

**CIVILIAN POLICE OVERSIGHT AGENCY BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE**

Dr. William Kass - Chair

Tara Armijo-Prewitt

Eric Olivas

Cathryn Starr

Edward Harness, CPOA Executive Director

**Thursday, May 7, 2020 at 4:30 pm
By Video Conference**

Members Present:

Dr. William Kass

Eric Olivas

Cathryn Starr

Members Absent:

Tara Armijo-Prewitt

Others Present

Edward Harness, CPOA

Valerie Barela, CPOA

Diane McDermott, CPOA

Ali Abbasi, CPOA

Patricia Serna, APD

Vicki Williams, CPC Council

Minutes

- I. Welcome and Call to Order:** Chair Dr. Kass called to order the Policy and Procedure Subcommittee meeting at 4:32 pm.
- II. Approval of the Agenda**
 - a. Agenda approved
- III. Approval of the Minutes from April 7, 2020**
 - a. April 7, 2020 minutes approved
- IV. SOP Review**
 - a. Recent OPA/PPRB meeting SOPs
 1. Chair Dr. Kass presented to the subcommittee the recent SOPs discussed OPA/PPRB.
 - b. Timeline of policies for recommendations
 1. Subcommittee reviewed and discussed the timeline of policies presented at OPA/PPRB.

- c. SOP recommendation process that fits APD and CPOA schedules
(see attached)
 - 1. The Policy and Procedure subcommittee will start the SOP review process at OPA meetings.
 - 2. The Policy and Procedure subcommittee recommends an increase in Board member participation at OPA meetings.
 - 3. Subcommittee members that attend OPA meetings will provide a summary of the SOP's that were presented at OPA and report to the subcommittee for the purpose of prioritizing and making further recommendations.

V. Conduct and Ethics Policy Review and Edit

- a. Review of CPOA Board mission and compliance considerations draft presented at the April 9, 2020 Board meeting
 - 1. Policy and Procedure Subcommittee recommends to move the draft with the proposed changes made by members to present at the next full Board meeting.

VI. Other business

- a. None

VII. Next meeting June 4, 2020 at 4:30 pm

VIII. Adjournment

- a. The Meeting adjourned at 6:45 pm

APPROVED:

DocuSigned by:

Dr. William J. Kass

June 4, 2020

Dr. William Kass, Chair

Date

Policy and Procedure Review Subcommittee

CC: Julian Moya, City Council Staff
Ethan Watson, Acting City Clerk
Pat Davis, City Council President (via email)

Minutes drafted and submitted by:
Valerie Barela, Senior Administrative Assistant

Attachment



**ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS**

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16

3-52 POLICY DEVELOPMENT PROCESS

3-52-1 Policy

The transparent, structured and informed development of Departmental policies and standard operating procedures is a crucial part of meeting the Department's mission to provide effective and constitutional policing to the community. In order to deliver upon this mission, the development of policies and procedures will balance the need to educate the public about these policies and procedures while also affording a meaningful opportunity for input from Department personnel and the public.

3-52-2 Definitions

A. Civilian Police Oversight Agency (CPOA)

The CPOA is an independent agency of City Government, not part of either the City Administration or City Council that consists of a Police Oversight Board (POB) and an Administrative Office led by the CPOA Executive Director.

The CPOA receives, investigates and reviews complaints and commendations submitted by community members concerning Department personnel. The CPOA also reviews APD policies, practices, and procedures, in order to provide formal recommendations throughout the policy development process and ultimately to the Chief of Police.

B. Office of Policy Analysis (OPA)

The Departmental entity responsible for the research, revision and presentation of policies and procedures.

C. Police Oversight Board (POB)

A volunteer citizen board comprised of members selected by the City Council who are tasked with reviewing and making recommendations to Department policy; reviewing administrative investigations into officer conduct and making recommendations for discipline; and reviewing serious use of force and other critical incidents to make disciplinary findings.

D. Policy and Procedures Review Board (PPRB)

Administrative body which conducts the final Departmental review, revision and vote on a particular standard operating procedure before being approved by the Chief of Police.



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16

E. Policies

Policies summarize the department's position on specific matters. Policies are concise position statements based on underlying organizational principles, goals, values, and directives. They are designed for broad general direction and guidance primarily for use by all members of the Department or by more than one operational division.

F. PowerDMS

Intra-agency Document Management System possessing a comment function that allows all Department employees an opportunity to comment on proposed revisions to existing policy and proposed new policies.

G. Standard Operating Procedure

Established or prescribed methods of Department operations and performance that are to be followed in the performance of designated operations or in designated situations.

H. Standard Operating Procedure Liaison

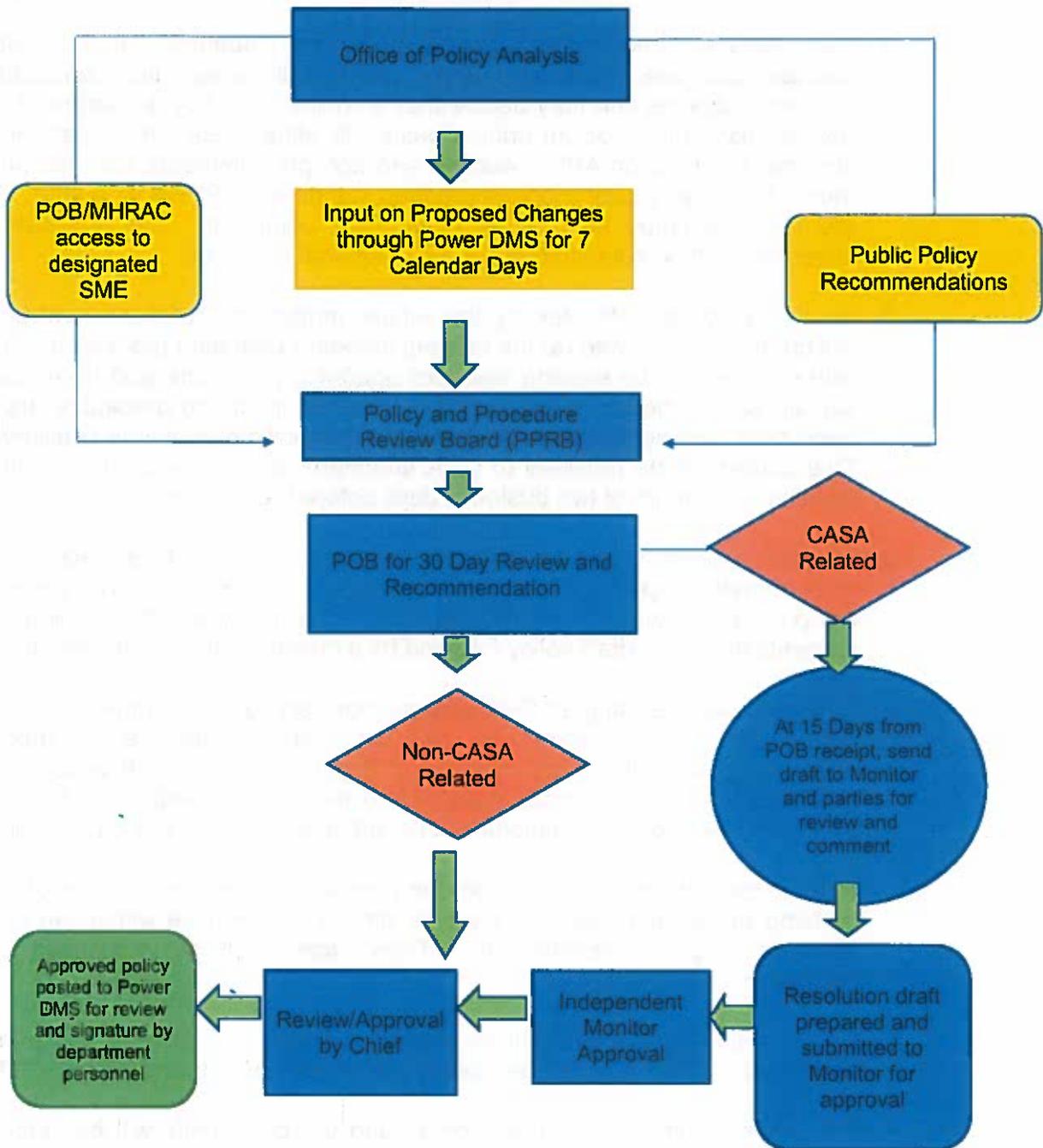
A Department civilian employee assigned to the Compliance Bureau tasked with facilitating the policy development process and other logical responsibilities related to Department policy and procedure.



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16



3-52-3 Policy Development Process

A. Policy Development Overview (Flowchart)



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16

1. Comments and recommendations come to the Department from a variety of sources and are routed to OPA. OPA will review the comments and recommendations and may decide that a change in policy is warranted. It also reviews each policy on an annual basis. In either case, OPA posts proposed changes to policy on APD's website and accepts comments from the public on them. Proposed policy changes are then submitted to PPRB for a vote. Policies are then submitted to POB for review and comment. The proposed policy changes are then submitted to the Chief for final approval.
2. In advance of an OPA meeting the subject matter expert for the involved policy will create a packet with (a) the existing standard operating procedure, (b) a draft with revisions to the existing standard operating procedure and (c) materials to explain why particular changes to the standard operating procedure are based upon best policing practices or Department specific operational considerations. This packet will be provided to OPA attendees and will be posted on the APD website a minimum of two business days before the OPA meeting.
3. An OPA meeting to discuss the involved policy will then take place where the subject matter expert will provide a presentation to attendees. The presentation will provide background and explanation of the policy and there will also be a presentation of the draft policy followed by a question and answer session.
4. All individuals attending an OPA presentation can submit comments on the draft policy and OPA packet as part of their attendance. Importantly, recommendations from any member of the public, on a draft policy, must be provided seven (7) calendar days before the PPRB meeting on the involved policy. These recommendations can be submitted through the City website.
5. OPA presentations and notes from the question and answer session of an OPA meeting will be archived and available on the City website within two business days of a given presentation. These tasks will be completed by the Department's SOP liaison.
6. After the OPA presentation there will be a seven (7) calendar day period for personnel to provide recommendations on a draft policy through PowerDMS.
7. The recommendations from personnel and the community will be compiled in advance of the meeting for presentation and consideration as part of PPRB deliberations. Where appropriate the (Department or stakeholder) sponsor of a recommended change or addition to policy may be present to provide an explanation for a specific recommendation.
8. If it is voted upon by PPRB that a proposed policy recommendation from a member of the community is not going to be incorporated into the policy, the subject matter expert, in collaboration with the SOP Liaison will draft a letter to the submitting party, with copy to the Chief of Police, explaining why the



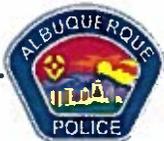
ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16

proposed language was not incorporated into the policy. This letter will be provided to the community member within thirty (30) days from the Chief of Police approving the policy.

9. Any policy related to the Department's approach to interacting with individuals in crisis will be forwarded to the Mental Health Response Advisory Committee (MHRAC) for review and comment. This will be done two weeks in advance of OPA and the chairs of MHRAC will be invited to attend OPA and PPRB.
10. The PPRB has the authority to deny or accept a recommendation on a draft policy before it is submitted to the Chief for approval.
11. If a policy proposal is tabled at PPRB, the Chair shall appoint a member to make the necessary corrections or complete the necessary research to ensure that the PPRB can reconsider the policy.
12. A policy which does not concern the Court Approved Settlement Agreement (CASA), which has passed PPRB and has been submitted to POB for a thirty-day time frame to review and provide recommendations, will then be considered by the Chief of Police for potential revision and approval.
13. A CASA related policy, once it has been approved by PPRB, will be submitted to the POB for a thirty-day review and commentary period. Fifteen business days from being provided to POB the policy will be presented to the Independent Monitor and Parties to the CASA for review and comment. The Independent Monitor and Parties will have fifteen business days to review and provide comments.
14. A resolution draft, considering recommendations by POB, the Parties and Independent Monitor will be prepared and presented to the Independent Monitor for approval. Once approved by the Independent Monitor the CASA related policy will be reviewed and approved by the Chief of Police.
15. All policies will be posted on the PowerDMS system after they have been approved by the Chief. Once posted on PowerDMS all Department personnel are required to review the involved policy and electronically verify that they have read and understand the policy.
16. The Chief of Police will have forty-five days (45) from the receipt of any policy recommendation from the CPOA to provide an indication that the recommendation will be incorporated into policy or an explanation of why the recommendation will not be followed.
17. OPA shall review any new Departmental policies six months after implementation and annually thereafter. OPA shall review all other Department policies on at least an annual basis.



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16

B. Office of Policy Analysis (OPA)

1. OPA is designed to gather information on national standards and best practices and to integrate such findings into Department policy where appropriate.
2. OPA will serve as the central point for the initiation, facilitation and education of the Department and community through the policy development process.
3. A list of subject matter experts will be maintained and updated by OPA along with a schedule of policy revision dates.
4. OPA will hold some of its meetings in a public location so as to provide access to all who wish to participate. The general public is welcome to attend and provide input at those meetings.

C. Policy and Procedure Review Board

1. The PPRB is established under the direct authority of the Chief of Police and has the power to:
 - a. Initiate the review and evaluation of Department policies and procedures through a direct referral to OPA;
 - b. Involve personnel, who may also attend meetings, by encouraging them to supply facts pertinent to the proposed policy;
 - c. Advise and assist the Chief of Police on policy development;
 - d. Receive and recommend approval/disapproval policies and procedures via PowerDMS.
2. The PPRB is a permanent entity within the Department that will conduct regular meetings as part of the policy development process.
3. A Commander, appointed by the Chief of Police will chair meetings of the PPRB.
4. PPRB membership will be by appointment of the Chief of Police and will be comprised of the following:
 - a. Training Division representative;
 - b. Investigative Bureau representative;
 - c. Administrative Support Bureau representative;
 - d. Field Services Bureau representative;
 - e. Field Services Bureau supervisor representative;
 - f. City legal representative;
 - g. APOA representative;
 - h. CPOA Director or designee;



**ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS**

SOP 3-52

Effective: 4/24/18 Review Due: 4/24/19 Replaces: 5/10/16

- i. CPOA Investigator (non-voting);
 - ii. POB representative; and
 - iii. Emergency Communications representative (non-voting)
5. The PPRB will evaluate recommended policy changes for the following elements:
 - a. Clarity of language;
 - b. Conflict with other existing policies and procedures;
 - c. Compatibility with federal, state, and local laws;
 - d. Compatibility with union contracts;
 - e. Compatibility with City administrative orders or directives; and
 - f. Other applicable issues.
6. A quorum to conduct the business of PPRB will be satisfied by the attendance and voting of five (5) voting members.