

## Community Policing Council Guidelines

Adopted: February 22, 2020

Revision 8

### I. Origin

- A. The Albuquerque Community Policing Councils were formalized in response to the Court Approved Settlement Agreement (CASA) in case number 1:14-cv-1025, United States District Court for the District of New Mexico, specifically paragraphs #266 through #270 (see Appendix 1).
- B. The role of the Council is advisory only. At no time will the Council represent themselves as acting on behalf of the City of Albuquerque and the City will not be bound by any recommendation.

### II. Mission

- A. The mission of the Community Policing Council (Council) is to promote and maintain positive, respectful, supportive and cooperative interactions between the community and the Albuquerque Police Department (APD) to ensure Constitutional community policing reforms are met and sustained.

### III. Purpose

- A. Community Policing Councils will work closely with the Albuquerque Police Department to develop a comprehensive community policing approach that collaboratively identifies and implements strategies to address crime and safety issues.
- B. The Community Policing Council will assist, counsel, recommend, or participate by:
  - 1. Reviewing and assessing the propriety and effectiveness of law enforcement priorities and related community policing strategies, materials, and training;
  - 2. Reviewing and assessing concerns or recommendations about specific APD policing tactics and initiatives;
  - 3. Providing information to the community and conveying feedback from the community to APD;
  - 4. Advising the Chief on recruiting a qualified, diverse workforce; and
  - 5. Advising the Chief on ways to collect and publicly disseminate data and information, including information about APD's compliance with the CASA, in a transparent and public-friendly format to the greatest extent allowed by law.

### IV. Goals

- A. To engage in detailed and meaningful discussions to identify concerns, problems, successes and opportunities for constitutional community policing within each area command.
- B. To tailor solutions specifically aimed at the needs of each neighborhood and area command to address citizens' concerns.
- C. To offer assistance and counsel regarding APD compliance with the CASA and to recommend ways to enhance constitutional community policing to the Chief of Police.

V. Structure and Composition

A. The Council will be composed of five to ten Council members.

B. Requirements

- 1. Live or work within the boundaries of the area command associated with the Council.
  - a) A work location will be defined as the address where an individual would receive work-related mail.
- 2. Pass an APD background check.
- 3. Complete the Citizen's Police Academy (CPA) within one (1) year or two (2) consecutive CPA classes following appointment:
  - a) Successfully complete the full 12-week Citizen's Police Academy or...
  - b) Successfully complete the CPA Checklist by attending the following CPA sections with instructor signatures:
    - (1) Recruiting
    - (2) Basic Training
    - (3) Field Training and Evaluation Program (FTEP)
    - (4) Field Services
    - (5) Community Policing
    - (6) Crime Analysis (Data Driven Policing)
    - (7) Response to Resistance
    - (8) Less Lethal Options
    - (9) Impact Investigations
    - (10) Crisis Intervention/COAST
    - (11) Active Listening and De-Escalation
    - (12) Auto Theft
    - (13) K9
    - (14) SWAT
    - (15) Horse Mounted Unit
    - (16) Homicide
    - (17) Firearms Range
    - (18) Reality Based Training Part 1
    - (19) Reality Based Training Part 2

- (20) Complete Ride-Along
- c) Failure to complete the CPA within the specified timeframe will result in removal from the CPC.
- 4. A minimum of one annual ride-along is required.
- 5. Attend scheduled CPC meetings.
  - a) Two (2) consecutive unexcused absences or four (4) absences of the previous six (6) meetings may result in dismissal from the Council.
  - b) Attendance at CPA classes or other CPC-related events shall not constitute an absence.
- 6. Exhibit professionalism and the work ethic required for meaningful participation in meetings, discussions, hearings, and other public forums.
- 7. Demonstrate the ability to work well with others and act appropriately in a group of diverse and divergent viewpoints.
- 8. Be comfortable with submitting suggestions for recommendations that comply with CASA paragraph #269.
- 9. Be able to use a computer, email, and other necessary communication tools.
- 10. Avoid conflicts of interest.
  - a) Failure to disclose a potential conflict will disqualify a participant.
- 11. Attend other meetings that relate to the duties of the CPC.
- 12. Organize or participate in community outreach programs as a representative of the CPC.
- C. Representatives of APD will advise the Council but will not be Council members.
- D. Application process
  - 1. Submit a request to be a Council participant to the APD designee via the site: <http://www.cabq.gov/mayor/police-outreach/community-policing-council-application>.
    - a) The APD designee will forward the request to the CPA Director for completion of the background check.
    - b) Upon completion of the background check it will be sent back to the APD designee.
    - c) The APD designee will forward the request to the CPC Chair for consideration by the Council.
    - d) The CPC Chair will instruct the individual to complete the online application for the CPA.
  - 2. The Council will speak with each person in a closed session.
    - a) Persons will not be disqualified based on race, ethnicity, religion, gender identity, sexual orientation, physical ability, or membership in any protected class.
    - b) Persons will be accepted by a majority vote of the Council.
    - c) Persons will be notified by the Council Chair or their appointee as to the decision made.

- d) Acceptance is for a minimum two- (2) to three-year (3) commitment.
- 3. Anyone not selected may submit another request after one (1) calendar year.
- E. Election of Council Officers
  - 1. Elections will
    - a) Generally occur at the first meeting of the calendar year where a quorum is established
    - b) Occur at the next monthly meeting after a vacancy occurs
  - 2. By majority vote, the Council will elect a chairperson, vice-chairperson, and other leadership positions deemed necessary.
    - a) Chairperson duties:
      - (1) Preside over all meetings of Council.
      - (2) Serve as the spokesperson for the Council.
      - (3) Sign recommendations approved by the Council.
      - (4) Submit the approved recommendations to the APD designee.
      - (5) Serve as the representative of the Council in meetings and discussions with other organizations.
      - (6) Approve and submit to APD an annual report in compliance with CASA paragraph #270.
    - b) Vice-Chairperson duties:
      - (1) Perform the duties of the chairperson if the chairperson is unable to do so or is absent.
      - (2) At the request of the chairperson, assist in the performance of duties of the chairperson.
      - (3) Perform other tasks as assigned by the Council.
  - 3. Council Officers will be elected for a term of one year and may be renewed.
- F. The Council will:
  - 1. Prepare a monthly meeting agenda.
  - 2. Take minutes of all meetings.
  - 3. Provide email notice of meeting agenda and previous month's minutes to the Council a minimum of three (3) days prior to each meeting.
  - 4. Post notice of the meetings.
  - 5. Email announcements of other events and information to the public via sign-in sheet email addresses.
  - 6. Maintain a list of all residents and business owners that have attended a CPC meeting and have provided an email address.
  - 7. Maintain a record of Council members that will aide in the completion of the annual report (see Appendix 2)
  - 8. Prepare the annual report and forward to the chairperson.
  - 9. Track the progress of submitted recommendations.
  - 10. The Council may establish additional Area Command specific policies consistent with the Guidelines as necessary.
- G. A quorum is established by the presence of one half of the Council.

#### H. Removal/Resignation/Vacancy

1. A Council member may be removed for:
  - a) Violations of the Code of Conduct.
  - b) Violations of the Guidelines.
2. A Member may be removed by a majority vote of the Council.
3. A person removed for cause may not reapply for Council membership for a period of one calendar year from the date of their removal.

#### VI. Council of Chairs

##### A. Purpose

1. The Council of Chairs shall exist to promote collaboration and cooperation between the six CPC's.

##### B. Structure and Composition

1. The Council of Chairs shall be comprised of the Chairperson and Vice-Chair or their designee for each CPC.
2. The Council of Chairs shall elect Council of Chairs officers as necessary.

##### C. Election of Council of Chairs Officers

1. Elections will
  - a) Generally occur at the first meeting of the calendar year where a quorum is established
    - (1) A quorum shall consist of representation of at least three Councils
  - b) Occur at the next meeting after a vacancy occurs
2. By majority vote, the Council of Charis will elect a Lead, Vice-Lead, and other leadership positions deemed necessary.
  - a) Lead duties:
    - (1) Preside over all meetings of Council of Chairs.
    - (2) Serve as the spokesperson for the Council of Chairs.
    - (3) Serve as the representative of the Council of Chairs in meetings and discussions with other organizations.
  - b) Vice-Lead duties:
    - (1) Perform the duties of the Lead if the Lead is unable to do so or is absent.
    - (2) At the request of the Lead, assist in the performance of duties of the Lead.
    - (3) Perform other tasks as assigned by the Council of Chairs.
3. Council of Chairs officers will be elected for a term of one year and may be renewed.

##### D. The Council of Chairs may remove a Chair from a CPC for Cause.

1. Complaints against a Chair for failure to abide by the Code of Conduct or to fulfill the duties of a Chair may be reported to any member of the Council of Chairs.
2. The Chair receiving such a complaint shall call a closed session of the Council of Chairs to determine an appropriate course of action.

3. The Council of Chairs may, by a majority vote, remove a Chair from that position within the CPC. The affected Chair shall not vote in the removal proceeding.
4. The Council of Chairs may further vote to remove a Chair from the CPC for a serious dereliction of duty or serious violation of the code of conduct. The affected Chair shall not vote in the removal proceeding.
5. Removal of a Chair by the Council of Chairs shall be considered a last resort and conducted in cooperation with the affected CPC when possible.

## VII. Meetings

- A. Will be open to the public.
- B. Will be held at locations accessible to the community.
- C. Will be scheduled for reasonable duration with time set aside for community input.
- D. Council members must be present to participate in the meeting.
  1. Participation via telephone or other media is prohibited.
- E. All voting results will be announced during a regular meeting.
- F. Special meetings may be called upon request of the Chair.
- G. Relevant community comments and questions are encouraged during the discussions.
- H. Community comment will be limited to two (2) minutes each.
- I. Meetings are not bound by the Open Meetings Act (OMA).
- J. Votes will be called or announced by the Chair for:
  1. Adoption of minutes.
  2. Adoption of the agenda.
  3. Submission of recommendations.
  4. Amendments to the Guidelines.
  5. Officer elections.
  6. Acceptance of new Council participants.
  7. Removal of any participant for failure to comply with the Guidelines.
- K. Closed sessions will be scheduled to minimize disruption to the regularly scheduled meetings.
- L. Political campaigning is prohibited.
- M. The City of Albuquerque will provide administrative support including meeting recorders.

## VIII. Code of Conduct

- A. Members of the Council are expected to exhibit the highest ethical and professional standards.
- B. Council members will act respectfully towards each other and community

members during official functions and through email, phone, and letter correspondence, such that the Council may promote and maintain respectful, supportive, and cooperative interactions between the community and the Albuquerque Police Department.

- C. This provision will expressly forbid:
  - 1. Use of profanity and/or otherwise inappropriate language.
  - 2. Excessive interruptions.
  - 3. Loud or abusive tones of speech or writing, including personal attacks.
  - 4. Use of cell phones or other electronic devices during official business for reasons not related to meeting facilitation, note taking, or recording.
  - 5. Use of official Council position to advance a particular business or business interest.
  - 6. Use of official Council position to advance or promote a particular political party, political candidate, or political agenda.
    - a) Examples include distributing political materials at a Council meeting or making statements at meetings promoting political candidates.
    - b) This will not exclude political advocacy directly related to a pending recommendation or policy change being advocated for by the Council or a Voting Member.
  - 7. Failure to report a conflict of interest or potential conflict of interest to the chair
  - 8. Failure to participate in CPC events and discussions.
- D. Failure to abide by the code of conduct may be reported by any Council member to the chair or vice-chair.
- E. The chair or vice-chair will call a closed session to discuss the alleged violation and allow the council to determine how to proceed.
- F. Failure to abide by the code of conduct may result in the removal of a Council member from the Council.

## IX. Notice and Minutes

- A. Notices will:
  - 1. Be posted seventy-two (72) hours in advance.
  - 2. Include items of business to be conducted.
- B. Minutes will include the following:
  - 1. The date, time, and location of the meeting.
  - 2. The names of the Council members in attendance.
  - 3. The substance of each proposal considered.
  - 4. A record of discussions or votes taken.
- C. Draft minutes:
  - 1. Will be prepared within seven (7) working days of the Council meeting.
  - 2. Will be approved, amended, or disapproved by the Council.

D. Approved minutes will be sent to the APD designee for posting to the appropriate website within five (5) working days of the date of approval.

X. Agenda

A. Every agenda will include as a minimum:

1. Call to order.
2. Approval of the Agenda.
3. Approval of the minutes.
4. Unfinished business.
5. New business.
6. APD update.
7. Recommendation status update.
8. Community comment.
9. Adjournment.

XI. Recommendations

A. Any person may request a recommendation be formulated.

B. Recommendations will take the following form:

1. Rationale including supporting evidence.
2. Recommendation.

C. Draft recommendations will be distributed to the Council for review.

D. Reviewed recommendations will be presented for consideration to the public at the next regular Council meeting.

E. Recommendations will be approved by a majority of the Council in a public meeting.

F. Recommendations will be submitted to the APD designee.

G. Concurrently copy all other CPC Chairs.

H. Recommendation responses will be distributed to the Council and announced at the next meeting.

XII. Confidentiality

A. The elected Chairperson or designee will serve as the spokesperson for the Council.

B. Work of the Council conducted between regular meetings will be openly discussed at subsequent meetings.

XIII. Political campaigns

A. The Council will not publicly endorse a political candidate under any circumstances at meeting/events, whether the political figure is present or not.



- B. Council Members that are employed by elected/appointed political officials may not promote their agenda or operate within that role at Council meetings.
- C. Political candidates and their representatives will be asked to refrain from direct advocacy for their campaign.

XIV. Limitation of Powers

- A. Members of the Council will not:
  - 1. Incur expenses or obligate the City of Albuquerque in any manner.\
  - 2. Independently investigate citizen complaints against APD or any employee of the department.
  - 3. Conduct any activity which might constitute or be construed as an official governmental review of police actions.
  - 4. Conduct any activity which might constitute or be construed as official establishment of City or APD policy.

XV. Compensation

- A. Council members:
  - 1. Will not receive any monetary or financial compensation.
  - 2. Are not employees of the City of Albuquerque.
  - 3. Are not eligible to receive employee benefits.
  - 4. Are serving in a voluntary capacity only.

XVI. Adoption of these Guidelines

- A. Terms and provisions of this document may be discussed in a closed Session.
- B. Adoption of these Guidelines will take place in a regular public meeting of the Council.
- C. A majority vote in favor of adoption is sufficient.

XVII. Distribution of these Guidelines

- A. Upon adoption, a copy of the Guidelines will be filed with the APD designee.
- B. These Guidelines will be available to the public via the Community Policing Council website.

XVIII. Changes and Amendments to these Guidelines

- A. Changes to this document will preserve the goals and mission set out in the CASA.
- B. The Council of Chairs shall conduct an annual review of the Guidelines.
- C. Amendments to the Guidelines may be recommended to the Council of Chairs.
  - 1. The Council of Chairs shall develop appropriate wording for proposed Amendments.
  - 2. The Chair of each CPC shall distribute the proposed Amendments to all CPC members for their review and approval. Acceptance or revisions shall be returned to the Council of Chairs within fourteen (14) days.
  - 3. The Guidelines shall be amended and the update posted and distributed as appropriate within fourteen (14) days of acceptance by the CPC's.

END

## Appendix 1: Select Portion of the Court-Approved Settlement Agreement

### XII. COMMUNITY ENGAGEMENT AND OVERSIGHT

#### A. Community Policing Councils

266. The City will establish Community Policing Councils in each of the six Area Commands with volunteers from the community to facilitate regular communication and cooperation between APD and community leaders at the local level. The Community Policing Councils will meet, at a minimum, every six months.
267. In conjunction with community representatives, the City will develop a mechanism to select the Members of the Community Policing Councils, which will include a representative cross-section of community Members and APD officers, including, for example, representatives of social services providers and diverse neighborhoods; leaders in faith, business, or academic communities; and youth. Members of the Community Policing Councils will possess qualifications necessary to perform their duties, including successful completion of the Citizens Police Academy.
268. The City will allocate sufficient resources to ensure that the Community Policing Councils possess the means, access, training, and mandate necessary to fulfill their mission and the requirements of this Agreement. APD will work closely with the Community Policing Councils to develop a comprehensive community policing approach that collaboratively identifies and implements strategies to address crime and safety issues. In order to foster this collaboration, APD will share appropriate information and documents with the Community Policing Councils, provided adequate safeguards are taken not to disclose information that is legally exempt or protected from disclosure.
269. APD will seek the Community Policing Councils' assistance, counsel, recommendations, or participation in areas including:
- a) reviewing and assessing the propriety and effectiveness of law enforcement priorities and related community policing strategies, materials, and training;
  - b) reviewing and assessing concerns or recommendations about specific APD policing tactics and initiatives;
  - c) providing information to the community and conveying feedback from the community to APD;
  - d) advising the Chief on recruiting a qualified, diverse workforce; and

- e) advising the Chief on ways to collect and publicly disseminate data and information, including information about APD's compliance with this Agreement, in a transparent and public-friendly format to the greatest extent allowable by law.
270. The Community Policing Councils will memorialize their recommendations in an annual public report that will be posted on the City's website. The report will include appropriate safeguards not to disclose information that is legally exempt or protected from disclosure.