

Civilian Police Oversight Agency Board

Eric Olivas, Chair

Chantal M. Galloway, Vice-Chair

Tara Armijo-Prewitt

Patricia French

Richard Johnson

Dr. William J. Kass

Doug Mitchell

Eric Nixon

Gionne Ralph

Edward Harness, Executive Director

Thursday, July 8, 2021 - 5:00 p.m.

Members Present:

Eric Oliva, Chair

Chantal M. Galloway, Vice-Chair
(late)

Tara Armijo-Prewitt

Patricia French

Richard Johnson

Dr. William Kass

Doug Mitchell

Eric Nixon

Gionne Ralph

Members Absent:

Others Present:

Edward Harness, CPOA

Katrina Sigala, CPOA

Valerie Barela, CPOA

Tina Gooch, Atty

Acting Cdr. Richard Evans, APD

Cdr. Zak Cottrell, APD

Lt. Nick Wheeler, APD

Lindsay Van Meter, Asst. City Atty

Melissa Kountz, Asst. City Atty

Pastor David Walker, Mayor's Office

Stanley Sylvester, APD Superintendent

Chris Sylvan, City Council

Kelly Mensah, CPC

Marteessa Billy, CPC

Attendance: To accommodate those who find it difficult to attend due to pandemic, and due to the uncertainty of technology capabilities to effectuate both in-person and remote access to this meeting, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, July 8, 2021 at 5:00 pm will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at:

<https://www.cabq.gov/culturalservices/govtv>, or on YouTube at:

<https://www.cabq.gov/cpoa/events/cpoa-board-meeting-july-8-2021>.

(Please note that the link for YouTube has not yet been generated, however, the link could easily be found on the link provided above prior to the start of the meeting). The GOVTV live stream can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the CPOA Board will also remain available for viewing at any time on the CPOA's website. CPOA Staff is available to help members of the public access pre-recorded CPOA meetings on-line at any time during normal business hours. Please email CPOA@cabq.gov for assistance.

Public Comment: The agenda for the meeting will be posted on the CPOA

Civilian Police Oversight Agency Board

Minutes – July 8, 2021

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website by 5:00 pm, Monday, July 5, 2021 at www.cabq.gov/cpoa.

The CPOA Board will take general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 pm on Thursday, July 8, 2021. Submit your public comments to: POB@cabq.gov. These comments will be distributed to all CPOA Board members for review.

Minutes

- I. Welcome and call to order.** Chair Olivas called to order the regular meeting of the Civilian Police Oversight Agency Board at 5:01 p.m.
- II. Mission Statement.** Chair Olivas read the Civilian Police Oversight Agency Board's mission statement.
- III. Approval of the Agenda**
 - a. Motion.** A motion by Member Dr. Kass to approve the agenda as amended. Roll call vote taken. Motion passed.
For: 8 – Armijo-Prewitt, French, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph
- IV. Public Comments**
 - a. Geraldine Amato (*see attached*)
- V. Review and Approval of Minutes from June 10, 2021**
 - a. Motion.** A motion by Member Mitchell to approve the minutes as written. Roll call vote taken. Motion passed.
For: 7 – Armijo-Prewitt, French, Johnson, Mitchell, Nixon, Olivas, Ralph
Abstain: 1 – Dr. Kass
- VI. Reports from City Departments**
 - a. APD**
 - 1. IA Professional Standards Division (SOP 7-1, SOP 3-41, SOP 3-46)** – Commander Zak Cottrell reported on the Statistical Data for the month of June 2021. A document titled *Civilian Police Oversight Board, Internal Affairs Professional Standards Division Statistical Data for the Month of June 2021* was distributed to the CPOA Board members electronically. (*see attached*)
 - 2. IA Force Division (SOP 2-52 through SOP 2-57)** – Acting Commander Richard Evans reported on the Statistical Data for the

month of June 2021. A document titled *Civilian Police Oversight Board, Internal Affairs Force Division Statistical Data for the Month of June 2021* was distributed to the CPOA Board members electronically. (*see attached*)

3. Crash Review Board Presentation (SOP 2-50) – Lieutenant Nick Wheeler submitted a PDF of a PowerPoint presentation titled Crash Review Board Update (Q4) and the document was distributed to CPOA Board Members electronically. (*see attached*)

b. City Council – *Chris Sylvan*

1. City Council Representative - Chris Sylvan presented his report.

c. Public Safety Committee - *Chris Sylvan*

1. Public Safety Representative - Chris Sylvan presented his report.

d. Mayor’s Office – *Pastor David Walker*

1. APD Outreach Community Liaison – Pastor David Walker presented his report.

e. City Attorney

1. Assistant City Attorney - Lindsay Van Meter presented her report.

f. CPC – *Kelly Mensah*

1. CPC Liaison - Kelly Mensah presented his report.

g. CPOA – *Edward Harness, Executive Director*

1. Executive Director – Edward Harness presented his report.
(*see attached*)

VII. Requests for Reconsideration

a. 029-21

1. Motion. Motion by Member Dr. Kass to grant request to reconsider CPC 029-21. Roll call vote taken. Motion failed.

Against: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

2.Motion. A second motion by Chair Olivas to reconsider. Roll call vote taken. Motion passed.

3. Motion. A final motion by Member Armijo-Prewitt to table request for reconsideration 029-21. Roll call vote taken. Motion passed.

For: 6: - Armijo-Prewitt, French, Galloway, Johnson, Nixon, Ralph

Against: 3 - Dr. Kass, Mitchell, Olivas

*****Vice-Chair Galloway joined the meeting at 5:55 p.m.*****

VIII. Review of Cases:

a. Administratively Closed

041-21 058-21 092-21 098-21
099-21 106-21

1. Motion. A motion by Member Dr. Kass to accept the findings of administratively closed cases CPC 041-21, 058-21, 092-21, 098-21, 099-21 and 106-21 as presented. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

2. Motion. A second motion by Vice-Chair Galloway to omit CPC 041-21 from the administratively closed cases. Roll call vote taken. Motion passed.

For: 7 - Armijo-Prewitt, French, Galloway, Johnson, Nixon, Olivas, Ralph

Against: 2 – Dr. Kass, Mitchell

3. Motion. A third motion by Vice-Chair Galloway to send back CPC 041-21 to the CPOA Agency for further investigation. Roll call vote taken. Motion failed.

For: 2 – Galloway, Olivas

Against: 7- Armijo-Prewitt, French, Johnson, Dr. Kass, Mitchell, Nixon, Ralph

4. Motion. Final motion by Member Mitchell to accept administratively closed case CPC 041-21 as presented. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

b. Exonerated and Unfounded

027-21

1. Motion. Motion by Member Mitchell to accept Exonerated and Unfounded CPC 027-21 as amended.

2.Motion. Motion by Vice-Chair Galloway accept and amend and to send back to agency for further investigation specifically in regards to SOP 2-92 and other pertinent child welfare policies as applicable and brought back to the CPOA Board at the September 2021 meeting. Roll call vote taken. Motion passed.

For: 8 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas

*****Member Ralph was not available for the vote due to technical difficulties*****

c. Unfounded

037-21 040-21 057-21 082-20
110-20 113-20 205-20

1. Motion. Motion by Vice-Chair Galloway to accept unfound cases CPC 037-21, 040-21, 057-21, 082-20, 110-20, 113-20, 205-20 as presented. Roll call vote taken. Motion passed.

For: 8 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas

Member Ralph was not available for the vote due to technical difficulties

****Fifteen-minute break began at 7:25 p.m. and the meeting reconvened at 7:42 p.m.****

IX. Serious Use of Force Cases/Officer Involved Shooting

a. 18-0068735

1. Motion. Motion by Member Dr. Kass to accept the Serious Use of Force Case 18-0068735 findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 8 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Olivas, Ralph

Against: 1 - Nixon

b. 19-0056389

1. Motion. Motion by Member Galloway to accept the Serious Use of Force Case 19-0056389 findings of the APD Force Review Board. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

c. 19-0080914

1. Motion. Motion by Member Galloway to accept the Serious Use of Force Case 19-0080914 findings of the APD Force Review Board. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

d. 19-0096461

1. Motion. Motion by Member Dr. Kass to accept the Serious Use of Force Case 19-0096461 findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

e. 19-0105587

1. Motion. Motion by Member Dr. Kass to accept the Serious Use of Force Case 19-105587 findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

f. 20-0000295

1. Motion. Motion by Member Mitchell to accept the Serious Use of Force Case 20-0000295 findings of the Civilian Police Oversight Agency. Roll call vote taken. Motion passed.

For: 7 - Armijo-Prewitt, French, Galloway, Johnson, Mitchell, Nixon, Olivas,
Against: 2 – Dr. Kass, Ralph

g. Proposed Cases for August 2021 Review:

1. The proposed cases will be reviewed at the August 2021 CPOA Board meeting.

X. Reports from Subcommittees

a. Community Outreach Subcommittee – *Chantal Galloway*

1. Met June 29, 2021 at 3:00 p.m. (video conference)
2. Member Galloway gave a verbal and submitted a written report. (*see attached*)
3. Next meeting July 27, 2021 at 3:00 p.m.

b. Policy and Procedure Review Subcommittee – *Dr. William Kass*

1. Met July 1, 2021, 2021 at 4:30 pm (video conference)
2. Member Dr. Kass gave a verbal and submitted a written report. (*see attached*)
3. Next meeting August 5, 2021 at 4:30 p.m.

c. Case Review Subcommittee – *Eric Nixon*

1. Next meeting TBD
2. Member Nixon gave a verbal report.

d. Personnel Subcommittee – *Eric Olivas*

1. Met June 28, 2021 at 4:00 p.m. (video conference)
2. Member Olivas gave a verbal and submitted a written report. (*see attached*)
3. Next meeting July 26, 2021 at 4:00 p.m.

XI. Discussion and Possible Action:

a. Officer Involved Shooting Case Materials – *Tina Gooch, CPOA Counsel and Edward Harness, CPOA Executive Director*

1. Director Harness provided noted that the City Attorney is working on the MOU.
2. The CPOA Board discussed alternatives to address the backlog of review of Serious Use of Force cases.

b. Board Vacancies and City Council Appointments – *Edward Harness, CPOA Executive Director*

1. Director Harness did not have new information to report other than the summation that the Board received from the City Monitors, City Council, and from CPOA attorney Tina Gooch. Ms. Gooch will also continue to work the City Attorney on Board Vacancies and City Council Appointments and will continue to provide updates to the Board.

c. Board Member Responsibilities - *Eric Olivas and Tina Gooch, CPOA Counsel*

1. Training Requirements

i. Chair Olivas reminded the CPOA Board to update Director Harness and to copy him on the notification.

d. Board Member 8-hour Training and Compliance – *Eric Olivas*

1. Chair Olivas reminded newer and existing members of Board Member's 8-hour Training and Compliance requirement.

e. Update on Case Review Process – *Tina Gooch, CPOA Counsel*

1. CPOA Attorney Tina Gooch provided an update on a meaningful Case Review Process as noted in the CPOA Ordinance and CASA. The agenda item will be placed on the next regularly scheduled CPOA Board meeting agenda for further discussion.

f. Consideration of PPRB Policies with No Recommendation: - *Dr. William Kass*

1. Motion. Motion by Member Dr. Kass to submit a “No Recommendation” recommendation for SOP 1-36, 1-54 and 2-75 and that CPOA Data Analyst Ali Abbasi will submit to the APD Policy and Procedure Unit. Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

g. Executive Director’s Job Description Approval – *Eric Olivas*

1. Motion. Motion by Chair Olivas to adopt the Executive Director’s Job Description as presented with minor edits to include typographical error corrections. Roll call vote taken. Motion passed.

For: 8 - Armijo-Prewitt, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

Against: 1 – French

h. Update on CPOAB Role to Increase Timeline Compliance for CPOA Investigations – *Eric Olivas*

1. Chair Olivas updated the CPOA Board that the Increase Time Compliance for CPOA Investigation letter was sent to the City CAO and that the City CAO did reply and the letter would be taken under advisement.

i. Update on Training for Board Members on CPOA Investigations – *Edward Harness, CPOA Executive Director*

1. Director Harness did not an update at this time.

j. Update on the Use of Zoom for Upcoming Meetings – *Edward Harness, CPOA Executive Director and Tina Gooch, CPOA Counsel*

1. Director Harness updated the CPOA Board on the guidance of the City Clerk and that Boards are to begin meeting in person and provide a hybrid option moving forward utilizing Webex. The CPOA Board closed sessions and subcommittee meetings will continue via Zoom.

k. CPOAB Calendar and Scheduling Tool – *Chantal Galloway*

1. Chair Galloway updated and that CPOA Administrative Staff and City IT department is still working on the permissions to the CPOAB shared calendar and the item will be placed on the next regularly scheduled CPOA Board meeting agenda depending on the status.

l. Amending Board Policies and Procedures on Remote Participation – *Eric Olivas*

1. Motion. Motion by Chair Olivas to propose an Amendment to the CPOA Policies and Procedures to Article IV. Section 8.C. to strike “a

medical or emergency situation exists” and insert “A Board member may request to vote by telephone or other similar device when requested. Such voting can only take place upon the approval of the Chairperson and provided that the Board member can be heard on a speaker to enable the Board and the public to determine when the Board member is speaking and casting a vote.” Roll call vote taken.
Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

**m. Proposed CPOAB Post-Training Testing Form (IMT Requirement) –
*Chantal Galloway***

1. Motion. A motion by Vice-Chair Galloway to accept the form as amended and to present the form to the Independent Monitoring Team.
Roll call vote taken. Motion passed. (*see attached*)

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

2. Motion. A second motion by Dr. Kass to amend and insert “police oversight” between the words post and training. Roll call vote taken.
Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

**n. Proposed CPOAB Ride-Along Standard (IMT Requirement) –
*Chantal Galloway***

1. Motion. A motion by Vice-Chair Galloway that the Board seek approval from the IMT to set a standard of a minimum of 8 hours of “Ride Along” time to be used to satisfy the requirement of two ride alongs/6 months requirement set forth in the CASA. The 8 hours can be broken up as needed to accommodate board member’s schedules.
Roll call vote taken. Motion passed.

For: 9 - Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

XII. Meeting with Counsel re: Pending Litigation or Personnel Issues:

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

a. Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)

1. Executive Director Appointment/Contract

- i. **Motion.** A motion by Chair Olivas to take a member by member vote to move into closed session for the limited purpose of discussing a personnel matter. Roll call vote taken. Motion passed.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

*****Meeting on Personnel matters began at 10:05 p.m. and the meeting reconvened at 10:49 p.m.*****

- ii. **Motion.** A motion by Member Mitchell to reconvene into open session and that no matters other than Personnel matters were discussed in closed session. Roll call vote taken. Motion passed.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

- iii. **Motion.** A second motion by Vice-Chair Galloway that the CPOA Board open up the Job Posting and accept applications for the Executive Director of the CPOA. Roll call vote taken. Motion passed.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

- iv. **Motion.** Final motion by Vice-Chair Galloway to delegate any administrative functions to open the

position to the Chair of the CPOA Board to move forward with the HR process.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

b. Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7)

1. *Miller v. City of Albuquerque et al.*, 1:21-cv-00473

- i. **Motion.** A motion by Chair Olivas to take a member by member vote to move into closed session for the limited purpose of discussing a litigation matter. Roll call vote taken. Motion passed.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

*****Meeting on Litigation matters began at 10:53 p.m. and the meeting reconvened at 10:57 p.m.*****

- ii. **Motion.** A motion by Member Mitchell to reconvene into open session and that no matters other than litigation matters were discussed or action taken in closed session. Roll call vote taken. Motion passed.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

XIII. Other Business

- a. Chair Olivas noted he omitted committee assignments and the item will be placed on the next regularly scheduled CPOA Board meeting.

Member French may continue to serve in Lieu of Chair Olivas at the next Policy and Procedure Subcommittee meeting.

XIV. Adjournment-

- a. **Motion.** A motion by Vice-Chair Galloway to adjourn the meeting. Roll call vote taken. Motion passed.

For: 9 – Armijo-Prewitt, French, Galloway, Johnson, Dr. Kass, Mitchell, Nixon, Olivas, Ralph

- b. The meeting was adjourned at 10:59 p.m.

DRAFT

ATTACHMENTS

DRAFT

RECEIVED CPOA
123 '21 BY 1:56

CPOA July Meeting

from phone:

JUNE 14 2021 GERALDINE HINAIO
MAYOR TIM KELLER AND City
COUNCIL AND PUBLIC COMMENT

RE: "PEG" TV 27 "PUBLIC ACCESS"
OPERATIONS CABLE TV

FEW MONTHS BACK - I'M TOLD - CHANNEL
TV 27 CABLE WAS FIRED BACK UP.

DURING THIS TIME WHEN MY
STOLEN CAR HAS REMAINED STOLEN 2 YEARS
AND WHEN I'M DEALING WITH
HOUSING CRISES AND OTHER HARRASS-
MENTS, DON'T HAVE RESOURCES FOR
ADEQUATE "ACCESS" TO TV PRODUCTION

BUT DECIDED TO CONTACT TV 27'S
CURRENT EXEC. DIR. JOS LYNCH.
ABOUT POTENTIAL INVOLVEMENT IN
TV PRODUCTION. WENT ONCE - PAST
TUESDAY JUN 8 - RECORDED AN HOUR "SHOW".

Will
IT
SHOW?

COURSE OF EVENTS EVIDENCES WHAT
I'VE EXPERIENCED UNDER THE "OLD"
REGIME THAT CONCLUDED IN SUSPENSION
OF CABLE CAST IN MAY of 2011 of TV 27.

DISCRIMINATION BASED ON
CONTENT SUBJECT MATTER
AND MANUEVERS TO DISPARAGE THE
CHARACTER AND DECORUM FALSELY
OF ANY TV 27 PRODUCER WHO WOULD
PUBLISH WHAT THE MASONIC LODGE
ESTABLISHMENT DON'T WANT "OUT."

PUBLIC COMMENT 2021 ²⁰²¹ ~~2021~~ ²⁰²¹ Amat

It has come to my conscious awareness that the dynamics of power of the "Court" represented by the "Independent" monitor's "work" vs. the local police department reflects that of the "Court" vs. parents in child confiscation routines. The cops like the parents can't no way ward off continued assaults on their integrity by trying to comply with "court ordered" conditions of behaviour that change according to the whim/will of the monitoring agent who has a loaded deck. Agent William Kass' wife who I noted in the 1990's as a "family court" judge, Anne Kass, ran a game in her court similar to the CASA game. "Guardian ad litem" attorneys were "court" appointed to supposedly "represent" the "best interests" of an assigned child, taking authority away from the parent trying to insure the true best interests of a child and giving the power to the "court" appointee to "call the shots", make the analyses per prescribed covert agendas. Imposed dictates on the struggling/trumatized parent that are deliberately designed to be impossible to fulfill. Hence the child is captured by the "court" for perverse purpose. So, the local police dept. those who plan to bring this nation down into an authoritarian regime must confiscate all local control over local cops. What's so hard to "see"?



haz hmi

JULY 2021
NOTE: DUE TO THE FACT THAT AS AN ELDER WITH A PHYSICAL INJURY DISABILITY NOT GETTING THE HELP I NEED WITH ^{ESP.} SUITABLE HOUSING, ETC. FROM THE YOUNG

I MAY BE FORCED AT THE END OF THE MONTH TO LEAVE NEW MEXICO?



"RUN OUT OF TOWN!" 😊

From an illustrated album produced by György Beifeld (1902-1982), a Hungarian Jew from Budapest, who was drafted into the Munkaszolgálat (Hungarian Labor Service system) and spent more than a year on the Soviet front, from April 1942 through May 1943. After his immigration to Australia in the late 1940s-early 1950s, he changed his name to George Byfield. The album contains 402 drawings and watercolors by Byfield, as well as a narrative of his experiences.

SO I AM "KICKING IN" A FEW WORDS MORE ON MY WAY OUT TO SU-TU-SPEAK

(Signature)

4 MAID PUBLIC COMMENT July 2014

RE: TV 27; OBTAINED A COPY
OF A NOV 3 2020 BRIEF ARTICLE
IN ABB JRNAL "CITY RELAUNCHES
ITS PUBLIC ACCESS TV CHANNELS"

SO, IT SAYS TV 27 "MANAGED
BY "WINDFIRE" PRODUCTIONS"
PREVIOUSLY I NOTIFIED GOVT.
AGENTS HERE THAT A "FILMING"
UNDER THE DIRECTORSHIP OF A
JOSEPH LYNCH WAS WAYLAID.
I WAS DECEIVED TO BELIEVE
I WAS SCHEDULED FOR A
LIVE SHOW, IT WAS TAPED
AND NOT CABLECAST, AND

SINCE I WAS TOLD BY
LYNCH THAT "WINDFIRE"
"FLAGGED" MY RECORDING
FOR "CONTEXT" AND THAT IT

WAS SENT TO THE CITY
ATTY'S OFFICE, I HAVE
YET TO RECEIVE ANY

FURTHER INFO. THIS IS

THE TYPE OF DISCRIMINATION
AND HARASSMENTS THAT I
AM REPEATEDLY SUBJECT TO
HERE IN ABB WITH NO REMEDY

NO RECOURSE. NO ONE
THUS FAR WILL STAND WITH ME. ↓

AMATO JULY 2021
PUBLIC COMMENT

MUCH PROGRAMMED PUBLICITY CREATING DECEPTIVE ILLUSIONS MAINTAINING DIVISION IN WHAT'S LEFT OF OUR "SOCIETY". THE CONTROLLING OVER-WORDS WANT US TO THINK THAT THERE IS A PECULIAR AND PARTICULAR DISCRIMINATION AGAINST "BLACKS" "NATIVE AMERICANS", (ASIANS) BUT - IN FACT - THE FOCUS IS UNIVERSAL.

THE MASONIC LODGE POWER BROKERS WHO HAVE NOW ACHIEVED CONTROL OF EVERY LEADERSHIP BODY OF EVERY GROUP, ORGANIZATION, INSTITUTION OF ANY SIGNIFICANT IMPORTANCE RELIGIOUS, SECULAR, GOVERNMENT, PRIVATE OR PUBLIC CORPORATION ETC ARE MASTER IMPERSONATORS. THEIR "GOD" IS THE ONE CALLED "A LIAR FROM THE BEGINNING."

"I AM A FIRST GENERATION "AMERICAN" ON MY FATHER'S SIDE. SECOND GENERATION ON MY MOTHER'S. I ONLY SPEAK THE LANGUAGE OF THE BRITISH KING. I CAN'T - NEVER LEARNED THE LANGUAGE OF MY ANCESTORS. I WAS NEVER TOLD WHY MY ANCESTORS LEFT ITALY IN THE 1930'S & WHAT WAS GOING ON IN EUROPE TO "DRIVE" THEM HERE.

WHAT WAS DONE IN EUROPE BACK THEN, WHAT WAS DONE TO NATIVE TRIBES HERE AND EVERYWHERE. WHAT'S DONE TO THOSE "RUNNING" TO HERE FROM DEVASTATION IN MEXICO, CENTRAL AND SOUTH AMERICA IT IS THEIR - THE BRITISH EMPIRE'S MODUS OPERANDI AND ALL OTHER REGIMES' MO THAT WORSHIP THE GOD OF THIS WORLD, "STEAL, LIE, DESTROY, ENSLAVE, KILL!" WHILE "OUR" ESTABLISHMENT CRY THE BLUES WITH "BLACK LIVES MATTER" PUBLICITY "NATIVE AMERICAN TRAGEDIES" THEY ARE COMMITTING THE SAME AGAINST ALL VULNERABLE OTHERS.

CIVILIAN POLICE OVERSIGHT BOARD

INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION
STATISTICAL DATA FOR THE MONTH OF **June 2021**

INTERNAL CASES FOR THE MONTH OF June 2021

Total Internal Cases Completed in the month of June- 16

20 completed cases (sent out to the area command)

1. IA Cases opened in the month of June 2021: **24**
 2. Area Command IA cases opened for the month of June 2021: **46**
 3. Pending IA Cases for the month of June 2021: **25**
 4. Internal Cases Mediated: **0**
-

DISCIPLINE IMPOSED FOR INTERNAL CLOSED CASES IN June 2021

I-2-21

1-1-4B6a Compliance with Laws, Rules and Regulations

Sustained

Terminated

1-1-4B7b Compliance with Laws, Rules and Regulations

Sustained

Terminated

1-1-4D14 On-Duty Conduct

Sustained

Terminated

1-1-4D15 On-Duty Conduct

Sustained

Terminated

1-1-4D17 On-Duty Conduct

Sustained

Terminated

1-1-4F1 Department Property

Sustained

Terminated

1-1-4B2 Compliance with Laws, Rules and Regulations

Unfounded

No Disciplinary Action

1-1-4B6a Compliance with Laws, Rules and Regulations

Sustained

Terminated

1-1-4B7a Compliance with Laws, Rules and Regulations

Sustained

Terminated

1-1-4D14 On-Duty Conduct

Sustained

Terminated

1-1-4D20 On-Duty Conduct

Sustained

Terminated

1-1-4F1 Department Property

Sustained

Terminated

I-21-21

2-8-5B8b Mandatory Recording Incidents

Sustained

Written Reprimand

3-13-3B3b Enforcing Laws, Ordinances, and Police Regulations

Exonerated

No Disciplinary Action

2-68-4C1b Custodial Interviews and Interrogations

Exonerated

No Disciplinary Action

2-8-5B8b Mandatory Recording Incidents

Sustained/NBOOC

Suspension

2-73-2A Submission of Evidence, Confiscated Property, and Found Items

Sustained/NBOOC

Suspension

3-13-3B3b Enforcing Laws, Ordinances, and Police Regulations

Exonerated

No Disciplinary Action

2-8-5B8b Mandatory Recording Incidents

Unfounded

No Disciplinary Action

2-73-2A Evidence/Property/Found Item Accountability

Sustained

Suspension

I-24-21

1-92-9C1 Deployment

Exonerated

No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations

Sustained

Suspension

1-1-4B7b Compliance with Laws, Rules and Regulations

Sustained

Suspension

1-1-4B7c Compliance with Laws, Rules and Regulations

Sustained

Suspension

1-1-4D16 On-Duty Conduct

Sustained

Suspension

I-37-21

1-1-4B6a Compliance with Laws, Rules and Regulations

Not Sustained

No Disciplinary Action

1-1-4B6a Compliance with Laws, Rules and Regulations

Sustained

Suspension

1-1-4B6a Compliance with Laws, Rules and Regulations

Sustained

Suspension

1-1-4B6a Compliance with Laws, Rules and Regulations

Not Sustained

No Disciplinary Action

3-41-4D1 Internal Dept Complaints-Reporting and Assignment
Unfounded
No Disciplinary Action

I-39-21

1-1-4B6 Compliance with Laws, Rules and Regulations
Not Sustained
No Disciplinary Action

1-1-4B6b Compliance with Laws, Rules and Regulations
Not Sustained
No Disciplinary Action

I-65-21

1-1-4B6 Compliance with Laws, Rules and Regulations
Exonerated
No Disciplinary Action

1-1-4B6 Compliance with Laws, Rules and Regulations
Exonerated
No Disciplinary Action

I-85-21

3-13-3B3b Enforcing Laws, Ordinances, and Police Regulations
Sustained
Suspension
2-83-4C4 Hospital In-Custody Procedures
Sustained
Written Reprimand
2-80-2K1 Execution of Arrest Warrants
Sustained
Written Reprimand
2-82-4B5d Transporting of Individuals
Exonerated
No Disciplinary Action
2-56-4A1 General Requirements of Officers who Use Force
Exonerated
No Disciplinary Action

2-56-4A1 General Requirements of Officers who Use Force

Sustained

Written Reprimand

3-14-4A15 Supervisory Leadership

Sustained

Written Reprimand

2-16-2C1 Personnel of the Department Shall Write Reports on

Sustained

Written Reprimand

1-41-3A4 Evidence

Sustained

Written Reprimand

2-83-4C4 Hospital In-Custody Procedures

Sustained

Written Reprimand

2-19-6D Response to Behavioral Health Issues

Sustained

Written Reprimand

2-82-4B5d Transporting of Individuals

Exonerated

No Disciplinary Action

2-60-4A5cf Preliminary Investigations

Exonerated

No Disciplinary Action

2-56-4A1 General Requirements of Officers who Use Force

Exonerated

No Disciplinary Action

3-13-3B3b Enforcing Laws, Ordinances, and Police Regulations

Exonerated

No Disciplinary Action

I-93-21

1-1-4B6 Compliance with Laws, Rules and Regulations

Unfounded

No Disciplinary Action

1-1-4B2 Compliance with Laws, Rules and Regulations

Unfounded

No Disciplinary Action

I-99-21

2-5-3K5 Use of APD Vehicles

Sustained

Suspension from Take home Vehicle

1-100-21

2-56-4A1 General Requirements of Officers who Use Force

Unfounded

No Disciplinary Action

2-55-4A2e De-escalation Techniques and Guidelines

Unfounded

No Disciplinary Action

2-56-4A1 General Requirements of Officers who Use Force

Unfounded

No Disciplinary Action

2-55-4A2e De-escalation Techniques and Guidelines

Unfounded

No Disciplinary Action

2-52-4A3 Use of Force Requirements

Unfounded

No Disciplinary Action

3-13-3B2 Enforcing Laws, Ordinances, and Police Regulations

Exonerated

No Disciplinary Action

2-55-4A2e De-escalation Techniques and Guidelines

Unfounded

No Disciplinary Action

2-56-4A1 General Requirements of Officers who Use Force

Unfounded

No Disciplinary Action

2-52-4A3 Use of Force Requirements

Unfounded

No Disciplinary Action

2-55-4A2e De-escalation Techniques and Guidelines

Unfounded

No Disciplinary Action

2-56-4A1 General Requirements of Officers who Use Force
Unfounded
No Disciplinary Action

I-101-21

2-56-4A1 General Requirements of Officers who Use Force
Sustained
NDCA
2-68-4C1b Custodial Interviews and Interrogations
Exonerated
No Disciplinary Action

2-68-4C1b Custodial Interviews and Interrogations
Exonerated
No Disciplinary Action

I-105-21

1-1-4B6 Compliance with Laws, Rules and Regulations
Sustained
Written Reprimand

I-121-21

2-57-3C1b On-Scene Responsibilities of Supervisors Reviewing UOF
Sustained
Verbal Reprimand

I-122-21

1-1-4B6 Compliance with Laws, Rules and Regulations
Sustained
Suspension – Not issued- Employee no longer with the department
2-57-3A3 UOF- Review and Investigation by Department Personnel
Sustained/NBOOC
Suspension – Not issued- Employee no longer with the department
2-57-3C1c Use of force Review by Supervisors and the Chain of Command
Sustained/NBOOC
Suspension – Not issued- Employee no longer with the department
2-60-4A5f Preliminary Investigations
Sustained/NBOOC
Suspension – Not issued- Employee no longer with the department

1-1-4D1 On-Duty Conduct
Sustained/NBOOC
Suspension – Not issued- Employee no longer with the department

2-56-4A1 Use of Force- Reporting by Department Personnel
Not Sustained
No Disciplinary Action
2-60-4A5f Preliminary Investigations
Sustained/NBOOC
Verbal Reprimand

I-161-21

2-57-3C1 On-Scene Responsibilities of Supervisors Reviewing UOF
Unfounded
No Disciplinary Action

I-198-21

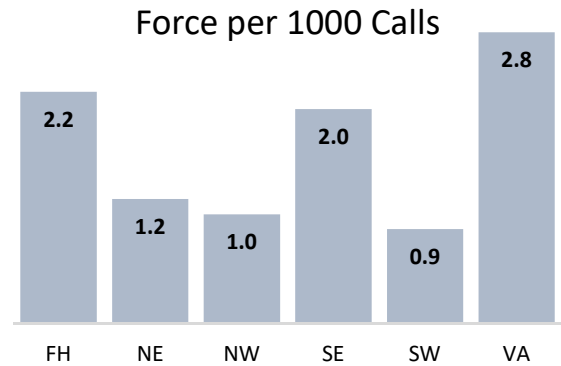
1-1-4D10b On-Duty Conduct
Sustained
Suspension
1-1-4D15 On-Duty Conduct
Sustained
Suspension

Civilian Police Oversight Agency Board

INTERNAL AFFAIRS FORCE DIVISION

STATISTICAL DATA FOR THE MONTH OF JUNE 2021

	Level 1	Level 2	Level 3	Total	CAD
Foothills	2	5	6	13	5923
Northeast	3	4	3	10	8490
Northwest	1	2	2	5	4846
Southeast	8	9	4	21	10329
Southwest	1	2	1	4	4483
Valley*	10	8*	4*	22*	7964
Total	25	30	20	75	

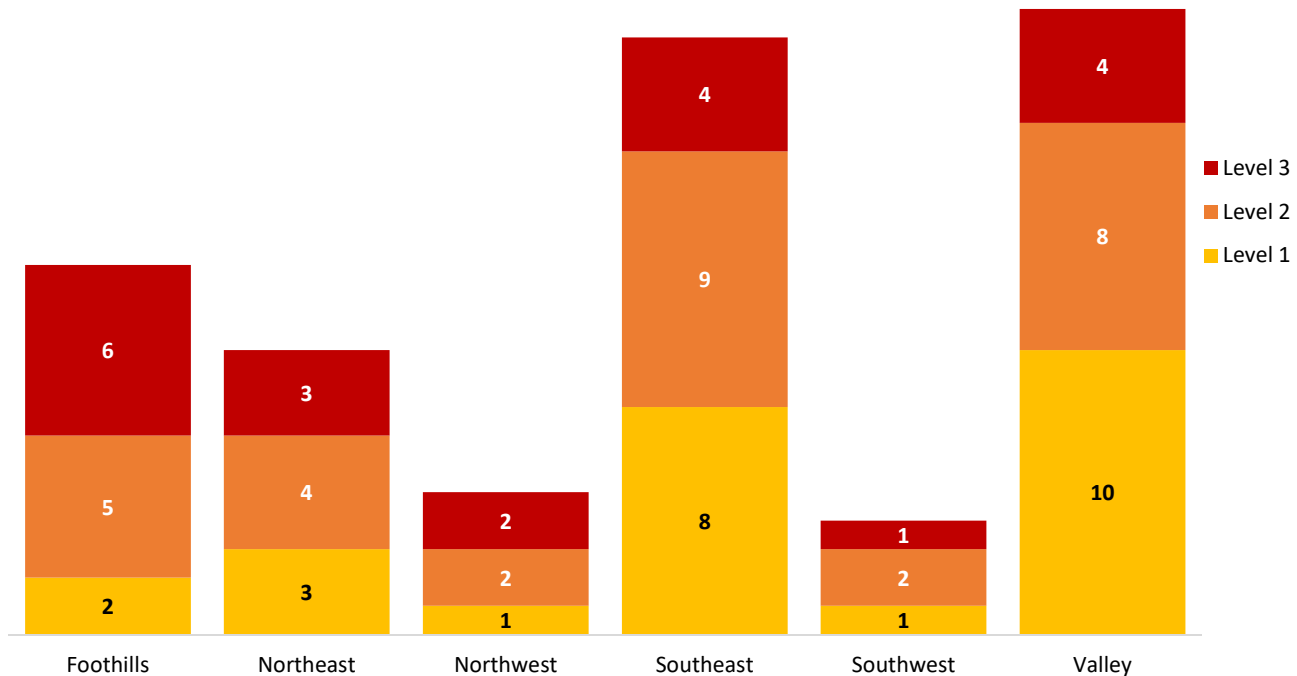


* One level 2 case and one level 3 case occurred at the PTC.

Force cases are now categorized by three levels. If a case involves multiple applications of force, it is categorized as the most serious at the case level. These counts are not considered final as investigations are continuously updated.

- Level 1 is force that is likely to cause only transitory pain, disorientation, or discomfort during its application as a means of gaining compliance. This includes techniques which are not reasonably expected to cause injury, do not result in actual injury, and are not likely to result in a complaint of injury (i.e., pain compliance techniques and resisted handcuffing). Pointing a firearm, beanbag shotgun, or 40 millimeter launcher at a subject, or using an ECW to “paint” a subject with the laser sight, as a show of force are reportable as Level 1 force. Level 1 force does not include interaction meant to guide, assist, or control a subject who is offering minimal resistance.
- Level 2 is force that causes injury, could reasonably be expected to cause injury, or results in a complaint of injury. Level 2 force includes use of an ECW, including where an ECW is fired at a subject but misses; use of a beanbag shotgun or 40 millimeter launcher, including where it is fired at a subject but misses; OC Spray application; empty hand techniques (i.e., strikes, kicks, takedowns, distraction techniques, or leg sweeps); and strikes with impact weapons, except strikes to the head, neck, or throat, which would be considered a Level 3 use of force.
- Level 3 is force that results in, or could reasonably result in, serious physical injury, hospitalization, or death. Level 3 force includes all lethal force; critical firearms discharges; all head, neck, and throat strikes with an object; neck holds; canine bites; three or more uses of an ECW on an individual during a single interaction regardless of mode or duration or an ECW application for longer than 15 seconds, whether continuous or consecutive; four or more strikes with a baton; any strike, blow, kick, ECW application, or similar use of force against a handcuffed subject; and uses of force resulting in a loss of consciousness.

June 2021 Force Events

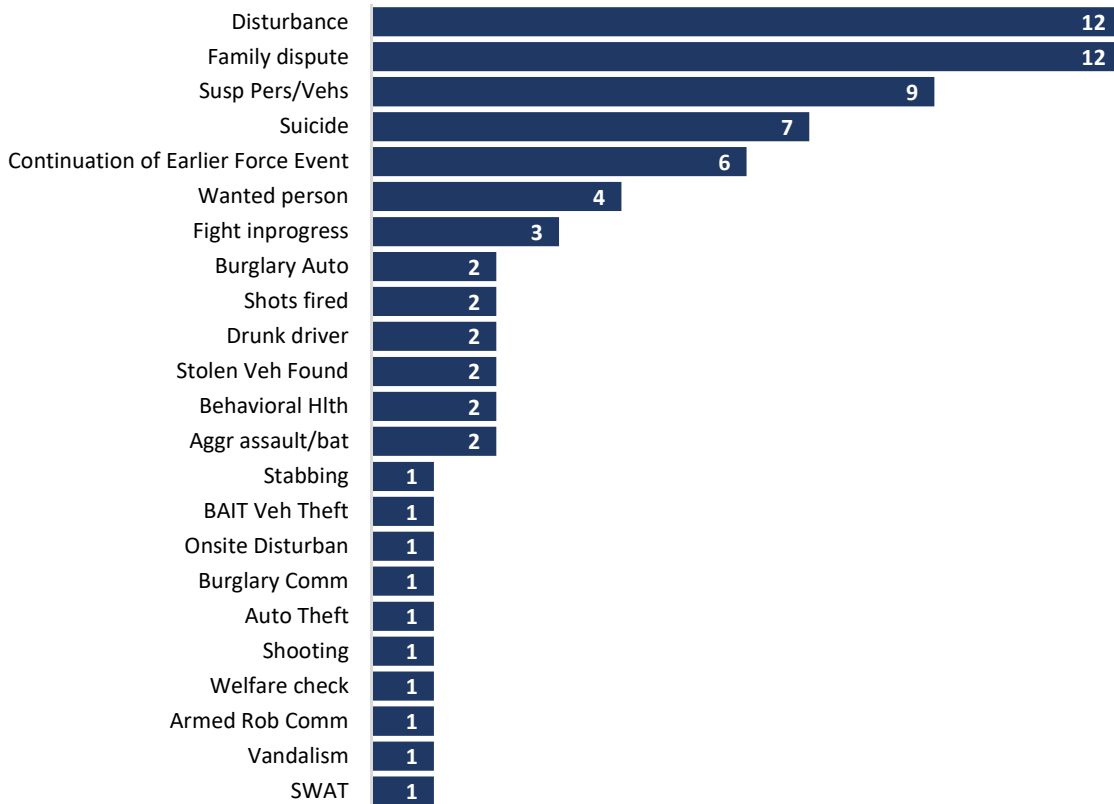


Civilian Police Oversight Agency Board

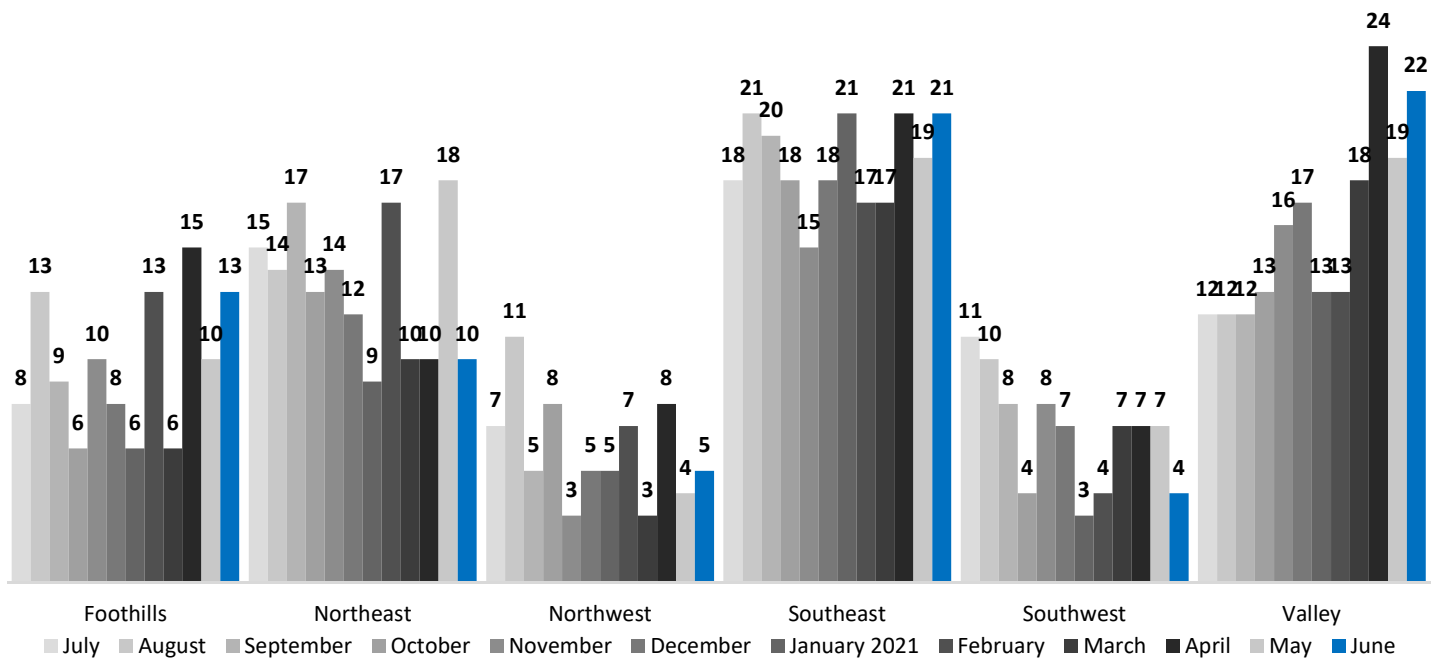
INTERNAL AFFAIRS FORCE DIVISION

STATISTICAL DATA FOR THE MONTH OF JUNE 2021

Call Types Associated with June 2021 Force Events



Twelve Months of Force Data





Crash Review Board Update

Data is for Department Personnel involved crashes from:
April 1, 2021- June 30, 2021 (Q4; FY21).



Results of APD involved crashes April 1, 2021 to June 30, 2021 (Q4; FY21):

- 9 Non-preventable crashes
- 21 Preventable crashes
- 1 Non-crashes
- 3 Officers had 2 Preventable crashes within a 12 month period.

The officers chain of command imposes discipline, not the Crash Review Board.



APD crashes and claims paid from April 1, 2021 - June 30, 2021 (Q1; FY21):

\$189,272.65; 3rd party pay outs (bodily injury or property damage). **23** claims.

\$172,903.01; 1st party damage to City property involved in APD crashes. 1st party refers to single vehicle crashes or City vehicle vs. City vehicle (example: police vehicle strikes a curb). **33** claims.



CPOA Board – Outreach Subcommittee Report

The Outreach committee met via Zoom on June 29, 2021.

1. Director Harness provided an update on the following topics:
 - CPCs are doing well:
 - o Ed was on a panel at the Valley CPC where he discussed IMR 13 and the Status Conference.
 - o There is ongoing discussion as to how CPCs will meet once Covid restrictions are eliminated. Community Centers are communicating that they will likely not reopen before August so CPCs will continue to meet via zoom in the meantime. A hybrid solution is being explored for once the Community Centers have reopened.
 - o CPCs were sent information on a study examining hiring and retention of officers to consider.
 - o In a meeting with Dr. Rickman, CPCs/CPOA Liaison were tasked with:
 - Revamping the website for usability and content
 - Scheduling a training in the fall
 - o The Council of Chairs reinstated the member of the SE CPC that had been removed a few months ago.
 - There were two meetings during the IMT visit regarding appointment of Board positions.
 - o There may be additional vetting questions added to the application to assess a candidate's familiarity with the CASA and Oversight.
 - Ex. Have you read the CASA?
 - Ex. Have you attended a CPOAB Meeting?
 - o There was also discussion regarding bringing the Ordinance more in line with the CASA specifically regarding training requirements and case review.
 - The parties are still discussing a possible "committee" to vet and appoint new Board members. However, right now, there is talk about having a member of the CPC Council of Chairs serve on that committee. The subcommittee members expressed some consternation over the idea of having a CPC member serve on that committee but not allowing for a CPOA Board member serve as well. This is an item the Board may wish to consider.
2. Smartsheets has fallen victim to the confusion over contract review and procurement processes with the City. Director Harness has proposed a solution for the 2021/2022 budget cycle, but nothing has progressed.
3. There was no update regarding the Albuquerque Community Safety Department partnership, but Director Harness will follow up.
4. The subcommittee is recommending two solutions to the training and ride along requirements discussed at the IMT meeting with Dan Giaquinto and Dr. James Ginger:
 - a. NACOLE/Training Takeaway Form (attached)
 - b. That the standard of a **minimum** of 8 hours of "Ride Along" time be used to satisfy the requirement of 2 ride alongs/6 months requirement set forth in the CASA. The 8 hours can be broken up as needed to accommodate Board members' schedules.
5. The Outreach Subcommittee will continue to meet monthly via Zoom rather than in person.

The next meeting of the Outreach Subcommittee will be held via Zoom on July 27th, 2021 at 3:00 PM.

The Policy and Procedure Review Subcommittee met on July 1, 2021. Members Armijo-Prewitt, Richard Johnson, Patricia French and Chair William Kass were present.

Policies reviewed at PPRB June 9, 2021

Number	Title	Presented By
1-36	Officer Wellness Policy	Lt. White and Sgt. Huston
1-54 (Formerly 4-2)	Honor Guard Team	Lt. Garcia
1-75 (Formerly 8-1)	Planning Division	Maria Garcia-Cunningham
2-75	Request for Legal Opinions from the City Attorney (to be archived)	Patricia Serna
2-98	Gunshot Detection Procedure	Sarah Masek
2-107	Use of Crime Scene Specialist (CSS) Unit	A/Commander McElroy

Policies advanced for 30-day Recommendations on June 9, 2021

1-36 Officer Wellness Program

1-54 (Formerly 4-2) Honor Guard Team

2-75 Requests for Legal Opinions from the City Attorney (To be archived)

2-98 Gunshot Detection

SOP 3-52 Policy Development Process – Status update

Patricia Serna, APD Policy and Procedure Review unit reported that SOP 3-52 will be presented for review on July 28, 2021.

SOP 2-98 Gunshot Detection Recommendation – Status update

Ali Abbasi, CPOA Data Analyst, reported that the recommendation letter approved by the CPOA Board was sent to the Chief of APD on June 10, 2021.

Policies reviewed at P&P (Formerly OPA) June 16, 2021

SOP Number and Title	Presented By
1-21 (Currently 4-14) Bicycle Patrol	Commander Timothy Espinosa
1-86 (Formerly 8-7) Report Review Unit	Kathy Roybal-Nunez
1-93 (Formerly 8-11) Telephone Reporting Unit (TRU)	Sofia Clingenpeel
2-5 Department Vehicles	Detective Robert Carlson
2-63 Crime Stoppers Investigations	Sergeant Jeffery Barnard
2-99 Naloxone Policy	Dr. Justin Hazen
2-113 Custom Notification Gun Buy-Back (CNGBB) Program	Deputy Commander Jason Janopoulos

Policies presented at P&P (Formerly OPA) June 30, 2021

SOP Number and Title	Presented By
1-2 Social Media	Gilbert Gallegos
1-19 Shield Unit	Sgt. Andrew Wickline
1-83 (Currently 5-9 and 5-10) Real Time Crime Center	Commander Leonard Nerbetski
2-28 (Formerly 3-20) Flood Control Channel Action Plan (Code Raft)	Sgt. Christopher Schroeder
2-81 Off-Duty Conduct: Power of Arrest	Sgt. Jeffrey Abernathy
3-30 Line Inspection Process	Lt. Randall Crawford

Other business

Administratively Closed Cases due to Officer Employment Status

CPOA Lead Investigator Diane McDermott reported on this topic. She explained that Administratively Closed cases have been investigated to the extent that a decision to Administratively Close them is based on a number of factors which include a lack of information to investigate the case often due to the inability to contact the complainant or identify the incident, a video review which indicates no misconduct on the part of the officer, or in less common circumstances the level of the potential infraction is of such a minor nature even if true and there was not a pattern of conduct by the identified officer compared to the available resources. Duplicative complaints and investigations are also a reason a case would be Administratively Closed. If a case is closed, the CPOAB will still be alerted to policy issues identified within the complaint and be able to use that information to add to the pool of data that the CPOA collects from other case investigations.

As to the topic of Administratively Closing complaints when an officer is no longer employed, it is a complex topic that requires many considerations to weigh the use of resources to the potential benefits that could be gained. There was significant discussion by Subcommittee Members regarding the ability of APD to add complaints to the record of officers that have left APD so that future employment in law enforcement is affected as well as show information might be shared with other agencies. More exploration into this topic was required.

Traffic Stops Proposal and Policy Impact related to CPC 013-21

Diane McDermott provided information that there are APD SOPs that deal with this subject. They are SOP 2-60 Preliminary and Follow Up Criminal Investigations and SOP 2-40 Misdemeanor Traffic and City Ordinance Enforcement. The Subcommittee agreed to read these SOPs and continue the discussion at the August meeting.

PnP (Policy and Procedure) User's Manual

Chair Kass created a rough first draft PnP User's Manual from a collection of relevant documents. This has been distributed to Subcommittee members. Subcommittee members agreed to return with their suggestions for improvement at the August meeting.

Brainstorming Additional Ride-Along Sessions

A brief discussion was held to suggest additional activities that could be used as a substitute for Ride-Alongs. This issue had been discussed earlier at a meeting with the IMT who agreed that expanding the

Ride-Along activities would be beneficial to the CPOA Board members. Among the suggestions were: detective training, forensics lab, Training academy, Canine unit, RTCC, Communication Center, On call victims advocate, Family advocacy center, Records center. This discussion will also continue at August meeting.

Member Suggestions for PnP Agenda Items

Topics for future meetings suggested were:

A new approach for police officer hiring. Materials were sent by Director Harness on June 29 and the author will be invited to present these at an upcoming meeting.

It was suggested by Diane McDermott that the subject of Academy Training vs Field Training be discussed at a future meeting. It was also suggested that the Academy Training curriculum be reviewed.

3-41 PnP to allow minor violations referred to area commanders for resolution.

The CPOA has recommended that citizen complaints that involve minor violations by officers be resolved by the Area Command of the officer involved. This would result in quicker resolution of the issue, alert the AC to a possible need to increase attention on that officer behavior, and reduce the workload on the CPOA investigators. CPOA investigators would also be available to help train the AC investigators to improve their level of investigation. This topic has also been discussed with the IMT. It would be necessary to modify language in SOP 3-41 as well as other actions in order to fully implement such a plan.

Policy Recommendation for 9-1 Communications (CPC 058-21)

CPOA Investigator Antonio Coca wrote a memo to the PnP suggesting that APD make in-person responses to potential scam calls when the calls involve a victim in a high-risk/vulnerable population. This resulted from a citizen complaint CPC 058-21. This item was not on the original PnP agenda and did not receive full consideration at this meeting. It will be placed on the August agenda.

Personnel Committee Report

May Meeting Date: 6/28/21

The committee tabled the election of a chair. The committee received a report from Director Harness on staffing and agency processes. The Director discussed the hiring of new investigators and hiring for the Community Outreach position. The Director followed up on several items/questions from the last meeting including criteria and pay for APD IA Investigators. CPOA. The committee discussed proposed changes to the Executive Director's Job Description. No conclusion was reached, but the HR attorney and Director Harness agreed to work on updating the description to include CPC tasks and other tasks assigned in the CASA. The Director will also work with the attorney to try to reach agreeable language on meeting Board needs/directives. In the interest of time these matters will be considered by the full Board at the July meeting.

Next Meeting: July 26th @4PM

Albuquerque Civilian Police Oversight Agency Board
Post Training Evaluation Form

Date: _____

Training Attended

NACOLE

Start Time: _____ **End Time:** _____

Other: _____

Member Name: _____

Subject Matter/Topic: _____

Insights:

1. _____

2. _____

3. _____

4. _____

5. _____

