
- Albuquerque Police Department Official
- Community stakeholder
- Albuquerque Police Officers' Association (Union) official, member or counsel
- POB Member or CPOA Staff member
- Party to the Settlement Agreement (DOJ, Monitoring team, and other parties)
- Other (please specify)

[Empty text box for specifying other relationship]

2. How long have you known or worked with Mr. Harness? Describe the frequency and type of encounters or interactions that you have had with Mr. Harness in his capacity as Executive Director of the CPOA.

[Empty text box for describing encounters]

“Attachment F”

3. Describe an interaction that defines how you view Mr. Harness and his performance as CPOA Executive Director.

4. From your experience and perspective, describe Mr. Harness' strengths and any areas where he could improve.

5. What else do we need to know as we evaluate Mr. Harness' performance as Executive CPOA Director?

6. Your answers are anonymous unless you choose to share your position or identity. If you'd like to share information about yourself, please do so in the space below. The Police Oversight Board appreciates your time and opinion. Your comments will be combined with the comments of others to inform our work on Mr. Harness' annual evaluation.

**“Attachment F”**

**POLICE OVERSIGHT BOARD**  
**INTERNAL AFFAIRS**  
**STATISTICAL DATA FOR THE MONTH OF JULY 2016**

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APD 911 Communications Center  
Dispatched calls for Service for JULY 2016: 44,557

**INTERNAL CASES FOR THE MONTH OF JULY 2016**

**I's**

Internal Cases Received: 11  
Comprised of:

- 4-Internal Affairs Investigated case
- 7-Area Command Investigated cases

Internal Cases Administratively Closed:

Internal Cases Mediated: 0

Total Internal Cases Completed the Month of JULY: 12  
Comprised of:

- 5-Internal Affairs Investigations
- 4-Area Command
- 3-Preventable Vehicle Accident

Discipline imposed for Internal Cases/ JULY 2016:

3: Verbal Reprimand  
6: Letter of Reprimand  
1:16 hour Suspension  
1:32 hour Suspension  
1:Termination

**Standard Operating Procedures (recommended)**

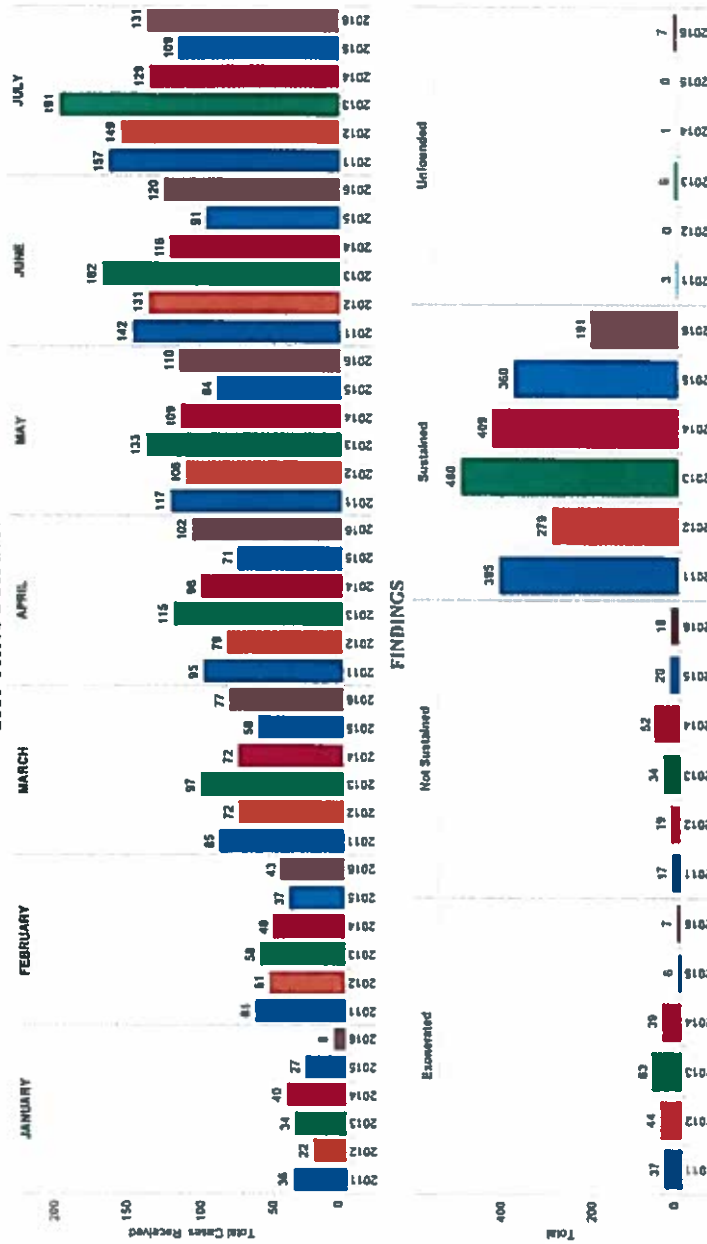
Admin Orders:  
3-66-3C2a  
Conduct:  
1-04-1E 1-04-1F 1-04-1G1 1-04-1K 1-04-4D 1-04-4J2  
1-04-4O 1-04-4Q 1-04-4U 1-04-4W 1-04-6H 1-04-1  
General Order:  
1-07-2A1c 1-39 1-39-4B4  
Procedure:  
2-01-1E5 2-52-5D1bi  
Special Order:  
15-11  
City Rules & Regs:  
402.5C

**Pending Cases for the Month of JULY 2016:** 8\*  
\*Is related to the number of cases opened within July

**“Attachment G”**

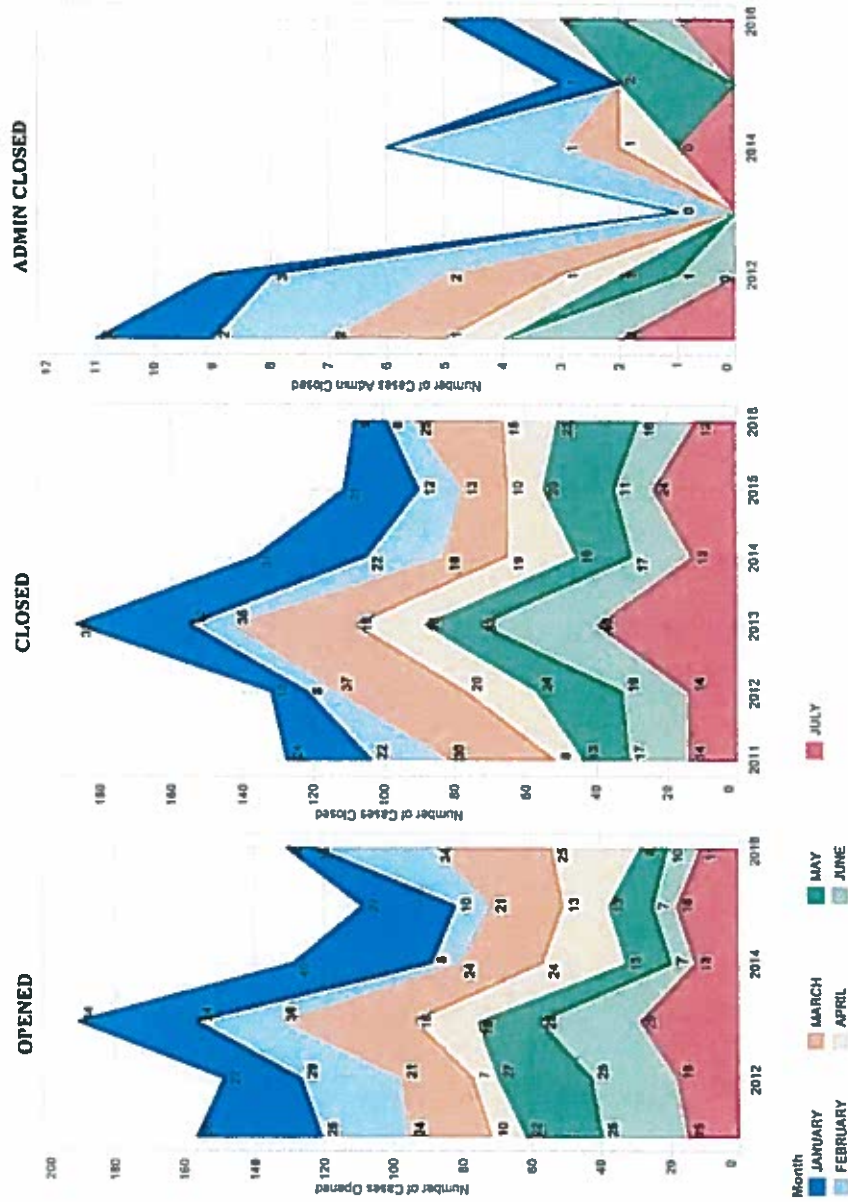
**INTERNAL INVESTIGATIONS**  
**YEAR TO DATE**  
**(JANUARY THROUGH JULY)**

**YEAR TO DATE TOTAL RECEIVED CASES  
2011 THROUGH 2016**



“Attachment G”

**INTERNAL INVESTIGATIONS  
JANUARY THROUGH JULY**



“Attachment G”