

CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

Thursday, March 13, 2025, at 5:00 PM
Vincent E. Griego Chambers

Aaron Calderon, Board Chair
Rowan Wymark, Board Vice-Chair
Zander Bolyanatz, Board Member
Eduardo Budanauro, Board Member
Diane McDermott, Executive Director, CPOA
Ali Abbasi, Deputy Director, CPOA

Members Present:

Zander Bolyanatz, Chair
Aaron Calderon, Vice Chair
Eduardo Budanauro
Rowan Wymark

Members Absent:

Others Present In-Person:

Diane McDermott, CPOA
Ali Abbasi, CPOA
Katrina Sigala, CPOA
Valerie Barela, CPOA
Emily Selch, CPOA
Kelly Mensah, CPOA
Robert Kidd, Independent Counsel
Chris Sylvan, City Council
Lindsey Rosebrough, Managing City Atty
Cmdr. Henry Landavazo, APD
Cmdr. Scott Norris, APD
Cmdr. Kenneth Johnston, APD
Lt. Troy Nicko, APD
Lt. Jennifer Garcia, APD
Jeffery Bustamante, ACS
Robert Cordova, Complainant

Others Present via Zoom:

Aja Brooks, DOJ
Dr. Ty Olubiyi, CCO
Douglas Feierman, CPOA

Minutes

- I. Welcome, Call to Order and Roll Call.** Chair Calderon called the regular meeting of the Civilian Police Oversight Advisory Board to order at approximately 5:02 p.m., and a roll call of members present was taken.
- II. Pledge of Allegiance.** Chair Calderon led the Pledge of Allegiance.
- III. Approval of the Agenda**

- a. **Motion.** A motion was made by Chair Calderon to move agenda item number 9, the appeal for CPC 243-24 above the Serious Use of Force Cases number seven 7. Member Bolyanatz seconded. The motion was carried by a unanimous vote.

For: Bolyanatz, Budanauro, Calderon, Wymark

- a. **Motion.** A motion by Chair Calderon to approve the agenda as amended. Member Bolyanatz seconded. The motion was carried by a unanimous vote.

For: Bolyanatz, Budanauro, Calderon, Wymark

- IV. **Review and Approval of Minutes.** For more information about minutes from prior Civilian Police Oversight Advisory Board meetings, please visit our website here:

<https://www.cabq.gov/cpoa/police-oversight-board/police-oversight-board-agenda-meeting-minutes>

- a. February 13, 2025

- 1. A website link was distributed to each Board member to review the draft minutes from the Civilian Police Oversight Advisory Board's regular meeting on February 13, 2025.
- 2. **Motion.** A motion was made by Calderon that the minutes from February 13, 2025, be approved as written. The motion was seconded by Member Bolyanatz. The motion was carried by a unanimous vote.

For: Bolyanatz, Budanauro, Calderon, Wymark

- V. **Public Comment**

- a. Anami Dass

- VI. **Reports from City Departments:**

- a. **APD**

- 1. **Ambassador Program – Lieutenant Jennifer Garcia**

- i. Lieutenant Jennifer Garcia presented and provided a PowerPoint presentation on the Ambassador Program, highlighting the History of the program, recruitment, training, implantation, ambassador roles, and their initiatives.

2. Internal Affairs Professional Standards (IAPS)– Commander Kenneth

Johnston

- i. A document titled *APD Internal Affairs Professional Standards (IAPS) Division Monthly Report February 2025* was distributed to CPOA Board members electronically.
- ii. Commander Kenneth Johnston provided a verbal report on open and completed cases in February 2025, mentioning the outstanding caseload and average day of completion.

3. Internal Affairs Force Division (IAFD)– Commander Scott Norris

- i. The APD Monthly Use of Force Report for February 2025 was distributed electronically to CPOA Board members.
- ii. Commander Scott Norris delivered a verbal report detailing the number of use-of-force cases categorized by area command. He noted that the Northeast (NE) region recorded the highest number of use-of-force incidents in February 2025. He also reported a decrease in overall use-of-force incidents throughout the area commands since December 2024. Additionally, he discussed the demographics related to calls for service that contributed to the use of force in February 2025. He emphasized that the Level 1 Use of Force investigators are now under his command.

b. ACS- Jefferey Bustamante, Deputy Director

1. ACS Deputy Director for Policy and Administration Jeffrey Bustamante gave a verbal report on the following:

- ACS trends related to types of calls for service/volume
- Summer of non-violence events
- ACS is approaching its 100,000th call for a service community celebration
- Winter transportation wrap up

c. City Attorney- Lindsey Rosebrough, Managing Attorney

1. Lindsey Rosebrough gave a verbal update on the 22nd IMR period, noting that the 21st IMR ended at the end of January 2025, and the draft report should be filed on April 14, 2025. Additionally, she provided an update on the court

hearing date to be determined. She mentioned that the CAO provided guidance to City Employees on immigration enforcement, noting that guidance is for the APD.

d. City Council- *Chris Sylvan, Council Services*

1. Chris Sylvan provided an update on the outreach efforts in attaining the vacant Board member, noting that the vacancy has been advertised on social media.

e. CPC- *Kelly Mensah, CPC Liaison*

1. CPC Liaison Kelly Mensah provided a verbal report on the following:
 - University CPC will be reviewing SOPs
 - CPC memberships
 - CPC dinner meeting for the youth CPC
 - Upgrade to virtual equipment

f. Mayor's Office- *Doug Small, Director of Public Affairs*

1. No one from the Mayor's office was present.

g. CPOA- *Diane McDermott, Executive Director*

1. Executive Director Diane McDermott verbally reported on the following:
 - CPOA complaint intakes and assignments
 - APD commendations
 - IMR monitoring report draft
 - Internal CPOA staffing study
 - MOU between the CPOAB and APD Union update
 - Mediation program
 - CPOA budget related to relocation to a new location
 - Policy Analyst resignation

2. CPC 200-24 Non-Concurrence. For more information about non-concurrence memos received by APD's Office of Police Reform, please visit our website here: <https://www.cabq.gov/cpoa/case-outcomes/chief-of-police-non-concurrence-letters>
 - i. Ms. McDermott provided her assessment for CPC 200-24 non-concurrence, noting that the CPOA disagreed with the non-concurrence.
3. CPC 235-24 Non-Concurrence. For more information about non-concurrence memos received by APD's Office of Police Reform, please visit our website here: <https://www.cabq.gov/cpoa/case-outcomes/chief-of-police-non-concurrence-letters>
 - i. Ms. McDermott provided her assessment for CPC 235-24 non-concurrence.
4. CPC 237-24 Non-Concurrence. For more information about non-concurrence memos received by APD's Office of Police Reform, please visit our website here: <https://www.cabq.gov/cpoa/case-outcomes/chief-of-police-non-concurrence-letters>
 - i. Ms. McDermott provided her assessment for CPC 237-24 non-concurrence.

VII. Appeal. Copies of the Civilian Police Oversight Advisory Board appeal finding letters to the citizens are located on our website here: <https://www.cabq.gov/cpoa/case-outcomes/cpoab-appeal-finding-letters-1>

a. CPC 243-24

- i. Hearing on CPC #243-24
 1. Independent Counsel Robert Kidd read the rules and procedures the Board will follow during the hearing process.
 2. Complainant Robert Cordova was provided 15 minutes to present his case.
 3. CPOA Executive Director McDermott was provided 10 minutes to speak.
 4. APD Commander Henry Landavazo was provided 10 minutes to speak.

5. No APD officer was present.
 6. Complainant Robert Donovan was provided an additional 5 minutes to speak.
- ii. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act.

1. **Motion.** A motion by Chair Calderon that the Board convene into closed session as authorized by administrative adjudicatory proceedings exception to the open meeting act for a limited purpose of discussing the matters presented in CPC #243-24. The motion was seconded by Member Budanauro. The motion was passed unanimously by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

*****Closed session discussions on administrative adjudicatory proceedings for CPC #243-24 began at 6:57 p.m., and the meeting reconvened at 7:26 p.m.*****

2. **Motion.** Chair Calderon made a motion to come out of deliberation. The motion was seconded by Member Bolyanatz. The motion was passed unanimously by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

3. **Motion.** Chair Calderon made a motion to come out of deliberation. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

4. **Motion.** A motion was made by Chair Calderon that the Board uphold and affirm the findings of the Civilian Police Oversight Agency Director for CPC 243-24. Member Budanauro seconded. The motion passed unanimously by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

VIII. Serious Use of Force Case:

a. APD Case #23-0010895 *Eduardo Budanauro*

1. Member Budanauro gave a verbal summary of Serious Use of Force (SUOF) APD Case #23-0010895.
2. Deputy Director Ali Abbasi provided his observations in the review of SUOF APD Case #23-0010895, noting that the CPOA agreed with IAFD findings.
3. Chair Calderon facilitated Board member feedback on the SUOF Case #23-0010895.
4. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case #23-0010895. The motion was seconded by Member Budanauro. The motion was carried by a unanimous vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

b. APD Case #23-0013499 *Rowan Wymark*

1. Vice-Chair Wymark gave a verbal summary of Serious Use of Force (SUOF) APD Case #23-0013499.
2. Deputy Director Ali Abbasi provided his observations in the review of SUOF APD Case #23-0013499, noting that the CPOA agreed with IAFD findings.
3. Chair Calderon facilitated Board member feedback on the SUOF Case #23-0013499.
4. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case #23-0013499. The motion was seconded by Member Bolyanatz. The motion was carried by a unanimous vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

c. APD Case #23-0014194 *Zander Bolyanatz*

1. Member Bolyanatz gave a verbal summary of Serious Use of Force (SUOF) APD Case #23-0014194, noting the findings from the Internal Affairs Force Division (IAFD) investigation.
2. Deputy Director Ali Abbasi provided his observations in the review of SUOF APD Case #23-0014194, noting that the CPOA agreed with IAFD findings.

3. Chair Calderon facilitated Board member feedback on the SUOF Case #23-0014194.
4. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case #23-0014194. The motion was seconded by Member Bolyanatz. The motion was carried by a unanimous vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

d. APD Case #23-0014583 Aaron Calderon

1. Member Budanauro gave a verbal summary of Serious Use of Force (SUOF) APD Case #23-0014583, noting the findings from the Internal Affairs Force Division (IAFD) investigation.
2. Deputy Director Ali Abbasi provided his observations in the review of SUOF APD Case #23-0014583, noting that the CPOA agreed with IAFD findings.
3. Chair Calderon facilitated Board member feedback on the SUOF Case #23-0014583.
4. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case #23-0014583. The motion was seconded by Member Budanauro. The motion was carried by a unanimous vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

IX. Officer-Involved Shooting Case:

- a. None.

X. CPOA Board's Review of Garrity Materials:

- a. None.

*****The Board took a dinner break at approximately 8:04 pm
, and the meeting reconvened at 8:41 p.m.*****

XI. Report from CPOAB Subcommittee:

a. Policy and Procedure Review Subcommittee – Chair Aaron Calderon

1. The meeting was held on March 6, 2025, at 3 p.m.

2. Report from Subcommittee
3. The next meeting is on April 3, 2025, at 3 p.m.
 - i. Aaron Calderon noted that the review at the March 6, 2025, subcommittee meeting will be discussed later in the agenda, noting that the subcommittee meeting will be held on April 3, 2025, at 3 p.m.

XII. Discussion and Possible Action:

a. APD Policy

1. Recommendation(s):

A. SOP 1-11 Transit Safety Section (TSS)

- i. CPOA Executive Director McDermott verbally presented policy recommendations for SOP 1-11.
- ii. **Motion.** A motion was made by Chair Calderon to approve and direct the CPOA to make comment on the Boards behalf during the commenting window. The motion was seconded by member Budanauro. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

B. SOP 1-52 Homeland Security Unit

- i. Chair Calderon verbally presented policy recommendations for SOP 1-52.
- ii. **Motion.** A motion was made by Chair Calderon that the Board approve the recommendations and that CPOA will submit the recommendation the Boards behalf to APD during the commenting period for SOP 1-52 Homeland Security Unit. Member Bolyanatz seconded the motion. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

C. SOP 2-104 Civil Disputes

- i. CPOA Executive Director McDermott verbally presented policy recommendations for SOP 2-104.
- ii. **Motion.** A motion was made by Chair Calderon that the Board the recommendations for SOP 2-104 Civil Disputes be submitted on behalf of the CPOAB by the CPOA. The motion was seconded by member Bolyanatz. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

D. SOP 2-7 (Formerly 2-02) Damage to Civilian Property

- i. CPOA Executive Director McDermott verbally presented policy recommendations for SOP 2-7.
- ii. **Motion.** A motion was made by Chair Calderon that the Board approve and direct the CPOA to formally file the recommendation on the Board's behalf. Member Bolyanatz seconded the motion. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

E. SOP 1-3 Grooming Standards

- i. CPOA Executive Director McDermott verbally presented policy recommendations for SOP 1-3.
- ii. **Motion.** A motion was made by Chair Calderon that the Board advise the CPOA to forward the recommendation on behalf of the CPOAB. The motion was seconded by member Bolyanatz. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

2. No Recommendation(s):

A. SOP 1-67 Multi-Agency Task Force (MATF)

- i. There were no policy recommendations for SOP 1-67.

B. SOP 2-38 Daily Staffing and Briefings

- i. There were no policy recommendations for SOP 2-38.

- C. SOP 2-46 Response to Traffic Crashes
 - i. There were no policy recommendations for SOP 2-46.

- D. SOP 3-14 Supervision
 - i. There were no policy recommendations for SOP 3-14.

- E. SOP 3-30 Line Inspection Process
 - i. There were no policy recommendations for SOP 3-30.

- F. SOP 3-47 Acceptance of Disciplinary Action and Right to Appeal
 - i. There were no policy recommendations for SOP 3-47.

- G. SOP 1-98 Electronic Support Unit
 - i. There were no policy recommendations for SOP 1-98.

- H. SOP 1-23 Digital Intelligence Team (DIT)
 - i. There were no policy recommendations for SOP 1-23.

- I. SOP 2-31 (Formerly 1-08) Emergency Medical and Trauma Services
 - i. There were no policy recommendations for SOP 2-31.

- J. SOP 3-43 (Formerly 3-23 and 3-44) Relief of Duty
 - i. There were no policy recommendations for SOP 3-43.

- K. SOP 2-41 Traffic Stops
 - i. There were no policy recommendations for SOP 2-41.

- L. SOP 2-58 Force Review Board
 - i. There were no policy recommendations for SOP 2-58.

- M. SOP 2-74 Submission of Felony Cases to the District Attorney
 - i. There were no policy recommendations for SOP 2-74.

3. Off-Cycle

A. SOP 2-16 Report or 2-73 Collection, Submission, and Disposition of Evidence and Property

- i. CPOA Executive Director McDermott verbally presented policy recommendations for SOP 2-16.
- iii. **Motion.** A motion was made by Chair Calderon that the Board advise the CPOA to make the recommendation on behalf of the CPOAB. The motion was seconded by member Budanauro. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

B. SOP 2-86 (Formerly 2-26) Auto Theft and Motor Vehicle Theft-Related Investigations

- ii. CPOA Executive Director McDermott verbally presented policy recommendations for SOP 2-86.
- iv. **Motion.** A motion was made by Chair Calderon that the Board direct the CPOA to make the recommendation on behalf of the CPOAB. The motion was seconded by member Bolyanatz. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

4. APD Response to Policy Recommendation(s): [Standing item]

1. CPOA Executive Director McDermott provided an update on SOP 3-21 and will provide a special order addressing the recommendation.

b. Election of Chair

1. Zander Bolyanatz was nominated by Vice-Chair Wymark, Member Budanauro, and Chair Calderon to become the next Chair of the CPOA Board.
2. There were no other nominations.
3. **Motion.** A motion was made by Chair Calderon that Member Bolyanatz become the next Chair of the CPOAB. The motion was seconded by

Vice-Chair Wymark. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

c. Election of Vice-Chair

1. Aaron Calderon was nominated by Chair Bolyanatz, and Aaron Calderon nominated himself for Vice-Chair of the board.
2. Member Wymark nominated member Budanauro for Vice-Chair.
3. **Motion.** A motion by Chair Bolyanatz to retain Vice-Chair Calderon and Member Wymark on the Policy and Procedure Review Subcommittee. The motion was seconded by Vice-Chair Calderon. The motion was carried unanimously by the following vote:

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

d. Committee Assignments

1. **Motion.** A motion by Chair Bolyanatz to keep Vice-Chair Calderon and Member Wymark on the Policy and Procedure Review Subcommittee. The motion was seconded by Vice-Chair Calderon. The motion was carried unanimously by the following vote:

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

e. Delegation of Board Member to APD Policy Development Committee

1. **Motion.** A motion by Chair Bolyanatz that Rowan Wymark will continue as the delegate and that the secondary back will be Vice-Chair Calderon. The motion was seconded by Vice-Chair Calderon. The motion was carried unanimously by the following vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

XIII. Other Business

- a. None.

XIV. Adjournment.

- a. **Motion.** A motion was made by Chair Bolyanatz to adjourn the meeting. The motion was seconded by member Wymark. The motion was carried by a unanimous vote.

For: 4 – Bolyanatz, Budanauro, Calderon, Wymark

- b. The meeting was adjourned at 9:15 p.m.

DRAFT