

Valley Area Command Community Policing Council Guidelines

July 19th, 2018

I. Mission

- A. The mission of the Valley Community Policing Council is to promote and maintain respectful, supportive and cooperative interactions between members of the community and the Albuquerque Police Department to ensure reforms are met and sustained.

II. Goal

- A. The goal of the Council is to engage in detailed and meaningful discussions to identify concerns, problems, successes and opportunities within each area command and to tailor solutions specifically aimed at the needs of each neighborhood 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. 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. (See Appendix 1)

IV. Structure and Composition

- A. The Council shall be composed of three to ten voting members.
- B. Representatives of the Albuquerque Police Department (APD) shall serve as advisors to the Council.
- C. The meetings will be held at a location that is accessible to the community.
- D. The City of Albuquerque will provide administrative support as needed and also provide a recorder for each meeting.
- E. Meetings will be scheduled for 90 minutes with time set aside for public input. Meetings may continue after 90 minutes at the group's discretion.
- F. A quorum is established by the presence of one half of voting members.

V. Qualifications

VI. A. Each voting member appointee shall reside or work within the boundaries of the area command associated with the CPC. A work location shall be defined as the address where an individual would receive work-related mail.

A voting member must pass a background check as established by the APD. This background check is performed when a citizen requests a ride-along or admission to the Citizens Police Academy. Exclusions are limited to:

1. Active warrants – warrants can be taken care of and an applicant can re-apply upon warrant release.
2. All violent felony convictions in the last three years Each voting member shall become familiar with the Conflict of Interest provisions in the City Charter, Art. XII Section 4. Any conflict or failure to disclose a potential conflict shall immediately disqualify the voting member.

C. Any criminal conviction will be reviewed on a case-by-case basis by the full council in an executive session. A conviction or deferred sentence shall not be an automatic disqualifier for a candidate. Refer to paragraph VI. section F for more information.

D. Each candidate shall demonstrate the ability to attend monthly meetings, executive meetings, summit meetings, and also be willing to coordinate and present at meetings as needed.

E. Each candidate shall exhibit professionalism and work ethic required for meaningful participation in meetings, discussions, hearings and other public forums. This specifically includes demonstration of the ability to work well with others and act appropriately in a group of diverse and potentially divergent viewpoints.

F. Each candidate shall become familiar with the Conflict of Interest provisions in the City Charter. Art. XII Section 4 (see appendix 2). Any conflict of interest may disqualify a candidate. Failure to disclose a potential conflict shall immediately disqualify the candidate. Failure to disclose a conflict of interest prior to appointment or failure to disclose conflicts of interest that may arise during an appointment term is just cause for removal from the council.

VII. Appointment

- A. Community members interested in becoming voting members of the Council shall submit an application to the APD Community Outreach Director via the site: <http://www.cabq.gov/mayor/police-outreach/community-policing-council-application>.
- B. The APD Community Outreach Director will submit all applicant information to the CPC Chair for consideration by the Council.
- C. The Council shall interview each candidate in Executive Session.
- D. Candidates shall be accepted by a majority vote of the Council.
- E. Candidates shall be notified by the Council chair or his appointee as to the outcome of the appointment process.
- F. Upon acceptance by the Council, APD will conduct the required background check and notify the Chair of the outcome.
- G. The Chief of Police or his representative shall select APD representatives for the Council.

VIII. Removal/Resignation/Vacancy

- A. The Council may remove a Council member according to Council policies. *(unable to follow qualifications section of the guidelines, something significant in the background check that impedes appointment, failure to participate in the Citizen Police Academy within the required time period)*
- B. Vacancies shall be filled through the identified Appointment process with replacements designated to complete the term of the vacant member.
- C. Council Officers who are removed 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. Officers shall be elected according to Council policies.

X. General Members

- A. Any member of the community 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 will receive copies of agendas, minutes, and other Council documents via e-mail.

XI. Duties

- A. The elected Chairperson shall perform the following duties:
 - 1. Shall prepare 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. Normally serve as the representative of the Council in meetings and discussions with other organizations and agencies.
- B. The elected Vice-Chairperson shall perform the following duties:
 - 1. Shall perform the duties of the President if the President is unable to do so or absent.
 - 2. Perform such other tasks as may be assigned by the Council.
 - 3. At the request of the President, assist in the performance of the duties of the President.
- C. The elected Secretary:
 - 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.
 - 4. Maintain displays and other meeting materials or designate their maintenance to another member.
- D. Voting Members shall perform the following duties:
 - 1. Attend monthly CPC meetings.
 - 2. Within the first two years of appointment, complete a modified Civilian Police Academy.
 - 3. Participate in APD ride-alongs on each shift within the Area Command.
 - 4. Annually, attend four neighborhood or community meetings as representatives of the CPC.
 - 5. Assist with overall running of each meeting.
- E. General Members shall perform the following duties:
 - 1. Attend monthly meetings as available.
 - 2. Provide input to the Council.

XII. Meetings

- A. The 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 once a month.
- C. Council meetings shall be open to the public.
- D. Relevant community comments and questions are encouraged during discussions. Other comments should be held until the public comment portion of the meeting.
- E. During the public comment portion of the meeting, individuals shall be limited to a maximum of 2 minutes. Comments shall not be repetitive.
- F. The Council is not bound by the Open Meetings Act.
- G. Votes shall be called by the Chairperson at public meetings for the adoption of meeting minutes, meeting agendas, recommendations, officer elections, new member appointments, and amendments to the Guidelines.
- H. Votes on specific appointments for new members may be conducted in Executive session due to sensitive matters that may be discussed.
- I. A voice vote is acceptable. Paper ballots may be requested by any voting member.
- J. Special meetings may be called upon the request of the Chairperson if a quorum is available to meet.

XIII. Executive Session

- A. Voting members of the Council may enter an Executive Session where general members and the 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 or other personnel matters may be reserved for Executive Session.

XIV. Notice

- A. Meeting notices shall be posted 72 hours in advance and shall delineate specific items of business to be conducted.

XV. Confidentiality

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

- B. Except for the Chairperson, members should not make any written or oral statement of Council activity to any individual or entity except during the meetings.
- C. Between meetings, work of the committee may include emails which will be openly discussed at subsequent meetings.

XVI. 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 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.

XVII. Recommendations

- A. Upon approval by a quorum, the Council may make a recommendation to the Chief of Police.
- B. Recommendations will be sent via e-mail to the City Communication and Community Outreach Director (CCOD). Copies of recommendations will also 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.

XVIII. 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 APC policy.
- B. Members of the Council will address citizen concerns and seek solutions.

XIX. 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 eligible to receive employee benefits.
- B. Members will serve in a voluntary capacity.

XX. Adoption of these Guidelines

- A. Terms and provisions of this document may be discussed in Executive Session.
- B. Adoption of these Guidelines shall take place only in a regular public meeting of the Council.
- C. A majority vote in favor of adoption is sufficient.
- D. Upon adoption, a signed copy of the Guidelines shall be filed with the APD Communications and Community Outreach Director (CCOD).
- E. A copy of these Guidelines shall be available to the U.S. Attorney and to the Independent Monitor or his representative.
- F. These Guidelines shall be available to the public via the Community Policing Council website.

XXI. 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 XXIII.

END

Appendices:

1.

CASA Section Relating to CPCs

266. The City shall 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 shall meet, at a minimum, every six months.

267. In conjunction with community representatives, the City shall develop a mechanism to select the members of the Community Policing Councils, which shall 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 shall possess qualifications necessary to perform their duties, including successful completion of the Citizens Police Academy.

268. The City shall 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 shall 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 Case 1:14-cv-01025-RB-SMV Document 354-1 Filed 03/05/18 Page 85 of 110 86 collaboration, APD shall 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 shall 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
- 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 shall memorialize their recommendations in an annual public report that shall be posted on the City's website. The report shall include appropriate safeguards not to disclose information that is legally exempt or protected from disclosure. D. Civilian Police Oversight Agency

2.

Albuquerque City Charter. Article XII, section 4

Conflict of Interest

(a) No official of the city shall knowingly:

1. Disclose or use confidential information concerning the property, government or affairs of the governmental body by which that official is employed or of which the official is a member without proper authorization in order to advance the direct or indirect private financial or other private interests of said official or others;

2. Vote or otherwise participate in the negotiation or the making of any contract with any business or entity in which the official has a direct or indirect private financial interest;

3. Represent private interests in any action or proceeding before the governmental body by which the official is employed or of which the official is a member or any appeal of a decision of such body;

4. Accept any valuable gift, whether in the form of service, loan, thing or promise, from any employee of or applicant for employment with the City of Albuquerque or from any person, firm or corporation which to the official's knowledge is interested directly or indirectly in any manner whatsoever, in business dealings with the governmental body by which the official is employed or of which the official is a member, including donors who are unidentified; provided, however, that this subsection shall not be read as prohibiting an incumbent candidate for any elective office from receiving duly disclosed campaign contributions in accordance with the provisions of Article XIII of this Charter or an official who is a candidate for a non-city office from receiving campaign contributions for that non-city office.

(b) No member of the City Council shall:

1. During the term for which he or she was elected, be appointed to or selected for any paid office or employment with the city, nor shall he or she within one year thereafter be appointed to any paid city office or employment which the city created, or the emoluments of which first were established or were increased during such term; nor shall any member of the City Council during the term for which he or she was elected nor within one year thereafter, be interested directly in any contract with the city, which was authorized by any law passed during such term;

2. During their term of office participate in any debate or vote on any matter which will likely result in any benefit to the member which benefit is greater than the benefit to the public in general. A benefit for purposes of this paragraph shall mean a financial benefit or a benefit conferred by the City Council member's employer as a direct result of the member's participation in the matter.

(c) *Disqualification.* An official is disqualified from participating in a matter when: (1) the official has or is in the process of acquiring a direct interest in an enterprise which would be affected by the official's vote on proposed legislation, unless the interest is common to all members of a profession or occupation of which the official is a member or the general public or a large class of the general public, (2) the official benefits financially from a direct or indirect interest with a person whom the official knows has an interest in an enterprise or interest that would be affected by the official taking any action, (3) the official benefits financially from a direct interest with a person who is lobbying for the purpose of influencing any action, or (4) the official solicits, accepts, or agrees to accept a loan, other than a loan from a commercial lender in the normal course of business, from a person who would be affected by or has an interest in an enterprise which would be affected by the official's participation in any action.

(Am. Ord 35-1975; Am. Ord. 29-1976; Am. Ord. 91-1980; Am. Ord. 23-1988; Am. Ord. 33-1989; Am. Ord. 34-2006)