

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. _____ ENACTMENT NO. _____

SPONSORED BY:

ORDINANCE

1 ESTABLISHING THE DOMESTIC VIOLENCE AND SEXUAL ASSAULT
2 COMMISSION; ESTABLISHING THE RESPONSIBILITIES OF THE
3 COMMISSION.

4 WHEREAS, Mayor Tim Keller appointed a Domestic Violence and Sexual
5 Assault Task Force to study the needs of domestic violence and sexual
6 assault victims in Albuquerque; and

7 WHEREAS, the task force has met regularly for two years and has
8 brought together representatives of community groups with community
9 members and councilors; and

10 WHEREAS, the task force has made 39 recommendations for improving
11 the services for, responses to, and preventive strategies to improve the lives
12 of persons who experience domestic violence and sexual assault; and

13 WHEREAS, the central recommendation of the Domestic Violence and
14 Sexual Assault Task Force was creating a permanent a commission on
15 Domestic Violence and Sexual Assault.

16 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
17 ALBUQUERQUE:

18 Section 1. Creating a new Part, Chapter 2, Article 6 of the Revised
19 Code of Albuquerque, 1994, establishing the Commission on Domestic
20 Violence and Sexual Assault as follows:

21 "Section 2-6-18-1 SHORT TITLE

22 This Ordinance may be cited as the "Commission on Domestic Violence and
23 Sexual Assault Ordinance."

24 Section 2-6-18-2 COMPOSITION OF THE COMMISSION

25 The Commission shall consist of fifteen voting members representative of
26 diverse communities and geographic regions of Albuquerque. The

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- 1 Commission shall not include any elected City officials. Commission members
2 shall be appointed as follows:
- 3 A. Six (6) members shall be appointed by the Mayor with the advice and
4 consent of City Council as follows:
- 5 1. Five (5) members representing local or statewide Domestic
6 Violence and/or Sexual Assault prevention organizations,
7 including at least two that provide services in multiple languages,
8 appointed by the Mayor with the advice and consent of the City
9 Council;
- 10 2. One (1) member who has lived experience shall represent the
11 general public, appointed by the Mayor with the advice and
12 consent of City Council.
- 13 B. Nine (9) members designated by agencies and relevant branches of
14 government as follows:
- 15 1. One (1) member shall represent the Children, Youth & Families
16 Department of the State of New Mexico (CYFD), appointed by the
17 Governors Cabinet Secretary of CYFD;
- 18 2. One (1) member shall represent Bernalillo County government,
19 appointed by the Bernalillo County Commission or County
20 Manager;
- 21 3. One (1) member representing the judiciary, designated by the
22 Chief Justice of the New Mexico Supreme Court;
- 23 4. One (1) member shall represent of each of these four (4) City of
24 Albuquerque Departments and Offices, appointed by the Mayor:
25 Albuquerque Community Safety Department (ACS), Family and
26 Community Services (FCS), Office of Policy (OP), and Office of
27 Equity and Inclusion (OEI);
- 28 5. Two (2) members shall represent the Albuquerque Police
29 Department:
- 30 a. The Superintendent of Reform;
- 31 b. Representative of the Special Victims Section,
32 appointed by the Chief of Police;

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- 1 **C. The Mayor’s Coordinator of Domestic Violence and Gender-Based**
- 2 **Violence Prevention shall serve in an advisory capacity to the Mayor**
- 3 **regarding approaches to reduce the incidence of domestic violence, and**
- 4 **shall engage in training city employees and the general public on**
- 5 **domestic violence recognition and prevention.**
- 6 **D. The Mayor shall appoint the first Chairperson and Vice Chairperson for a**
- 7 **two-year term. Subsequently, commissioners shall elect their Chair and**
- 8 **Vice Chair annually in October.**
- 9 **E. The six (6) commission members appointed by the Mayor with the advice**
- 10 **and consent of City Council shall serve staggered terms. The Chair and**
- 11 **Vice Chair shall serve two years, as shall five (5) of the commissioners**
- 12 **as determined by Commissioners by lot. The terms of the other nine (9)**
- 13 **commissioners shall expire after three years of service, on December 31,**
- 14 **2025. A Commissioner shall be limited to two consecutive terms.**
- 15 **F. A member with three unexcused absences in a calendar year shall be**
- 16 **excused from further service, and the Mayor shall appoint a successor**
- 17 **presenting comparable credentials, or request a new appointee from the**
- 18 **appointing authority for that position. Vacancies shall be filled for an**
- 19 **unexpired term by the original appointing authority, selected by the**
- 20 **Mayor and with advice and consent of the Council.**

21 **Section 2-6-18-3 MEETINGS**

22 **The Commission shall meet quarterly, unless otherwise determined by the**

23 **chairperson or if requested by six (6) or more members.**

- 24 **A. Decisions of the Advisory commission shall be made by a majority vote**
- 25 **of those present;**
- 26 **B. Quorum shall consist of six (6) members, with at least one (1) being a**
- 27 **City staff representative;**

28 **Section 2-6-18-4 DUTIES AND POWERS OF THE COMMISSION:**

29 **The Commission on Domestic Violence and Sexual Assault shall:**

- 30 **A. Facilitate an effective community-wide system of prevention and**
- 31 **intervention that is responsive to the needs of domestic violence and**
- 32 **sexual assault survivors;**

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- 1 **B. Advise the Mayor and City Council concerning community domestic**
- 2 **violence and sexual assault issues, including the quality of**
- 3 **effectiveness of domestic violence and sexual assault services in**
- 4 **Albuquerque;**
- 5 **C. Act as a forum for communication, education and dialogue with**
- 6 **Albuquerque residents and persons involved with domestic violence**
- 7 **and sexual assault issues;**
- 8 **D. Identify gaps in prevention and intervention services and increase**
- 9 **coordination among public and private programs and report these**
- 10 **annually to the City Council;**
- 11 **E. Assess and assure that the necessary services, policies, and programs**
- 12 **are funded and provided to those in need;**
- 13 **F. Promote a clear understanding of domestic violence and sexual assault,**
- 14 **current laws, and resources available in the community;**
- 15 **G. Develop a plan that ensures laws on domestic violence are properly**
- 16 **implemented and provide training to law enforcement and the judiciary;**
- 17 **and**
- 18 **H. Support the execution of the recommendations of the Mayor’s Domestic**
- 19 **Violence Task Force made in February 2021.**
- 20 **I. Render annually a full report to Mayor and City Council of the work of**
- 21 **the Commission during the preceding year, including prior year**
- 22 **activities, voting actions, advisory recommendations, how often the**
- 23 **commission met, and its current members;**
- 24 **J. Evaluate the efficiency, participation, and structure of the commission**
- 25 **every three (3) years.”**

26 **Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**

27 **clause, word or phrase of this ordinance is for any reason held to be invalid or**

28 **unenforceable by any court of competent jurisdiction, such decision shall not**

29 **affect the validity of the remaining provisions of this ordinance. The Council**

30 **hereby declares that it would have passed this ordinance and each section,**

31 **paragraph, sentence, clause, word or phrase thereof irrespective of any**

32 **provision being declared unconstitutional or otherwise invalid.**

- 1 Section 3. COMPILATION. This ordinance shall be incorporated in and made
- 2 part of the Revised Ordinances of Albuquerque, New Mexico.
- 3 Section 4. EFFECTIVE DATE. This ordinance shall take effect five days after
- 4 publication by title.

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