

*CREATING POSITIVE CHANGE*  
***Foothills Area Command Community Policing Council Guidelines,  
Draft—November 29, 2018 incorporating the  
May 6, 2018 Draft***

**I. Mission**

- A. The mission of the Foothills Area Command Community Policing Council (FH CPC) is to promote and maintain positive, respectful, supportive and cooperative interactions between members of the community and the Albuquerque Police Department (APD).

**II. Goal**

- A. The goal of the Council is to engage in detailed and meaningful discussions to identify concerns, problems, successes and opportunities within the Foothills Area Command (FAC) and to tailor solutions specifically aimed at the needs of the neighborhoods and area command.
- B. The role of the Council is advisory only. At no time shall any Member of the Council represent themselves as acting on behalf of the City of Albuquerque and the City shall not be bound by any recommendation.

**III. Origin**

- A. All ~~six~~ (6) of the Albuquerque Community Policing Councils were implemented in direct response to the Department of Justice Consent and Settlement Agreement (CASA), specifically paragraphs 266 through 270 **which are incorporated herein by reference.**

**IV. Structure and Composition**

- A. The council shall be composed of three to ~~seven~~ **nine** voting members.
- B. Representatives of the Albuquerque Police Department Foothills Area Command shall serve as advisors to the Council.
- C. The meetings will be held at locations accessible to the community.
- D. The City's Community Policing Council Administrative Office will provide administrative support. They will assist primarily with resolution submittals, and dissemination of notices, agendas and minutes.

- E. Meetings will be scheduled for a maximum time of **ninety** (90) minutes with at least **twenty** (20) minutes set aside for public input in some form. Meetings may continue after **ninety** (90) minutes at the Council's discretion.
- F. A quorum is established by the presence of ~~four~~ **one half (1/2)** voting members.

#### **V. Qualifications**

- A. Each voting member appointee to the FH CPC shall reside or work in the City and within the boundaries of the Foothills Area Command. "Work" location shall be defined as the address where an individual would receive work related mail.
- B. No member of the immediate family of any elected City official shall be appointed as a voting member.
- C. Any criminal conviction will be reviewed on a case-by-case basis by the full council in an executive session.
- D. Each voting member shall become familiar with the Conflict of Interest provisions of the City Charter. Art. XII Section 4. Any conflict or failure to disclose a potential conflict shall immediately disqualify the voting member.

#### **VI. Appointment**

- A. Community member's interest in becoming voting members of the Council shall submit an application to the APD Community Outreach Director via the site: <http://cabq.gov/mayor/police-outreach/community-policing-councilapplication>.
- B. The APD Community Outreach Director will submit all applicant information to the FH CPC Chair for consideration by the Council.
- C. The Council shall interview each candidate in Executive Session.
- D. Candidates shall be appointed by a majority vote of the Council.
- E. Candidates shall be notified by the Council chair or his or her appointee as to the outcome of the appointment process.
- F. Candidates must successfully pass an APD background check. Background checks may be completed as part of an application to the Citizen Police Academy or as a part of a request for a ride-along.
- G. The Chief of Police or his or her representative shall select APD representatives for the police advisors positions.

#### **VII. Term**

- A. Each new voting member shall be appointed for either a two (2) or a three-year (3) term in consultation with the new voting member and the existing council. Every effort will be made by the Council to accommodate a new member's requested term and exceptions may be made on a case-by-case basis to allow shorter terms. The Council will attempt to stagger terms so as to leave a mix of experience levels on the Council at any given time.
- B. Terms and voting member seats shall be publicly available via the FH CPC webpage.**
- C. Members shall be limited to a **five-year** (5) appointment on the Council within a rolling **ten-year** (10) period.

### **VIII. Removal/Resignation/Vacancy**

- A. Members of the Council are expected to exhibit the highest ethical and professional standards. See the FH CPC code of Conduct for members.
- B. The Council may remove a voting member upon recommendation by a two thirds (2/3) majority of the voting members of the Council for a violation of the Code of Conduct.
- C. A member may be removed after missing two consecutive unexcused meetings or a majority of the previous six meetings. Executive session attendance shall not apply to the provision.
- D. Vacancies shall be filled through the identified Appointment process with replacements designated to complete the term of the vacant member.
- E. Council Officers who are removed or resign from the Council during their term shall be replaced by the election process outlined herein at the next regular meeting of the Council where a quorum is established.

### **IX. Election of Council Officers**

- A. By majority vote, the voting members of the Council shall select a Chairperson, Vice-Chairperson, and any other Council officers deemed necessary.
- B. APD representatives shall not serve of Council officers.
- C. The Chairperson and a Vice-Chairperson shall be elected for a term of one year, and may serve additional terms if elected.
- D. Elections shall generally occur at the first meeting of the calendar year where a quorum is established, or at the next monthly meeting after a vacancy when an officer position occurs.

### **X. General Members**

- A. Any member of the community or a representative of a stakeholder group may become a general member of the Council by requesting membership status.
- B. The Council will maintain a record of general members contact information.
- C. General members may receive copies of agendas, minutes and other Council documents via e-mail or the CPC website.

### **XI. Duties**

- A. The **Chairperson** shall perform the following duties:
  - 1. Shall prepare an agenda for, preside at and conduct all meetings of the Council.
  - 2. Sign all agreements, recommendations, and documents in the name of the Council after they have been approved by the Board.
  - 3. Serve as the representative of the Council in meetings and discussions with other organizations and agencies.
- B. The **Vice-Chairperson** shall perform the following duties:
  - 1. Shall perform the duties of the Chairperson if the Chairperson is unable to do so or absent.
  - 2. Perform such other tasks as may be assigned by the Council.
  - 3. Provide email notice of meeting agenda and previous meeting minutes to the contact list, a minimum of 3 days prior to each meeting.
  - 4. Email announcements of other events and information to the public.

5. At the request of the Chairperson, assist in the performance of the duties of the Chairperson.
- C. The **Secretary** shall perform the following duties:
  1. If no facilitator is available he or she shall record minutes or designate another voting member to do so.
  2. Keep records of all: minutes, agendas, sign-in sheets, contact information, and recommendations/reports.
  3. Provide to appropriate city representatives as PDF's and ensure their integrity and posting: annual report, recommendations, minutes, and agendas.
- D. **Voting Members** shall perform the following duties (includes officers above):
  1. Attend monthly CPC meetings.
  2. Within the first two years of appointment, complete the required Civilian Police Academy (CPA), or a modified version provided by APD.
  3. Participate in a minimum of one APD ride-along within the Area Command. A Ride-along during each shift and in other area commands are strongly recommended.
- E. **General Members** shall perform the following duties:
  1. Attend monthly meetings as available.
  2. Provide input to the Council.
  3. May Chair or serve on ad hoc committees for the FH CPC.
  4. May submit recommendations to the Council for their review and possible modification/approval.
5. **Must reside, work, or be acting as representatives of recognized stakeholder groups in the FH Area Command.**

## **XII. Meetings**

- A. The voting members may adopt or modify rules and procedures relating to the operations of the Council.
- B. The Council will **set** meeting schedules as required, but will meet no less than six times a year.
- C. Voting members must be present to participate in the meetings and cannot participate by telephone or through other media.
- D. Special meetings may be called upon the request of the Chairperson if a quorum is available to meet.
- E. General Council meetings shall be open to the public.
- F. Relevant community comments and questions are encouraged during discussions. Other comments should be held until the public comments portion of the meeting.
- G. During the public comment portion of the meeting, general members and members of the public shall be limited to a maximum of **two** (2) minutes. Comments shall not be repetitive.
- H. The Council is not bound by the Open Meetings Act, but will make every effort to adhere to the general principals of OMA.
- I. Votes shall be called by the chair at public meetings for the adoption of meeting minutes, meeting agendas, recommendations, and amendments to guidelines, officer elections, and new member appointments. Votes on specific appointments for new members may be conducted in executive session due to sensitive matters that may be discussed. A voice vote is acceptable.

### **XIII. Committees**

- A. Committees to further the goals of the FH CPC may be established at the discretion of the Chair by a majority vote of the full Council.**
- B. The Chair will maintain a membership roster of a committee and will assign voting members in a manner to maintain diversity.**
- C. Committees will elect a chair, provide advance notice of meetings at least two (2) days business days prior via the FH CPC website.**
- D. Committee meetings will be held at a location accessible to the public.**
- E. The work product of a committee is reported out to the full Council by a majority vote and incorporated into the minutes of the Council meeting.**
- F. Committees may be dissolved by a majority vote of the Council.**

### **XIV. Executive Session**

- A. Voting members of the Council may enter an Executive session where general members and the general public are excluded.
- B. Executive Sessions should be scheduled so as to provide minimal disruption of the normal business of the Council.
- C. Interviews of prospective Voting Members are personnel matters and may be reserved for Executive Session.

### **XV. Notice and Minutes**

- A. Meeting notices shall be posted **seventy-two** (72) hours in advance and shall delineate specific items of business to be conducted.
  - 1. The Council shall keep written minutes of all its meetings which shall include minimum:
    - a. The date, time and place of the meeting;
    - b. The names of the voting members in attendance;
    - c. The substance of each proposal considered;
    - d. A record of any decisions or votes taken and how each specific member voted, if vote is not taken by voice.
  - B. Draft minutes shall be prepared within **five** (5) working days after the meetings and shall be approved, amended or disapproved at the next public meeting where a quorum of voting members is present.
  - C. Approved minutes shall be sent to the APD Communication and Community Outreach Director (CCOD) via e-mail for posting to appropriate websites within **five** (5) working days of the meeting in which they were approved.

### **XVI. Agenda**

- A. Every agenda shall include as a minimum:
  - 1. Call to order
  - 2. Approval of minutes
  - 3. Approval of agenda
  - 4. Old business
  - 5. Area Command report
  - 6. New business

- 7. Community comment/new community business
- 8. Adjournment
- B. The Council shall seek public input (questions, comments, suggestions) throughout the meeting.
- C. Council may schedule speakers on topics of relevance to the Council's mission or of interest to the members.

**XVII. Confidentiality**

- A. The elected Chairperson or designee will serve as the spokesperson for the Council.
- B. Between meetings, work of the committee may include emails which may be openly discussed at subsequent meetings. Actions requiring a vote shall be done in public meetings.

**XVIII. Political Campaigns**

- A. The Council and/or individual voting members 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 push 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 and comments should be limited to the general topic at hand.

**XIX. Recommendations**

- A. Recommendations made to the Chief of Police shall be approved by a majority of voting members in public meeting.
- B. Recommendations shall be submitted via e-mail or paper copy to the APD Communication and Community Outreach Director (CCOD). Copies of recommendations may be sent concurrently to the Civilian Police Oversight Agency and all other CPC Chairs.
- C. The CCOD will respond to the Chairperson in writing within **seven** (7) business days confirming receipt of the recommendation.
- D. APD will provide a written response to the Chairperson within **twenty** (20) business days indicating action to be taken or:
  - 1. Requesting additional information
  - 2. Request for further review
- E. Within **sixty** (60) days, final action will be submitted in writing to the Council, authenticated by the Chief of Police.
- F. The CCOD, and the area Commander if applicable, will be responsible for monitoring progress. The Chairperson of the Council shall appoint a member to track the progress.
- G. During each general meeting, the Council will present a report to the public on the status of each active recommendation.**
- H. A recommendation may be 'closed' by a two thirds (2/3) majority vote of the Council. Closure of a recommendation implies that all meaningful**

**progress expected and implied by the original text has occurred the judgement of the Council.**

**XX. 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 establishment of City or APD policy.
- B. Members of the Council will address citizen concerns and seek solutions.

**XXI. Compensation**

- A. Members of the Council shall not receive any monetary or financial compensation. They are not employees of the City of Albuquerque and not legible to receive employee benefits.
- B. Members will serve in a voluntary capacity.

**XXII. Adoption of the Guidelines**

- A. Terms and provisions of this document may be discussed in Executive Session.
- B. Adoption of the guidelines shall take place only in a regular public meeting of the Council.
- C. A majority of voting members present to conduct business at a regular public meeting of the CPC voting in favor of adoption is sufficient.
- D. Upon adoption a signed copy of the FH CPC Guidelines shall be filed with the APD Communication and Community Outreach director (CCOD).
- E. A copy of these guidelines shall be available to the US Attorney and to the Independent Monitor or his representative.
- F. These Guidelines shall be available to the public via the APD FH CPC website.

**XXII. Changes and Amendments to these Guidelines**

- A. Changes to this document shall preserve the goals and mission set out in the CASA.
- B. Changes and Amendments shall be fully documented.
- C. Adoption and ratification of any changes shall be approved by a majority of voting members in a public meeting.
- D. Amended guidelines shall be signed, filed, and distributed according to the Provisions of Section XXI, D, E and F above.

**We, the undersigned voting members of the Foothills Community Policing Council affirm there is a Quorum and that we Adopted these Guidelines by a**

**Vote of (for)\_\_\_\_\_ (against)\_\_\_\_\_ in the  
FH CPC Public Meeting of (date)\_\_\_\_\_.**

**SIGNED:**

**Chair**\_\_\_\_\_

**Vice Chair**\_\_\_\_\_

**Secretary**\_\_\_\_\_

**Member**\_\_\_\_\_

**Member**\_\_\_\_\_

**Member**\_\_\_\_\_

**Member**\_\_\_\_\_

**Member**\_\_\_\_\_

**Member**\_\_\_\_\_