

# CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

Thursday, September 12, 2024 at 5:00 PM  
Vincent E. Griego Chambers

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

**Members Present:**

Aaron Calderon, Chair  
Zander Bolyanatz  
Gail Oliver

**Members Absent:**

Rowan Wymark,  
Vice-Chair (Excused)

**Others Present In-Person:**

Diane McDermott, CPOA  
Ali Abbasi, CPOA  
Katrina Sigala, CPOA  
Valerie Barela, CPOA  
Emily Selch, CPOA  
Kelly Mensah, CPC  
Robert Kidd, Independent Counsel  
Chris Sylvan, City Council  
David Lopez, Asst. City Attorney  
Cmdr. Scott Norris, APD  
Cmdr. Kenneth Johnston, APD  
Cmdr. Henry Landavazo, APD  
Lt. Troy Nicko, APD  
Jeffrey Bustamante, ACS  
Eduardo Budanauro, CPOAB Member  
Max Montoya, Complainant CPC 024-24

**Others Present via Zoom:**

Sharon Walton, Monitor Police Training  
Dr. Omotayo (Ty) Olubiyi, CCO  
Aja Brooks, DOJ

## **Minutes**

- I. Welcome, Call to Order and Roll Call.** Chair Calderon called to order the regular meeting of the Civilian Police Oversight Advisory Board at approximately 5:00 p.m., and a roll call of members present was taken. Zander Bolyanatz, Aaron Calderon and Gail Oliver were present. Chair Calderon announced Rowan Wymark was excused from the meeting, and the newly appointed Board Member Eduardo Budanauro was present to observe the board meeting.
- II. Pledge of Allegiance.** Chair Calderon led the Pledge of Allegiance

### III. Approval of the Agenda.

- a. **Motion.** A motion was made by Member Bolyanatz to approve the agenda as written. Member Oliver seconded the motion. The motion was carried by the following roll call vote:

**For: 3 – Calderon, Bolyanatz, Oliver**

### 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. August 8, 2024
  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 August 8, 2024.
  2. **Motion.** A motion was made by Member Bolyanatz to approve the minutes as written. Member Oliver seconded the motion. The motion was carried by the following roll call vote:

**For: 3 – Calderon, Bolyanatz, Oliver**

### V. Public Comments

- a. None.

### VI. Reports from City Departments:

- a. APD
  1. **Internal Affairs Professional Standards (IAPS)**– *Acting Commander Kenneth Johnston*
    - i. A document titled *APD Internal Affairs Professional Standards (IAPS) Division Monthly Report August 2024* was distributed to CPOA Board members electronically. (*See attached*)
    - ii. Acting Commander Kenneth Johnston reported on the number of IAPS cases open and closed for August 2024
  2. **Internal Affairs Force Division (IAFD)**– *Commander Scott Norris*
    - i. A document titled *APD Monthly Use of Force Report August 2024* was distributed to CPOA Board members electronically. (*See attached*)
    - ii. Commander Scott Norris highlighted the pertinent statistical information in the APD Monthly Use of Force Report for August 2024.

- b. ACS- *Jefferey Bustamante, Deputy Director***
1. ACS Deputy Director for Policy and Administration Jeffrey Bustamante gave a verbal report on the following:
    - ACS Calls for Service for July 2024
    - Promotion of Walter Adams to Deputy Director
    - Summer of Non-Violence Events
    - Records Management System
- c. City Attorney- *Lindsey Rosebrough, Managing Attorney***
1. APD Assistant City Attorney David Lopez verbally updated the Board on the Draft IMR-20 released to date.
- d. City Council- *Chris Sylvan, Council Services***
1. City Council Representative Chris Sylvan verbally reported the new CPOA Board Member Appointment status.
- e. CPC- *Kelly Mensah, CPC Liaison***
1. CPC Liaison Kelly Mensah gave a verbal report on the following:
    - CPC meeting attendees and topics discussed
    - CPC outreach efforts
    - CPC staff NACOLE attendance
    - CPC Juvenile Gun Violence efforts
- f. Mayor's Office- *Doug Small, Director of Public Affairs***
1. Director of Public Affairs from the Mayor's office gave a verbal on the following:
    - National Night Out
    - Mayor's State of City Address
    - Groundbreaking Rail Trailer
    - Downtown Tax Increment Financing (TIF)
    - City Hall in your Neighborhood
- g. CPOA- *Diane McDermott, Executive Director***
1. Executive Director Diane McDermott verbally reported on the following:
    - CPOA Complaints Received and Assignments
    - MOU between the CPOA Board and APOA related to the Use of Force materials
    - NACOLE
      - a. CPC 003-24 Non-concurrence memo. 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 gave a verbal synopsis of CPC 003-24 and noted that she disagreed with the non-concurrence finding.
- b. CPC 083-24 Non-concurrence memo. 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 gave a verbal synopsis of CPC 083-24 and noted that she disagreed with the non-concurrence finding.

**VII. Serious Use of Force Case:**

- a. APD Case #: 23-0016320 – *Zander Bolyanatz*
  - 1. Member Bolyanatz read aloud a summary of Serious Use of Force APD Case #23-0016320.
  - 2. Chair Calderon facilitated Board member feedback on the SUOF Case
  - 3. #23-0016320.
  - 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 23-0016320. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

- b. APD Case #: 23-0022423 – *Gail Oliver*
  - 1. Member Oliver read aloud a summary of Serious Use of Force APD Case #23-0022423.
  - 2. Chair Calderon facilitated Board member feedback on the SUOF Case
  - 3. #23-0022423.
  - 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 23-0022423. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

- c. APD Case #: 23-0023684 – *Rowan Wymark*
  - 1. Chair Calderon read aloud a summary of Serious Use of Force APD Case #23-0023684.
  - 2. Chair Calderon facilitated Board member feedback on the SUOF Case
  - 3. #23-0023684.
  - 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 23-0023684. The motion was

seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

- d. APD Case #: 23-0030725 – *Aaron Calderon*
  1. Chair Calderon read aloud a summary of Serious Use of Force APD Case #23-0030725.
  2. Chair Calderon facilitated Board member feedback on the SUOF Case
  3. #23-0030725.
  4. CPOA Executive Director McDermott provided her assessment of SUOF Case #23-0030725.
  5. **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 23-0030725. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

**VIII. Officer-Involved Shooting Case:**

- a. No Officer-Involved Shooting Case(s) were reviewed.
- b. Chair Calderon noted that review of Officer-Involved Shooting Cases (s) will resume next month.
- c.

**IX. Appeal.** Copies of the Civilian Police Oversight Advisory Board appeal finding letters to the citizens are located on our website here: <http://www.cabq.gov/cpoa/findings-letters/civilian-complaints-pob-findings>

- a. **CPC 024-24**
  - i. Hearing on CPC #024-24
    1. Independent Counsel Robert Kidd read the rules and procedures the Board will follow during the Hearing process.
    2. Complainant Max Montoya was provided 15 minutes to present his case. Max Montoya utilized 12 minutes to present his case. Ms. Teresa Millner was provided the remaining 3 minutes to speak.
    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 #107-23. The motion was seconded by Member Newton. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

**\*\*\*Closed session discussions on administrative adjudicatory proceedings for CPC #024-24 began at 6:24 p.m., and the meeting reconvened at 7:15 p.m.\*\*\***

2. **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: 3 – Bolyanatz, Calderon, Oliver**

3. **Motion.** A motion was made by Chair Calderon that the Board approve and uphold the findings of the Civilian Police Oversight Agency Director. Member Bolyanatz seconded the motion. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

**\*\*\* A Dinner Break began at 6:42 p.m., and the meeting convened at 7:17 p.m. \*\*\***

**X. CPOA Board's Review of Garrity Materials:**

- a. None.

**XI. Meeting with Counsel re: Pending Litigation or Personnel Issues: [Standing Item]**

**a. Discussion and Possible Action re:**

1. CLOSED SESSION pursuant to Section 10-15-1(H)(7), NMSA 1978, excluding meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant from the requirements of the NM Open Meetings Act.
  - i. None.

**XII. Reports from CPOAB Subcommittees:**

**a. Policy and Procedure Review Subcommittee – Gail Oliver**

1. Met: September 6, 2024 at 9:30 a.m.
2. Update on APD Policy Meetings
3. The Next Meeting is October 3, 2024, at 3 p.m.
  - i. Chair of the Policy and Procedure Review Subcommittee Oliver gave a verbal report.

**a. Ad Hoc Rules Subcommittee – Zander Bolyanatz**

1. Update on Ad Hoc Rules Committee meeting
2. Next meeting TBD
  - i. Member Bolyanatz gave a verbal report on the Board's draft of the proposed Policies and Procedures status and possible future Ad Hoc Subcommittee meetings.

**XIII. Discussion and Possible Action:**

**a. Proposed CPOAB Policies and Procedures**

1. Public Comment
  - A. None.
2. Approval to forward to City Council
  - A. **Motion.** A motion by Member Bolyanatz to vote on the CPOA Board Policy and Procedures to send them to the City Council for Review and approval. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

**b. APD Policy**

**1. Recommendation(s)**

- A. SOP 1-83 Real Time Crime Center (RTCC)
- B. SOP 1-95 (Formerly 6-3) Metro Traffic Division
- C. SOP 1-2 (Formerly 1-44) Social Media
- D. SOP 2-6 (Formerly 2-56) Use of Emergency Warning Equipment
- E. SOP 3-46 (Formerly 1-09) Discipline System
- F. SOP 2-16 Reports
  - i. Emily Selch, CPOA Data Analyst, presented the CPOA's recommendations for SOP 1-83, SOP 1-95, SOP 1-2, SOP 2-6, SOP 3-46, and SOP 2-16. *(See attached)*
  - ii. **Motion.** A motion by Chair Calderon to approve the recommendations for SOP 1-83, SOP 1-95, SOP 1-2, SOP 2-6, SOP 3-46, and SOP 2-16. The motion was seconded by Member Bolyanatz. The Motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

**2. No Recommendation(s)**

- A. SOP 3-31 Physical Fitness Assessment
- B. SOP 1-34 (Formerly 4-5) Crime Prevention Unit
  - i. There were no recommendations for SOP 3-31 and SOP 1-34.
  - ii. **Motion. Motion.** A motion by Chair Calderon to approve no recommendations for SOP 3-31, and SOP 1-34.

**For: 3 – Bolyanatz, Calderon, Oliver**

**c. APD Policy (Off-cycle)**

1. SOP 3-21 Scheduled and Unscheduled Leave
2. SOP 3-43 Relief of Duty
3. SOP 2-46 Response to Traffic Crashes
  - i. Emily Selch, CPOA Data Analyst, presented the CPOA's recommendations for Off-cycle SOP 3-21, SOP 3-43 and SOP 2-46.
  - ii. **Motion.** A motion by Chair Calderon to approve the recommendations for Off-cycle Policies SOP 3-21, SOP 3-43, and SOP 2-46. The motion was seconded by Member Bolyanatz. The Motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

**d. Officer-Involved Shooting (OIS) Materials**

1. The Board and Executive Director McDermott discussed redacting materials for the CPOA Board officer-involved shooting reviews and potentially streamlining the process.
2. The CPOA Board agreed to *continue* receiving the following materials for review:
  - Incident CAD
  - Photos
  - All field reports from primary officers involved
  - All IAFD Reviews
  - Internal communication emails
  - ShotSpotter results
3. The CPOA Board agreed to *discontinue* receiving the following materials for review:
  - Crime Scene Specialist CAD
  - Any other CADs
  - All filed reports
  - Supplementary perimeter reports
  - Any certifications
  - Transcripts
4. Executive Director McDermott will submit an interoffice memo to APD advising of streamlining the Board review materials.

**XIV. Other Business**

- a. Member Bolyanatz inquired into potentially receiving statistical data points for APD ShotSpotter.



**XV. Adjournment.**

- a. Motion.** A motion was made by Chair Calderon to adjourn the meeting. Member Bolyanatz seconded the motion. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Oliver**

- b.** The meeting was adjourned at 7:54 p.m.

DRAFT

APPROVED:

\_\_\_\_\_  
Aaron Calderon, Chair  
Civilian Police Oversight Advisory Board

\_\_\_\_\_  
Date

CC: Isaac Padilla, City Council Staff  
Ethan Watson, City Clerk  
Dan Lewis, City Council President (via email)

Minutes drafted and submitted by:  
Valerie Barela, Administrative Assistant

DRAFT

Attachments

DRAFT



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD  
PUBLIC COMMENT  
SIGN-IN SHEET

Thursday, September 12, 2024

NAME (PLEASE PRINT)

1. _____	11. _____
2. _____	12. _____
3. _____	13. _____
4. _____	14. _____
5. _____	15. _____
6. _____	16. _____
7. _____	17. _____
8. _____	18. _____
9. _____	19. _____
10. _____	20. _____

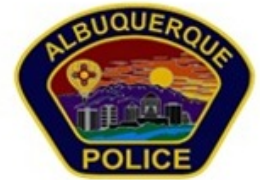
# **Albuquerque Police Department Monthly Use of Force Report August 2024**



**Prepared by:**

**Data Analytics Unit  
September 6, 2024**

Note: This report presents preliminary information from departmental data. All figures in this report are subject to change as additional information becomes available.



# Total Use of Force Events - August 2024

This report provides a monthly overview of use of force events involving Albuquerque Police Department (APD) personnel. APD is committed to using force to achieve lawful objectives in instances where use of force is objectively reasonable, necessary, minimal, and proportional given the totality of circumstances (see SOP 2-52: Use of Force – General). When force is not consistent with these standards of conduct (SOP 2-52: Use of Force-General), APD takes corrective actions which may include discipline.

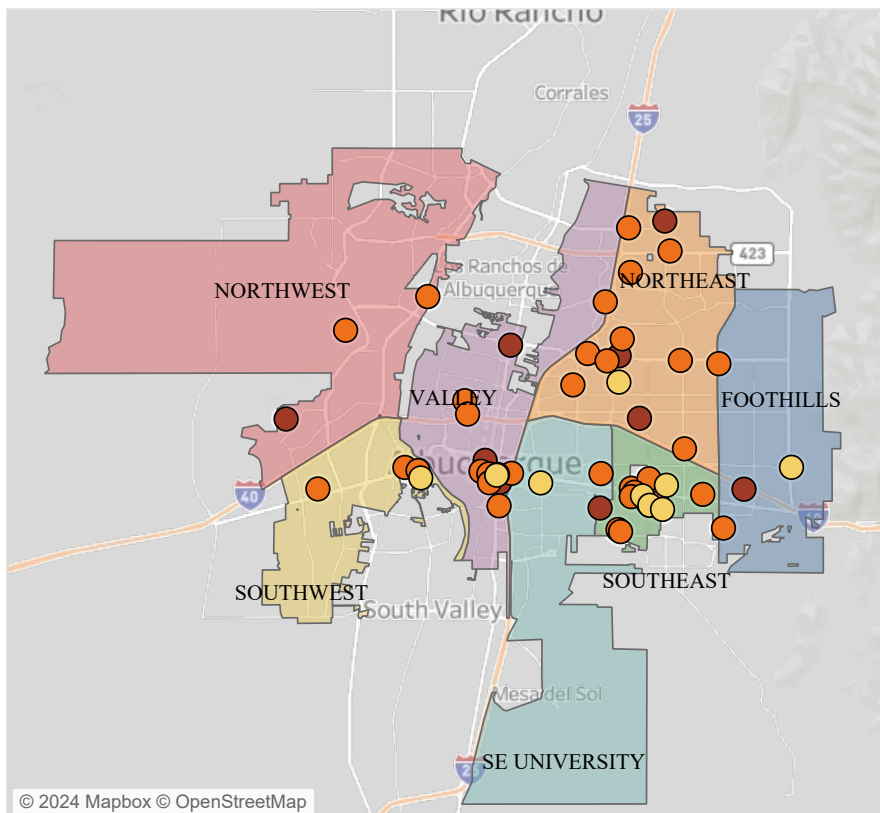
APD's jurisdiction includes the City of Albuquerque which is divided into six Area Commands. In the map below, Southeast Area Command is split into "SE University" and "Southeast". University Area Command is a Pilot Area Command and their force cases are combined with Southeast Area Command in this report.

Force is categorized into three levels based on APD policy. For more information on APD's Standard Operating Procedures, see: <https://public.powerdms.com/COA>

## Total Use of Force Cases by Area Command and Level of Force

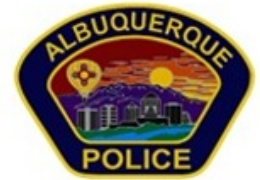
	Force Level			Grand Total
	Level 1	Level 2	Level 3	
Foothills	1	1	1	3
Northeast	1	11	3	15
Northwest	0	2	1	3
Southeast	5	11	2	18
Southwest	1	3	0	4
Valley	1	10	3	14
<b>Grand Total</b>	<b>9</b>	<b>38</b>	<b>10</b>	<b>57</b>

## Locations of Use of Force Cases



- Force Level
- Level 1
- Level 2
- Level 3

Note: Most force investigations in this report are open investigations since it reflects the previous month of data. As such, figures in this report are preliminary and subject to change as use of force investigations progress.



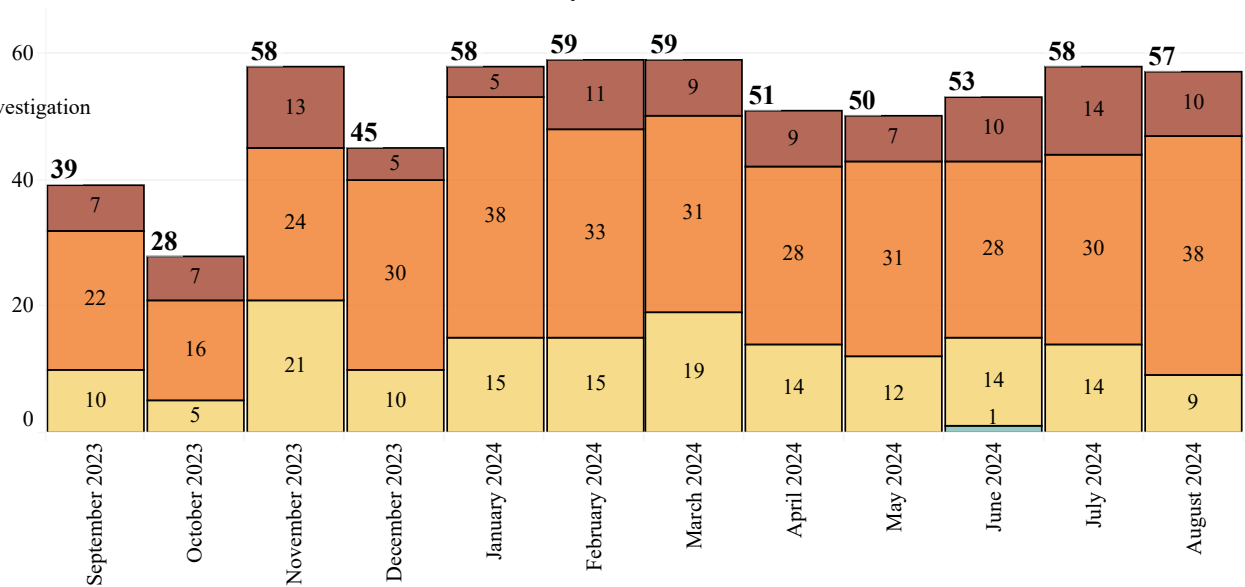
## Use of Force Totals by Month - Past 12 Months

APD tracks use of force data over time to examine trends in use of force. For annual trends, see APD's Annual Use of Force Reports. This page reports monthly totals of all use of force for APD.

### Force Level

- Level 3
- Level 2
- Level 1
- Pending Investigation

**Total Uses of Force by Month and Level of Force**



**Total Uses of Force by Month and Area Command**

		September 2023	October 2023	November 2023	December 2023	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024	July 2024	August 2024	Grand Total
Foothills	Level 1	2	2	4	2	2	0	3	1	2	3	1	1	23
	Level 2	6	1	3	2	3	2	2	2	2	2	5	1	31
	Level 3	0	1	1	1	1	0	1	2	0	0	0	1	9
Northeast	Level 1	1	1	8	2	2	5	4	2	1	1	2	1	30
	Level 2	2	2	3	4	7	7	4	2	3	6	3	11	54
	Level 3	1	1	2	1	1	2	3	2	1	2	1	3	20
Northwest	Level 1	1	0	0	0	1	1	1	0	0	1	2	0	7
	Level 2	1	1	0	0	3	3	6	3	3	2	2	2	26
	Level 3	1	3	2	0	0	2	2	1	0	1	0	1	13
Southeast	Null	0	0	0	0	0	0	0	0	0	1	0	0	1
	Level 1	3	1	4	2	7	6	5	3	5	6	4	5	51
	Level 2	5	7	11	13	15	13	10	10	13	6	11	11	125
	Level 3	1	1	4	2	1	4	1	1	2	1	2	2	22
Southwest	Level 1	1	1	1	3	2	1	1	2	0	1	1	1	15
	Level 2	2	2	2	3	8	5	4	6	7	5	1	3	48
	Level 3	0	0	2	0	0	0	2	0	2	3	3	0	12
Valley	Level 1	2	0	4	1	1	2	5	4	3	2	4	1	29
	Level 2	6	3	5	9	3	3	5	6	2	7	8	10	67
	Level 3	4	1	3	1	2	3	1	2	2	3	6	3	31
Out of Area	Level 1	0	0	1	0	0	0	0	2	1	0	0	0	4
	Level 2	0	0	0	0	0	0	0	0	2	0	0	0	2
	Level 3	0	0	1	0	0	0	1	1	0	0	1	0	4
<b>Grand Total</b>		<b>39</b>	<b>28</b>	<b>58</b>	<b>45</b>	<b>58</b>	<b>59</b>	<b>59</b>	<b>51</b>	<b>50</b>	<b>53</b>	<b>58</b>	<b>57</b>	<b>615</b>



# Use of Force Benchmarked Against Calls For Service and Arrests - August 2024

Officers are required to only use force when necessary to achieve a lawful objective. When officers have more contacts with individuals, it is likely that there will be more uses of force. To control for factors that may contribute to higher or lower uses of force in a given month, this page shows the number of uses of force relative to the number of calls for service and the number of arrests made. For a detailed discussion of the method used on this page, see APD's 2022 Annual Use of Force Report.

## Calls for Service

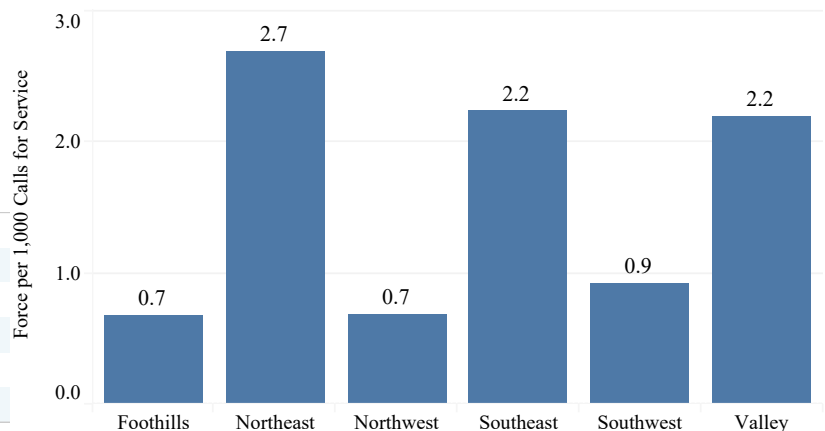
### Total Calls for Service for Area Commands

Excludes calls for service where contact with an individual was unlikely, see Annual Use of Force report for full methodology.

### CAD Calls by Area Command, August 2024

Area Command	Total Force Cases	Total CAD Calls	Force per 1,000 Calls
Foothills	3	4,431	0.7
Northeast	15	5,587	2.7
Northwest	3	4,397	0.7
Southeast	18	8,034	2.2
Southwest	4	4,333	0.9
Valley	14	6,363	2.2

### Force Rate per 1,000 Calls For Service



## Arrests

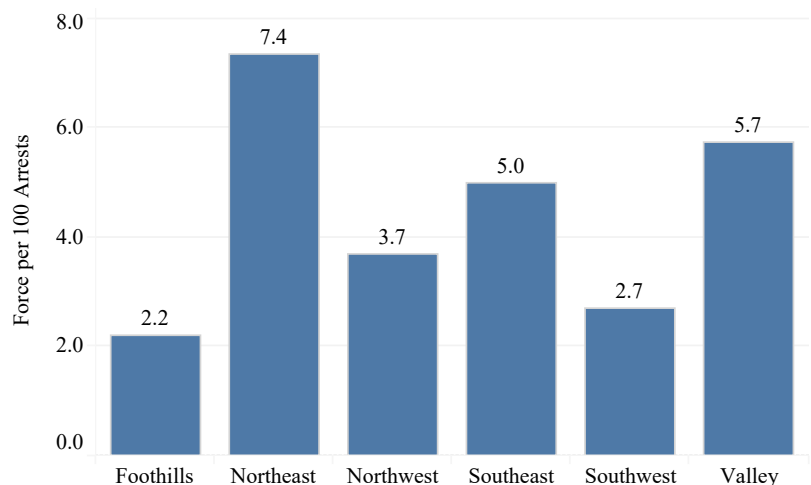
### Total Arrests for Area Commands

Arrests include custodial arrests and summonses. Arrest data is thru August 20, 2024.

### Force per Arrest by Area Command, August 2024

Area Command	Total Force	Total Arrests	Force Per 100 Arrests
Foothills	3	136	2.2
Northeast	15	204	7.4
Northwest	3	81	3.7
Southeast	18	361	5.0
Southwest	4	148	2.7
Valley	14	244	5.7
Out of Area	0	7	0.0

### Force Rate per 100 Arrests



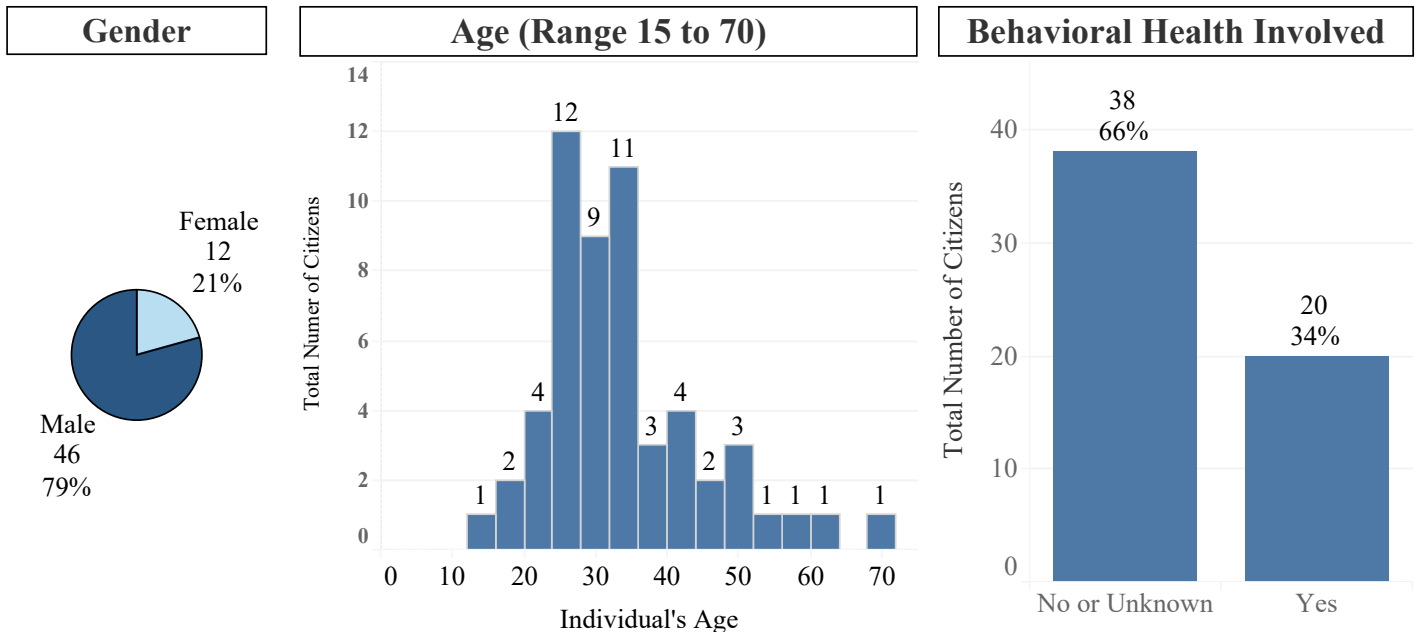




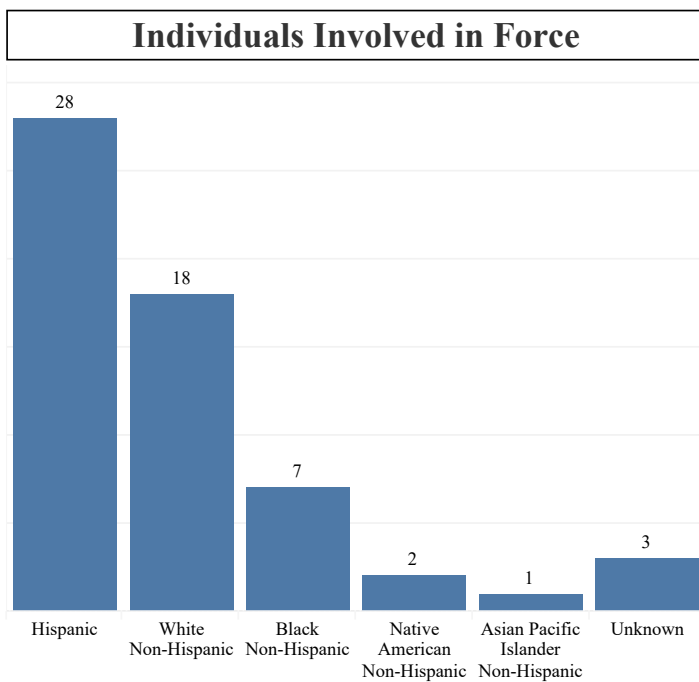
# Demographics of Individuals Involved in Force - August 2024

APD records information about individuals involved in use of force incidents. Citizen information is based on what the individual reported or, if not reported by the individual, on the investigators observations on scene and through review of body-worn camera video. Information may change as investigations progress.

Note: Totals on different characteristics may differ due to missing values being excluded.



## Race and Ethnicity



### Force Rate per 100 Arrests, August 2024

Race/Ethnicity	Total Force	Total Arrests	Force Rate per 100 Arrests
Hispanic	28	501	5.6
White Non-Hispanic	18	411	4.4
Black Non-Hispanic	7	93	7.5
Native American Non-Hispanic	2	110	1.8
Asian Pacific Islander Non-Hispanic	1	8	12.5
Unknown	3	86	3.5

Note: This table is a count of total sum of force, not a count by individuals. Arrest data is thru August 20, 2024.



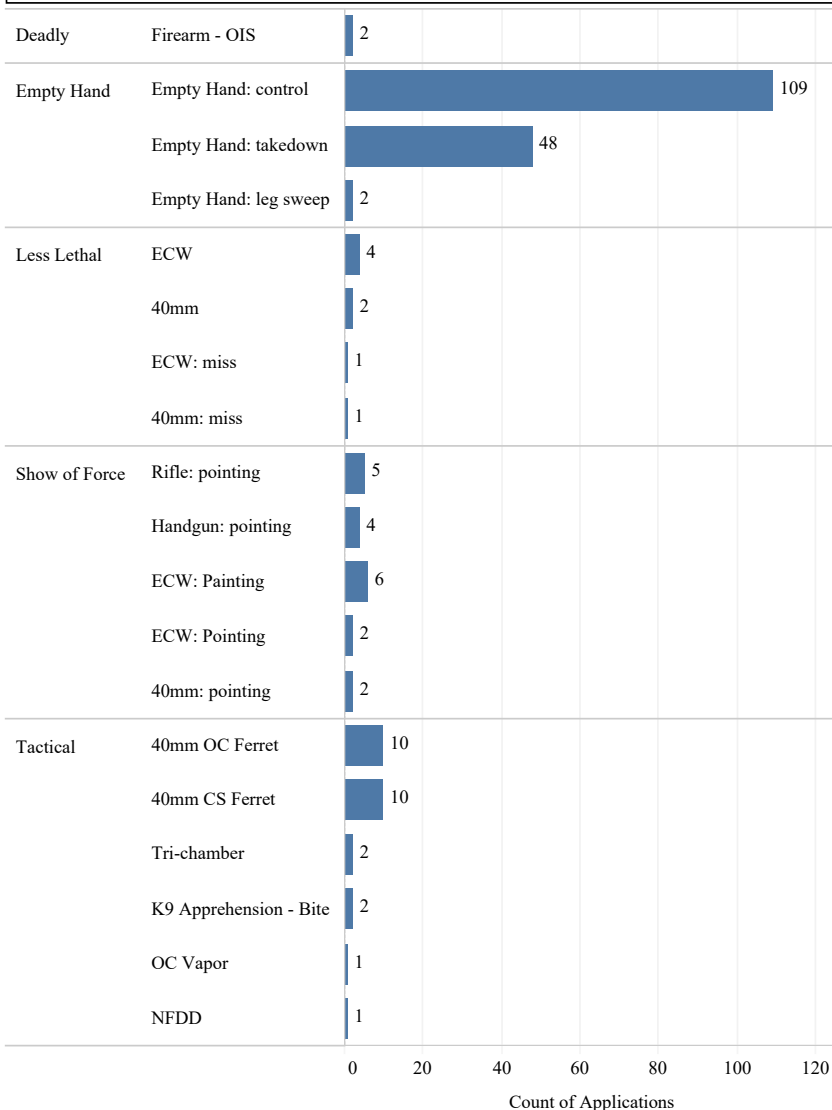
# Final Call Types and Types of Force Used - August 2024

Officers are dispatched to calls for service and the original and final type of call for service are tracked. The table on the right shows the final call types for all calls involving force during the month.

Below, the total number of force applications for each type of force is shown. In any single force case, multiple officers are usually involved and each time a force technique is used, it is counted. For instance, if three officers were involved in a takedown technique with one person, that would be counted as three applications of an "Empty Hand: takedown".

Final Call Types Associated with Force Events	
Aggravated Assault/Battery	4
Behavioral Health	2
Burglary Committed	2
Burglary Residence	1
Contact	1
Disturbance	6
Drunk Driver	3
Family Dispute	13
Neighbor Trouble	1
Onsite Suspicious Person/Vehicle	10
Shooting	1
Shoplifting	1
Suicide	1
Suspicious Person/Vehicle	2
SWAT	2
Theft/Fraud/Embezzlement	1
Traffic Stop	2
Wanted Person	4
<b>Grand Total</b>	<b>57</b>

**Total Force Applications for Each Type of Force Used**



During August 2024, there were 57 Force Cases with a total of 214 Force Applications.



## Completed Force Investigations - August 2024

APD has two processes for force investigations based on the level of force. Level 1 force is investigated by the Level 1 force investigation unit. The Level 1 unit is required to complete investigations within 24 days (if all extensions are requested and approved).

Level 2 and Level 3 force are investigated by the Internal Affairs Force Division (IAFD). IAFD also investigated any Level 1 force where a Lieutenant or above was involved or Level 1 force if another person at the same event had a higher level of force used. These investigations must be completed within 90-days. All force investigations are investigated to determine whether the actions of the officer(s) involved were consistent with department policy.

Level 1 Unit		IAFD (Level 2 and Level 3)	
Total Completed Investigations		Total Completed Investigations	
9		40	
Average Days to Completion		Average Days to Completion	
13.0		87.3	
Minimum Days to Completion	Maximum Days to Completion	Minimum Days to Completion	Maximum Days to Completion
11	16	80	90

### All Force Cases

APD strives to only use force that is objectively reasonable, necessary to achieve lawful objectives, and proportional to the resistance from the individual involved, and minimal based on the totality of the circumstances. APD uses a preponderance of evidence standard to determine whether the force met policy requirements. After investigation, force is deemed in policy when every force technique is used correctly and was found to be reasonable, necessary, proportional, and minimal as defined in SOP 2-52: Use of Force - General. If any officer's force techniques used were determined to be out of policy, the entire force case or interaction is considered to be out of policy.

Dispositions of Force Investigations Completed in August 2024

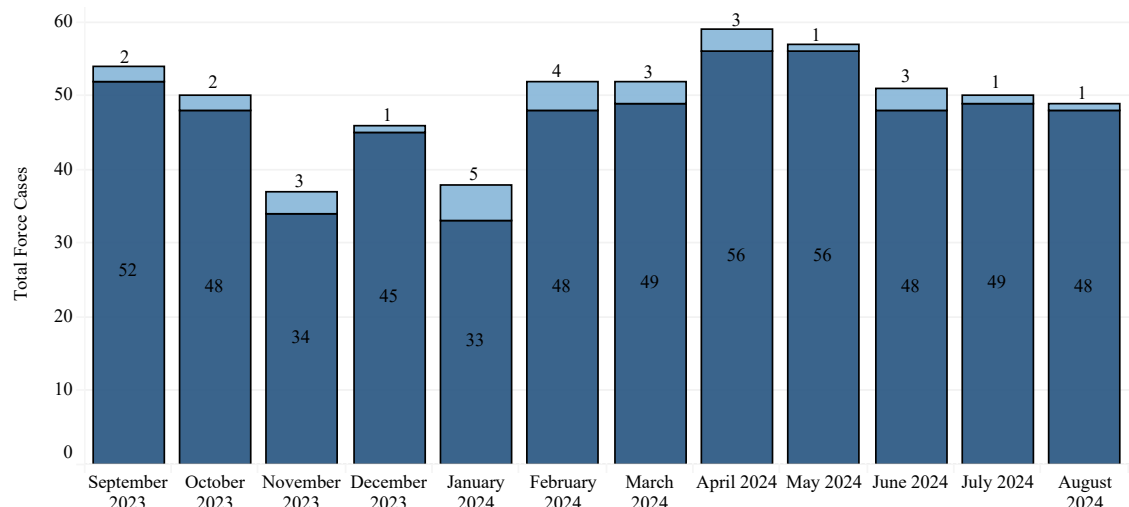
	Total Force Cases
In Policy	48
Out of Policy	1
Grand Total	49

Case Disposition  
■ Out of Policy  
■ In Policy

Out of Policy Force Cases by Area Command

Southwest	1
Grand Total	1

### Policy Outcomes Prior 12 Months





**ALBUQUERQUE POLICE DEPARTMENT**  
**INTERNAL AFFAIRS PROFESSIONAL STANDARDS (IAPS)**  
**DIVISION MONTHLY REPORT**  
**August 2024**

**Prepared by:**

**Data Analytics Unit**  
**September 5, 2024**

Note: This report presents preliminary information from departmental data. All figures in this report are subject to change as additional information becomes available.

**INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION  
STATISTICAL DATA FOR THE MONTH OF  
August 2024**

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Internal Affairs Professional Standards (IAPS) is responsible for receiving and investigating allegations of misconduct made against Albuquerque Police Department employees. The IAPS Division ensures a thorough, impartial, and prompt investigation of allegations to implement transparent fact-finding processes and take corrective actions against the employees if the investigative findings are sustained. IAPS investigates cases according to SOP 1-62: Internal Affairs Professional Standards (IAPS) Division. For more information on APD's Standard Operating Procedures, see: <http://public.powerdms.com/COA>.

The purpose of this monthly report is to provide the City administration, APD executive staff, the City Council, Civilian Police Oversight Agency Board and the residents of Albuquerque with the outcomes pertaining to IAPS Investigations. This report provides details on the investigations opened, completed, & investigated by Area Commands, pending cases, and the average time taken (days) for case completion. However, this report excludes the misconduct cases that originate from force investigations, given that these are investigated by the Internal Affairs Force Division (IAFD). It also provides data on cases with Sustained/Sustained Violation Not Based on Original Complaint (SNBOOC) findings along with the discipline imposed. The report also includes information pertaining to the SOPs that were reviewed in completed investigations during the month of August 2024.

**Total Cases Opened**

109

Investigations opened by the Internal Affairs Professional Standards during August 2024

**Total Cases Completed**

120

Investigations completed by the Internal Affairs Professional Standards during August 2024

**Cases Opened**

[By Area Commands]

62

Investigations opened by Internal Affairs Professional Standards and referred to the Area Commands

**Completed Cases**

[By Area Commands]

55

Investigations completed by the Area Commands

**Pending Cases**

99

Investigations opened during August 2024 and are not yet completed

**Average Days to Completion**

87

Average days to completion for investigations completed during August 2024

Completed Cases with Sustained/SNBOOC Findings

Total Cases: 83  
69% of the total completed investigations



**Discipline Imposed for Investigations Completed in August 2024 (Sustained/SNBOOC Findings)**

Files	Directives/SOPs	Discipline Imposed
I2023...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2023...	2.56. Use of Force: Reporting by Department Personnel	Written Reprimand
	2.56. Use of Force: Reporting by Department Personnel	Written Reprimand
	2.56. Use of Force: Reporting by Department Personnel	Written Reprimand
	2.68. Interviews and Interrogations	Written Reprimand
	1.1. Personnel Code of Conduct	Written Reprimand
I2024...	2.5. Department Vehicle	Suspension
I2024...	2.57. Use of Force: Review and Investigation by Department Personnel	Suspension
I2024...	1.1. Personnel Code of Conduct	Written Reprimand
I2024...	2.5. Department Vehicle	Suspension
I2024...	2.8. Use of on-Body Recording Devices	Suspension
	2.8. Use of on-Body Recording Devices	Written Reprimand
	2.82. Restraints and Transportation of Individuals	Suspension
	2.82. Restraints and Transportation of Individuals	Written Reprimand
	1.26. Special Victims Section	Written Reprimand
I2024...	2.31. Emergency Medical and Trauma Services	Suspension
	2.31. Emergency Medical and Trauma Services	Letter of Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	1.1. Personnel Code of Conduct	Suspension
	1.1. Personnel Code of Conduct	Suspension
I2024...	2.8. Use of on-Body Recording Devices	NDCA
I2024...	2.56. Use of Force: Reporting by Department Personnel	NDCA
	2.56. Use of Force: Reporting by Department Personnel	Written Reprimand
	3.41. Complaints Involving Department Personnel	Written Reprimand
	2.82. Restraints and Transportation of Individuals	Written Reprimand
	2.82. Restraints and Transportation of Individuals	Written Reprimand
I2024...	3.30. Line Inspection Process	Suspension
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
	3.41. Complaints Involving Department Personnel	Written Reprimand
I2024...	2.83. Hospital Procedures and Rules	Written Reprimand
	2.8. Use of on-Body Recording Devices	Written Reprimand
	3.41. Complaints Involving Department Personnel	Written Reprimand
I2024...	3.41. Complaints Involving Department Personnel	Verbal Reprimand
	2.56. Use of Force: Reporting by Department Personnel	Written Reprimand
I2024...	1.1. Personnel Code of Conduct	Written Reprimand
	1.1. Personnel Code of Conduct	Written Reprimand
I2024...	1.1. Personnel Code of Conduct	Written Reprimand
I2024...	1.1. Personnel Code of Conduct	Written Reprimand



**Discipline Imposed for Investigations Completed in August 2024 (Sustained/SNBOOC Findings)**

<b>Files</b>	<b>Directives/SOPs</b>	<b>Discipline Imposed</b>
I2024...	2.76. Court	Suspension
I2024...	3.41. Complaints Involving Department Personnel	Letter of Reprimand
I2024...	2.8. Use of on-Body Recording Devices	NDCA
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.5. Department Vehicle	Suspension
I2024...	2.82. Restraints and Transportation of Individuals	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	2.6. Use of Emergency Warning Equipment	Suspension
	1.1. Personnel Code of Conduct	Suspension
I2024...	2.3. Firearms and Ammunition Authoriaztion	Written Reprimand
I2024...	1.62. Internal Affairs Professional Standards (IAPS Division)	NDCA
I2024...	3.30. Line Inspection Process	Suspension
I2024...	1.1. Personnel Code of Conduct	Suspension
	1.1. Personnel Code of Conduct	Suspension
	1.1. Personnel Code of Conduct	Suspension
I2024...	1.1. Personnel Code of Conduct	Suspension
I2024...	1.1. Personnel Code of Conduct	Suspension
I2024...	3.41. Complaints Involving Department Personnel	Written Reprimand
	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	1.1. Personnel Code of Conduct	Suspension
	1.1. Personnel Code of Conduct	Terminated
	3.41. Complaints Involving Department Personnel	Terminated
I2024...	2.76. Court	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2024...	2.76. Court	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	1.1. Personnel Code of Conduct	Verbal Reprimand
I2024...	1.1. Personnel Code of Conduct	Terminated
I2024...	1.1. Personnel Code of Conduct	Verbal Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	3.30. Line Inspection Process	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	3.32. Performance Evaluations	Verbal Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2024...	2.8. Use of on-Body Recording Devices	NDCA
I2024...	2.57. Use of Force: Review and Investigation by Department Personnel	Verbal Reprimand



**Discipline Imposed for Investigations Completed in August 2024 (Sustained/SNBOOC Findings)**

<b>Files</b>	<b>Directives/SOPs</b>	<b>Discipline Imposed</b>
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	1.1. Personnel Code of Conduct	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.16. Reports	NDCA
I2024...	2.16. Reports	NDCA
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	1.1. Personnel Code of Conduct	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.16. Reports	Verbal Reprimand
I2024...	2.16. Reports	Verbal Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.76. Court	Written Reprimand
I2024...	2.76. Court	Written Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.76. Court	Verbal Reprimand
I2024...	2.76. Court	Verbal Reprimand

**TOP 5 Standard Operating Procedures with Sustained/SNBOOC Findings during August 2024**

<b>Directives/SOPs</b>	<b>Count</b>
2.8. Use of on-Body Recording Devices	35
1.1. Personnel Code of Conduct	21
2.76. Court	14
3.41. Complaints Involving Department Personnel	7
2.56. Use of Force: Reporting by Department Personnel	6





**Standard Operating Procedures reviewed in completed investigations during August 2024**

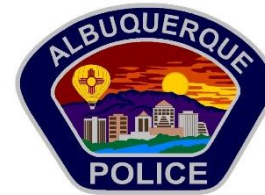
<b>Directives/SOPs</b>	<b>Count</b>
1.1. Personnel Code of Conduct	51
2.8. Use of on-Body Recording Devices	39
2.76. Court	23
2.56. Use of Force: Reporting by Department Personnel	15
3.41. Complaints Involving Department Personnel	11
2.71. Search and Seizure Without a Warrant	8
2.57. Use of Force: Review and Investigation by Department Personnel	7
2.16. Reports	5
2.60. Preliminary and Follow-Up Criminal Investigations	5
2.82. Restraints and Transportation of Individuals	5
2.5. Department Vehicle	3
2.52. Use of Force: General	3
3.14. Supervision	3
3.30. Line Inspection Process	3
2.31. Emergency Medical and Trauma Services	2
2.6. Use of Emergency Warning Equipment	2
1.26. Special Victims Section	1
1.62. Internal Affairs Professional Standards (IAPS Division)	1
2.1. Uniforms	1
2.100. Emergency Communications Center (ECC) Division	1
2.3. Firearms and Ammunition Authorization	1
2.68. Interviews and Interrogations	1
2.7. Damage to Civilian Property	1
2.78. Domestic Violence	1
2.83. Hospital Procedures and Rules	1
3.32. Performance Evaluations	1



**Timothy M. Keller**  
Mayor

# City of Albuquerque

## Albuquerque Police Department



**Eric J. Garcia**  
Superintendent of Police Reform

August 19, 2024

### Interoffice Memorandum

---

**To:** Diane McDermott, Executive Director, CPOA

**From:** Jimmy Collins, Major, Office of the Superintendent

**Subject:** Non-Concurrence of Finding re: CPC-3-2024

This memorandum serves to convey the articulation for APD’s points of non-concurrence in the above captioned administrative investigation conducted by the Civilian Police Oversight Agency.

Policy	CPOA Finding	APD Finding
2-8-5-D	Sustained	Exonerated

**Rationale for non-concurrence of action for 2-8-5-D:**

I reviewed Officer S's CPOA interview where he told the investigator he did speak with the driver a second time to give her the report information. The investigator told Officer S that he could not locate the OBRD for that contact and asked if Officer S had it to send it to him. However, Officer H stated in his interview that he (Officer H) was the one who provided the report numbers to both drivers. This statement is supported by Officer H's OBRD footage. Although Officer S did tell the investigator he spoke with the driver a second time, he corrected his statement during the PDH and told me that he did not provide the report numbers to the drivers, which again is supported by the objective OBRD evidence. There is no other evidence that shows Officer S had any contact with any other non-APD personnel after his initial contact with the driver of the jeep and the original complainant failed to cooperate with the CPOA investigation. Also, there is no evidence to resolve the discrepancy regarding who contacted the tow-truck driver. Officer S said it was Officer H and Officer H said it was Officer S and Officer Sk (third officer on-scene) did not have any direct observation of who contacted the tow-truck driver.

Regarding the language of this policy as it refers to "not deactivating the OBRD until all intended contact with the individual(s) is terminated" was intended to ensure the interactions between the officers and the public were captured completely. In other words, the Department wanted to ensure officers were not deactivating their OBRD's until the officer was finished speaking with that person and that intended contact was complete. It was not the intent to require officers to continually record if they were not in contact with a member of the public because if another need to contact should arise, the officer could simply reactivate their OBRD. The OBRD policy is currently undergoing additional revision to clarify some of the language and definitions in an attempt to avoid confusion in the future.

**Conclusion:**

I have concluded Officer S should be exonerated where by a preponderance of the evidence the conduct did occur (shutting off his OBRD while in his police with no contact of community members) but did not violate policy.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Collins', with a long horizontal stroke extending to the right.

Major Jimmy Collins,  
Deputy Superintendent of Reform  
Albuquerque Police Department

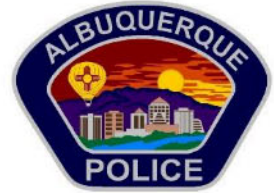
Cc: Eric Garcia, Superintendent of Police Reform



**Timothy M. Keller**  
Mayor

# City of Albuquerque

## Albuquerque Police Department



**Eric J. Garcia**  
Superintendent of Police Reform

**August 30, 2024**

### **Interoffice Memorandum**

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**To:** Diane McDermott, Executive Director, CPOA  
**From:** Jimmy Collins, Major, Office of the Superintendent  
**Subject:** Non-Concurrence of Finding re: CPC-83-2024

This memorandum serves to convey the articulation for APD’s points of non-concurrence in the above captioned administrative investigation conducted by the Civilian Police Oversight Agency.

Policy	CPOA Finding	APD Finding
1-1-5-C-3	Sustained	Exonerated

#### **Rationale for non-concurrence of action for 1-1-5-C-3:**

Commanders Waite and Landavazo conducted the Professional Integrity review and did not concur with the finding of sustained for this violation. Both commanders provided a detailed explanation as to why they did not agree with the CPOA in this matter and returned a finding of exonerated.

I reviewed the evidence presented in this investigation and I have concluded the conclusion reached by Commanders Waite and Landavazo was correct and reasonable.

Officer G conducted a lawful traffic stop.

Officer G observed the passenger in the back seat laying down and not wearing a seatbelt which was in violation of law. According to training, Officer G had the right to address this passenger violation.

Officer G did recognize the subject from previous encounters and although the subject failed to provide Officer G with proper identification, Officer G located his information in police databases and issued a summons.

CPOA considered Officer Gs' history of issuing or not issuing seatbelt violations in his past traffic stops. In my opinion and the opinions of Commanders Waite and Landavazo, this was irrelevant to this case as officers do retain some discretion on what citations to issue.

There was no evidence I identified that would satisfy the claim Officer G only took enforcement action based on his prior knowledge of the subject. As police officers, we know it is not out of the realm of possibility to contact subjects that we have contacted, cited, or arrested in the past.

**Conclusion:**

I also do not concur with the finding of the CPOA and recommend Officer G be exonerated and no action be taken against him.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Collins', written in a cursive style.

Major Jimmy Collins,  
Deputy Superintendent of Reform  
Albuquerque Police Department

Cc: Eric Garcia, Superintendent of Police Reform

# **Albuquerque Civilian Police Oversight Advisory Board Policies and Procedures**

## **Mission Statement**

Our mission is to foster trust and transparency between the community and law enforcement through active community engagement and strict compliance oversight. We are committed to ensuring that policing practices are fair, effective, and accountable to the people they serve.

## **ARTICLE I – PURPOSE**

- 1.1. Recognizing that a properly conceived and functioning police oversight system is necessary to promote accountability of police officers and protect the rights of citizens, the City Council adopted the Police Oversight Ordinance, § 9-4-1-1 to 9-4-1-14 (“Ordinance”).
- 1.2. Through the Police Oversight Ordinance, the City Council created the Civilian Police Oversight Agency (“CPOA”) as an independent agency of City Government, not part of either the City Administration or City Council, which consists of the Civilian Police Oversight Advisory Board (the “Board”) and an Administrative Office led by the CPOA Executive Director (the “Director or the “Executive Director”).
- 1.3. These policies and procedures set forth the structure of The Board and their procedural rules.

## **ARTICLE II – ORGANIZATION OF THE CIVILIAN POLICE OVERSIGHT ADVISORY BOARD**

### **1. Election of Chairperson and Vice-Chairperson:**

- 1.1. The Board shall elect one of its members as the Chairperson and one as the Vice-Chairperson.
- 1.2. No officer shall be eligible to immediately succeed himself or herself in the same office.
- 1.3. The Board shall select the Chairperson and Vice-Chairperson at the first meeting in the month of March of each calendar year or upon vacancy of an office to fill the remaining term.
- 1.4. The Chairperson and Vice-Chairperson shall serve at the pleasure of The Board until their successor(s) have been selected.

## **2. Attendance:**

2.1. Board members shall attend all meetings of The Board in person unless excused by the Chair. With advanced notice and approval from the Chair, remote participation can be offered and coordinated when feasible.

2.2. The following are the types of excused and unexcused absences:

### **2.2.1. Normal Excuse:**

2.2.1.1. A planned absence from the next scheduled board meeting or subcommittee, with notice given to the Board Chair, preferably at least seven calendar days in advance.

### **2.2.2. Emergency Excuse:**

2.2.2.1. An unplanned absence due to unforeseen circumstances which prevent the board member from attending with less than 24 hours' notice. Notice shall be given to the chairperson as soon as feasible for the chairperson to consider the absence excused. Written documentation may be requested in instances where the veracity of the claimed emergency is brought into question or in the case of chronic absenteeism from meetings.

### **2.2.3. Unexcused Absence:**

2.2.3.1. Less than 24 hours or no notice prior to the start of the meeting.

## **3. Conflicts of Interest: (this is very similar to another section below in the appeals process)**

3.1. A Board member must abstain from participating in any proceeding in which they have a direct or indirect conflict of interest. As per these Policies and Procedures, a "conflict of interest" encompasses any proceeding or official action in which the Board member possesses a direct personal financial stake, impacts a business in which the Board member has a financial interest, or involves personal opinions that could impede their ability to provide a fair and impartial hearing. Board members are encouraged to exercise caution and withdraw from any proceeding where there is even a perceived conflict of interest or appearance of impropriety. Board members may consult with the Executive Director or the Board's attorney to discuss any potential conflicts of interest. A Board member with a conflict of interest in a particular matter shall announce the conflict publicly and recuse themselves from participating either directly or indirectly in the matter.

## **4. Records:**

4.1. The Executive Director of the CPOA shall serve as the records custodian for the Civilian Police Oversight Agency and its Board unless the Executive Director designates another full-time employee to serve as the records custodian.

## **5. Removal of Members:**

- 5.1. Any Board member may be removed “for cause” (as that term is defined by City ordinance and these Policies and Procedures) by a two-thirds majority vote of the City Council. In addition to any other reasonable cause, any conduct inconsistent with the requirements and provisions of this article or a demonstrated inability to objectively adjudicate civilian police complaints shall constitute cause for removal.
- 5.2. The appointment of any member who has been absent and not excused from three consecutive regular or special meetings automatically terminates on the date of the third consecutive unexcused absence.
- 5.3. The appointment of any member who has not completed the training required by subparagraph (G)(2) of the CPOA ordinance automatically terminates if all initial training is not fully completed within an additional 30-day grace period from the expiration of the six-month deadline, or one-year deadline to complete the Civilian Police Academy. However, if any training is not completed because the training was not made available by the city, the 30-day grace period is extended to include the timeframe within which the training is offered and can be reasonably completed.
- 5.4. The appointment of any member who has not completed the training required by subparagraph (G)(3) of the CPOA ordinance automatically terminates if the eight hours of required ongoing training is not fully completed within an additional 30-day grace period of the anniversary date of the member's appointment. However, if any training is not completed because the training was not made available by the city, the 30-day grace period is extended to include the timeframe within which the training is offered and can be reasonably completed. The chair of the board will request a quarterly training report from the contract compliance officer to verify the board members' training compliance. The Contract Compliance Officer shall notify any member whose appointment has automatically terminated and shall, within five days, report to the City Council President that a vacancy exists requiring an appointment for the length of the unexpired term. The appointment of a new member to fill the resulting vacancy is subject to the timelines established by paragraph (E) of the police oversight ordinance.
- 5.5. The Contract Compliance Officer shall notify any member whose appointment has automatically terminated and shall report to the City Council President within five days that a vacancy exists requiring an appointment for the length of the unexpired term. The appointment of a new member to fill the resulting vacancy is subject to the timelines established by paragraph (E) of the police oversight ordinance.



## **6. Notice of Expiration of Board Term:**

- 6.1. The Director shall notify the President of the City Council of a forthcoming vacancy on the Board at least 60 days prior to the expiration of a Board member's term and within five days of the resignation of a Board member. The City Council shall act on an appointment to fill the vacancy within 60 days of the Council President's receipt of notice from the Director.

## **7. Powers and Duties of the Chairperson and Vice-Chairperson:**

### **The Chairperson/Vice-Chairperson shall:**

- 7.1. Call The Board to order and, upon a quorum being present, proceed to business.
- 7.2. Preserve order and decorum during Board meetings. If public comments delve into citizen complaints as specified in section 1.6, the chair shall advise the commenter of the restrictions at the beginning of the comment section of the agenda.
- 7.3. Be responsible for the preparation of the agenda. CPOA staff will assist the Chair in the dissemination of the agenda for the public notice for the meeting.
- 7.4. Make decisions on all orderly matters, keeping in mind that a board member may, by motion, appeal a decision of the Chair to the full Board.
- 7.5. Have the right to speak and participate, as other Board members do, about general questions and matters brought before the Board.
- 7.6. Vote upon all questions in the same manner as other Board members.
- 7.7. Request a roll-call vote from staff; request staff to announce the vote results.
- 7.8. Appoint Board members to all subcommittees, subject to the approval of The Board.
- 7.9. Sign all resolutions, letters, and official documents on behalf of The Board.
- 7.10. Upon receiving any formal messages or communications from the Mayor, City Council, or others, such messages or communications shall be shared with the Executive Director. If such communications impact on the Board's business, duties or activities, they shall be shared with the entire Board.
- 7.11. Refer any topic that is raised during a board meeting to an appropriate subcommittee or working group or table the matter to be considered at a future board meeting.
- 7.12. Designate one Board member to serve on each APD policy development committee at the first meeting in the month of March of each calendar year or upon vacancy of an office to fill the remaining term.
  - 7.12.1 The Board member designated by the Chair shall serve as a voting member and representative of The Board on such committees and shall report back to The Board about the outcomes and votes cast at the next regularly scheduled Board meeting.

- 7.13. Request a quarterly training report from the contract compliance officer to verify the board members' training compliance.
- 7.14. In the absence of the Chairperson, upon the Chairperson's inability to act, or upon request of the Chairperson, the Vice-Chairperson shall preside and shall have all the powers and authority of the Chairperson.
- 7.15. Manage the ride-along program for board members and serve as the point of contact between the Board and the ride-along program coordinator.
- 7.16. Serve as the point of contact for all board member requests of the CPOA/ APD/ or the City of Albuquerque. This is to ensure follow-up on inquiries and avoid multiple team members working on the same request.

## **8. Media Policy**

### **8.1. News/ Media Inquiries:**

- 8.1.1. All media inquiries will be funneled through the Chair and referred to the Executive Director or designee to create a plan for a response.

### **8.2. Social Media Personal Posts Policy:**

- 8.2.1. Be conscious when mixing your business and personal lives.
- 8.2.2. Social Media posts concerning Board matters may be a matter of public record.
- 8.2.3. Do not post anything on social media regarding a pending matter of the Board.
- 8.2.4. Social Media posts on Board matters may require the posting board member to recuse themselves from future matters.
- 8.2.5. Social Media posts, depending on the content, may form the basis for removal from the Board if the posting brings into question the posting member's or the Board's integrity or impartiality.
- 8.2.6. Clarify that your opinions are your own and not the official position of either the Board or the City of Albuquerque.
- 8.2.7. Exercise Good judgment in sharing only public information.
- 8.2.8. Be Aware that what you say is permanent.
- 8.2.9. When in doubt, do not post/ comment.

## ARTICLE III – PROCEDURES

### 1. General Rules:

1.1. Any matter not covered by these rules shall be governed by Roberts' Rules of Order (latest edition) or, if not covered by Roberts' Rules of Order, by a decision of the Chair, subject to the right of appeal by board members.

### 2. Amendment of Rules:

2.1. These rules, or any part thereof, may be amended or repealed by a vote of a quorum of the Board, in consultation with the CPOA Executive Director and upon final approval of the City of Albuquerque City Council.

### 3. Independent Counsel:

3.1. The CPOA shall retain or employ independent legal counsel on a contractual basis to advise and represent the CPOA and the CPOAB. The CPOA's legal counsel shall represent the CPOA and CPOAB in the courts and shall advise the CPOA and CPOAB as to any legal matters relating to the Police Oversight Ordinance and the CPOA's and CPOAB's duties, responsibilities, and procedures except for CPOA personnel matters, which shall remain under the authority of the City Attorney's Office.

### 4. Suspension of Rules:

- 4.1. These rules, or any part thereof, may be suspended by a vote of two-thirds of The Board members present.
- 4.2. When a rule is requested to be suspended and no objection is offered, the Chairperson announces that the rule is suspended, and The Board may proceed accordingly.
- 4.3. The following shall apply if fewer than five Board members are present:

Board Members Present	2/3 Vote
5	4
4	3
3	2

### 5. CPOA Executive and Deputy Director & Staff:

5.1. CPOA employees shall staff, coordinate, and provide technical support for all scheduled Board meetings and publicize all findings and reports, recommendations, and/or suggested policy changes. The Board may also consult with CPOA staff for relevant information that will aid the Board in its work.

## **6. Indemnification of CPOA Staff and Board.**

- 6.1. The City shall hold harmless, indemnify, and defend the Executive Director, CPOA staff, and Board members when liability is sought for conduct allegedly committed within the scope of the relevant individual's duties, responsibilities, and service to the CPOA. This shall include providing the impacted individual with legal representation, including, where appropriate, outside counsel.

## **7. Complaints**

- 7.1. While the Board itself cannot file complaints on behalf of the public, Board members can play a valuable role in informing the public about the proper channels for filing complaints. The Board's primary function is not to handle such complaints directly but to ensure clear processes are in place for public concerns to be addressed.
- 7.2. Board members who submit a personal complaint against APD to the CPOA must recuse themselves from all related actions. This includes reviewing, evaluating, discussing and voting on the complaint's resolution should it reach the Board.
- 7.3. The Executive Director shall make recommendations and give advice to The Board regarding APD policies and procedures as the Executive Director deems advisable.

## **8. Annual Review of Board Procedures:**

- 8.1. The Board, in consultation with the Director, shall review and update its policies, rules and procedures as appropriate to ensure that the Board effectively accomplishes its duties under this Article annually. Any policies, rules, and procedures shall be adopted in accordance with ROA 1994, Section 2-6-1-4(C)(2).
- 8.2. The Board shall present its proposed policies, rules, and procedures to the City Council for final approval. If the City Council determines that the Board's proposal fails to ensure the Board is effectively accomplishing its duties, the City Council may modify them as appropriate.
- 8.3. Annual updates to the Board's procedures will become effective only upon final approval of the City Council. Updates outside of its annual review will become effective only after a 2/3 affirmative vote of the membership of the Board and only upon final approval by the City Council, as submitted or as amended by the Council.

## ARTICLE IV – CONFIDENTIALITY & ACCESS TO INVESTIGATIONAL MATERIALS

### 1. Access to APD Documents:

- 1.1. APD shall provide Board members with reasonable access to APD premises, files, documents, reports, and other materials that are reasonably necessary for the board to perform its functions per the ordinance. However, any material protected from disclosure by law shall always remain within the custody and control of APD and will be handled in accordance with the applicable legal restrictions. Redacted personnel records, including those of the Internal Affairs Unit, shall be made available to the Board on demand.
  - 1.1.1. Information that is covered by *Garrity* will be treated as confidential to the extent permitted by law and may only be reviewed by members of the Board by application in writing and by majority vote of the Board.
    - 1.1.1.1. If the Board votes to review *Garrity* material, members of the Board may only *Garrity* material on APD property.
    - 1.1.1.2. The Board may not remove or make copies of such statements.
    - 1.1.1.3. If the Board desires to discuss the specific content of statements protected by *Garrity at a board meeting*, such discussion will occur only in closed session as permitted under the New Mexico Open Meetings Act, NMSA 1978, § 10-15-1(H)(2).
    - 1.1.1.4. The Board shall only summarize conclusions reached after a review of a *Garrity* statement but shall not disclose the statement.
- 1.2. The Board shall maintain the confidentiality of any *Garrity* material or records that are made confidential to the extent permitted by law and is subject to the same penalties as the custodian of those records for violating confidentiality requirements.
- 1.3. In addition to any other penalty, any Board member or other person who violates the confidentiality provisions of this section shall form a basis for removal from the Board by the City Council.
- 1.4. This provision shall apply to all aspects of the Board's work.

### 2. Administrative Subpoena:

- 2.1. If an administrative subpoena is sought:
- 2.2. The subpoena and notice to third parties must include a citation to this section and state that the recipient has the opportunity to challenge the subpoena to the Board or in the district court having jurisdiction.
- 2.3. The summoned person or entity or any person or entity that is the subject of subpoenaed records may petition the Board or the district court of the county where he or she resides to vacate or modify the administrative subpoena.

- 2.4. In the case of a refusal to obey a subpoena issued to any person, the Director may make application to the District Court in the state having jurisdiction, to order the witness to appear before the Board and to produce evidence if so ordered, or to give testimony touching on the matter in question.
- 2.5. Any summoned person may, at his or her own expense, be represented by legal counsel during all CPOA or Board proceedings.
- 2.6. The CPOA and Board shall not disclose any records obtained as a result of a subpoena that is protected or confidential by law, ordinance, policy, or the CASA.

**3. Confidentiality Agreement:**

- 3.1. Board members shall be required to sign an agreement upon appointment to the Board that will require them to protect all documents designated as confidential and not release such documents to any third party to the extent permitted by law.

**ARTICLE V – MEETINGS**

**1. Quorum:**

- 1.1. The majority of the Board shall constitute a quorum.
- 1.2. The following shall apply if fewer than five Board members are present:

Board Members Present	2/3 Vote
5	4
4	3
3	2

**2. Order of Business:**

- 2.1. The Board shall generally consider business in the following order including by not limited to:
  - 2.1.1. Welcome and Call to Order
  - 2.1.2. Pledge of Allegiance
  - 2.1.3. Approval of the Agenda
  - 2.1.4. Approval of Minutes
  - 2.1.5. Public Comments
  - 2.1.6. Reports from City Departments
  - 2.1.7. Force Review Cases
  - 2.1.8. Appeals
  - 2.1.9. CPOA Board’s Review of Garrity Materials
  - 2.1.10. Meeting with Counsel re: Pending Litigation or Personnel Issues:
  - 2.1.11. Reports from Subcommittees
  - 2.1.12. Discussion and Possible Actions
  - 2.1.13. Other Business

2.1.14. Adjournment

2.2. The Chairperson shall have the discretion to proceed out of order, to any order of business, or return to any prior order of business. The Chairperson will clearly announce when each business item is initiated.

**3. Decorum:**

3.1. Discussions should stay focused on the topic at hand. Board members and speakers should avoid personal attacks, side conversations, or interruptions that distract from the business being addressed.

3.2. The Chair may intervene (make a "point of order") if the discussion strays from the topic or lacks professionalism. The chair will then provide guidance to steer the conversation back on track.

**4. Early Departure:**

**4.1. Board Meetings:**

4.1.1. As a courtesy, Board members who must leave early should inform the Chairperson as soon as possible. This allows adjustments to the meeting schedule.

**4.2. Subcommittee Meetings:**

4.2.1. Board members attending subcommittee meetings should make every effort to find an alternative if their departure would break the quorum.

**5. Motions:**

5.1. No motions shall be entertained or debated until announced by the Chairperson, and every motion shall be seconded prior to debate.

**6. Public Comment and Addressing at Meetings:**

6.1. The Board will provide an opportunity for public comment at the beginning of each meeting and for each agenda item during a meeting, except for civilian complaints that need to be filed, have been filed, are pending investigation, and/or are currently appealed to CPOA/CPOAB. Public comment shall be limited to three minutes unless extended by the Chairperson.

6.2. Public comment must be directed through the Chairperson or presiding Board member and not at staff members or audience members.

6.3. The Board may invite representatives of the city, other government bodies, or the public to speak on matters relevant to The Board's work. However, pursuant to Ordinance § 2-6-1-6, The Board shall not organize, sponsor, advertise, or host any political forum for candidates running for elective office.

Nothing in this section, however, is intended to restrict any member of The Board from engaging in political activities outside of the course and scope of his or her duties as a member of The Board.

- 6.4. Items displayed during an individual's public comment must be removed at the end of that person's public comment.
- 6.5. No signs, props, posters, or banners will be allowed in the meeting chambers other than those that are 8½" x 11" or smaller. Such material shall not be held or waived in a manner that blocks the view of others or creates a distraction from the speaker or the business at hand.

## **7. Debate:**

- 7.1. Any Board member wishing to speak, debate, make a motion, submit a report, or conduct other business shall address the Chairperson and shall not proceed further until recognized by the Chairperson.
- 7.2. If two or more Board members seek recognition at the same time, the Chairperson will name the one who speaks first.
- 7.3. The Board member who sponsors a motion shall have the privilege of opening and closing the debate. A Board member may direct an inquiry either the member sponsoring the motion or staff and receive a response without yielding the floor.
  - 7.3.1. To ensure all voices are heard, board members can only speak once on a motion until everyone who wishes to comment has had a chance to speak. Additionally, to keep discussions focused, no member, except the one who sponsored the motion, can speak for more than ten minutes in total on any single motion.
- 7.4. Board members will not be interrupted while speaking. No motions can be introduced until the current speaker finishes.
- 7.5. To ensure a respectful exchange of information, all questions for the Board members should be directed to the Chairperson. The Chairperson will then confirm the Board member's willingness to answer.
- 7.6. Any Board member may move to end the debate. A majority of The Board members present must vote to agree to end the debate, or it may continue.

## **8. Voting:**

- 8.1. Voting shall be in the form of an "Affirmative" or "Negative" response. A roll call vote of the Board members will be requested by the chair to ensure clarity of actions. Any action on a question is lost by a tie vote. Every Board member who is in attendance shall vote upon each question, except those who have recused themselves due to a conflict of interest. A Board member may abstain from a vote for an articulated reason



stated during the course of a meeting. The Chair shall have discretion as to whether or not a Board member shall be allowed to abstain from a vote after consideration of the reason articulated by the member wishing to abstain.

8.2. A Board member shall be allowed to change his or her vote but only before the result has been announced.

8.3. Board members facing an emergency or other urgent situation who is unable to attend a meeting in person may request to participate virtually or telephonically, with the Chairperson's approval as to whether the member may attend remotely and the medium by which they may do so. This request is also contingent on the board member having a reliable audio and video connection, ensuring clear identification and participation during discussions and votes.

8.4. If attending via webinar, the Board member's video camera must always remain on and visible.

8.5. A Board member may be permitted to explain his or her vote, but only after the roll call has been completed and the result has been announced.

#### **9. Reconsideration:**

9.1. Any Board member who voted with the prevailing side on any question may move at the same meeting to reconsider the question. A motion to reconsider shall require the affirmative vote of a majority of Board members present.

9.2. Appeals of the Chairperson's decisions are allowed. The appealing Board member will present their case, followed by a potential response from the Chairperson. To ensure focused discussion, no new motions can be introduced until the appeal is voted on. An affirmative majority vote of Board members present is required to overturn the Chairperson's decision.

#### **10. Subcommittees:**

10.1. The Board may appoint such subcommittees as are deemed necessary or desirable for the purposes of fulfilling §§ 9-4-1-1 through 9-4-1-14 of the CPOA Ordinance, provided that membership on such subcommittees shall be limited to Board members and the Board shall strive to distribute subcommittee membership among the entire Board evenly. Subcommittees shall comply with the New Mexico Open Meetings Act. Subcommittees shall consist of 2 Board members, which is fewer than a quorum of the Board.

10.2. Subcommittees shall only conduct business when a quorum of the subcommittee is present. A Board member may designate an alternate Board member to attend a subcommittee meeting when The Board member regularly assigned to the

subcommittee is unable to attend. A majority of the Board members assigned to a subcommittee and designated alternates shall constitute a quorum of a subcommittee.

- 10.3. Each standing subcommittee shall elect a Chairperson at the first meeting of the subcommittee in the month of March of each calendar year thereafter or upon vacancy of an office to fill the remaining term. The Chairperson may serve consecutive terms in a subcommittee, and previous service as the Chairperson shall not prevent a member from serving as the Chairperson of a subcommittee. The Chairperson shall vote on all matters before the subcommittee in the same manner as other members of the subcommittee. The Chairperson may also make or second motions.
  - 10.3.1. The chair of the subcommittee will draft the agenda in collaboration with CPOA staff for any modifications and posting.
  - 10.3.2. The chair of the subcommittee shall have the draft of the agenda to CPOA staff no later than seven business days prior to the scheduled meeting date.
- 10.4. At each regular Board meeting, the subcommittee Chairperson shall give an oral report from the most recent subcommittee meeting. Additionally, the Board Chairperson may request that subcommittee reports be submitted in writing and provided to the full Board. The written subcommittee report shall be attached to the board meeting minutes.
- 10.5. Subcommittees must promptly report on all matters referred to them. Should a subcommittee fail or delay in reporting on any referred matter, the Chairperson of the subcommittee has the authority to remove the matter from the subcommittee's jurisdiction and request its assignment to the entire Board.
- 10.6. As written in the police oversight ordinance, CPOAB Subcommittees must adhere to the New Mexico Open Meetings Act. Each subcommittee Chairperson must, at the very least, publish agendas with 72 hours of notice, provide a minimum of three minutes for public comment to each member of the public, and keep minutes of each meeting for public posting.

## **11. Working Groups:**

- 11.1. Upon the presentation of a singular matter or question of a limited duration or scope, the Chair may appoint a working group to analyze the matter and develop a report for the entire Board. Such working groups will be comprised of no more than two Board members appointed by the Chair and shall dissolve immediately upon presentation of the final report to the Board. Such working groups shall have no authority to set policy for the Board nor to vote on matters of general concern to the Board.

## **12. Disturbing Meetings:**

- 12.1. It shall be unlawful to disturb any meeting of The Board or any of its subcommittees or to behave in a disorderly manner at any such meeting. There will be no tolerance for disruptive public outbursts or disruptions that impede the orderly progress of a meeting.
- 12.2. The Chairperson or presiding Board member will provide one warning to anyone who causes a disruption.
- 12.3. Upon a second or continued disruption, the Chairperson or presiding Board member will ask that person to leave the Chambers or the designated meeting location of the Board or a subcommittee and, if necessary, will ask that security escort that person out of the Chambers or meeting site.
- 12.4. Such removal from the Council Chambers or Committee Room will be effective for the remainder of that meeting.
- 12.5. If continued disruptions occur, the Chairperson or presiding Board member may recess the meeting until order is restored and, if necessary, may clear the Chambers or Committee Room of persons participating in the disturbance

## **ARTICLE VI – APPEALS**

### **1. Board Appeal Hearings:**

- 1.1. In extenuating circumstances, complainants may submit a written request to appear via webinar seven calendar days before the scheduled hearing. The request may be granted at the Chair's discretion. Failure to appear at a scheduled hearing or to request a delay in writing shall result in the Board acting on the appeal without further input from the complainant.
- 1.2. Appeal hearings shall be included in The Board agenda.
- 1.3. The Board has the authority to consolidate separate appeals arising from similar issues or instances. In such cases, the time allotted to the complainant will be divided equally among the combined appeals. The Chairperson will announce the time allocation in advance. The parties involved can then determine how to divide the allocated time for their presentations.
- 1.4. Time limits for presentations during appeals hearings shall be allocated as follows:
  - 1.4.1. 15 minutes for the complainant or representative
  - 1.4.2. 10 minutes for the CPOA Executive Director or designee
  - 1.4.3. 10 minutes for APD
  - 1.4.4. 5 minutes for the police officer, if present
  - 1.4.5. 5 minutes for the complainant or representative for rebuttal

- 1.5. Board members may ask questions after each presentation. The period during which a presenter answers questions from the Board does not count against the presenter's time.
- 1.6. The full investigation file shall be available to The Board for its review subject to the limitations on access and confidentiality set forth by the APOA CBA.
- 1.7. No Board member shall conduct their own investigations or add their own evidence to the record regarding any hearings on requests for reconsideration.

**2. During the appeal, the Board shall:**

- 2.1. Remain impartial in deliberations and decisions and abstain from any independent investigation or review of information not presented by the investigation report or within the investigation file.
- 2.2. Refrain from any ex parte communication relating to the matters and parties under consideration other than at a properly noticed meeting and recuse themselves from any related hearings as may be necessary based on any improper ex parte communication. Any ex parte correspondence that is inadvertently received by a member shall be immediately referred to or otherwise disclosed to the Executive Director and, when appropriate, made available for review by the relevant complainant and APD officer or their representatives.
- 2.3. Refrain from prejudgment on appeals coming before The Board until such time as all relevant information has been reviewed and considered at a properly noticed meeting and recuse themselves from any hearing in which he or she has a direct or indirect personal conflict of interest or cannot otherwise accord a fair and impartial review, or in which such member's participation would create the appearance of impropriety or partiality. Board members may consult with the Executive Director or legal counsel concerning questions regarding potential conflicts of interest.
- 2.4. For purposes of these Policies and Procedures, "ex parte communication" is defined as a communication (whether written or oral), outside of the public meeting process outlined herein, between a member or members of The Board and any member of the public regarding the merits of a civilian complaint or the findings under review by The Board. Communications between a member or members of The Board and the staff or attorneys of the CPOA shall not be considered ex parte communications provided that such communications are not relied upon to make factual determinations by a member or members of The Board.
- 2.5. Upon the closing of the hearing, the Board may modify or change the findings and/or recommendations of the public record letter. It may make further recommendations to the Office of Police Reform regarding the findings and/or recommendations and any

discipline imposed by the Office of Police Reform or proposed by the Office of Police Reform only upon a showing by the complainant that:

- 2.5.1. A policy was misapplied in the evaluation of the complaint; or
  - 2.5.2. That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
  - 2.5.3. That the findings and recommendations were not consistent with the recorded evidence.
- 2.6. The Board shall document the outcome of the hearing in a written Notice of Decision that shall be provided to the complainant, the individual against whom the complaint was filed, the Director, and the Office of Police Reform.

**3. In reviewing completed investigations:**

- 3.1. The Board shall assess and document whether:
  - 3.1.1. The incident suggests that APD should revise strategies and tactics.
  - 3.1.2. The incident indicates a need for additional training, counseling, or other non-disciplinary corrective measures.
  - 3.1.3. The incident suggests revisions to policy or procedures.

**ARTICLE VII – AUDITS & REPORTING**

**1. CPOAB Semi-Annual Audit:**

- 1.1. The Board will conduct semi-annual audits of individual civilian police complaint investigations involving allegations of use of force. A random sample of up to 10% of completed investigations during the last six months will be selected for audit. In instances where the total number of completed investigations involving allegations of use of force is below the threshold of 10%, the Board shall review at least one case during the audit period. If no investigation involving a civilian police complaint with the allegation of use of force was completed during the audit period, no audit will be conducted. The Board may, by a vote of two-thirds (2/3) of its members, perform an additional audit or direct that an audit be performed on any individual Citizen Police Complaint Investigation completed by the Administrative Office. For the purposes of its audit function, the Board shall have full access to investigation files and may subpoena such documents and witnesses as relevant to its audit function
- 1.2. The Board will utilize Simple Random Sampling (SRS) methodology, which ensures that each case has an equal chance of being selected and is appropriate given the small sample size. This methodology helps in maintaining a systematic, unbiased approach to case reviews. The tools used for conducting SRS will be a reliable and verifiable random sequential number generator. This may include online tools such as random.org, built-

in functionalities in spreadsheet software like Microsoft Excel, Google Sheets, or similar statistical software capable of generating random selections. The chosen tool must be documented, and the case selection process must be recorded to maintain transparency and accountability.

## **ARTICLE VIII – SERIOUS USE OF FORCE & OFFICER-INVOLVED SHOOTINGS**

### **1. Serious Use of Force and Officer-Involved Shootings:**

- 1.1. Per the CPOA ordinance, before acting related to a serious use of force or officer-involved shooting, the Executive Director shall confer with the relevant prosecuting agency and/or federal law enforcement agency to assess the likelihood of an officer being criminally prosecuted based on the incident. The Executive Director may delay or decline to proceed with any action related to a serious use of force or officer-involved shooting until completion of the criminal investigation unless, after consultation with the prosecuting agency, the Executive Director determines that the proceeding is appropriate and will not compromise a criminal investigation. If the Executive Director seeks to proceed with investigating or presenting to The Board a serious use of force or officer-involved shooting despite a prosecuting agency or federal law enforcement agency indicating that doing so would interfere with a criminal investigation, the Executive Director may only proceed after obtaining approval to do so through a 2/3 vote of The Board.

## **ARTICLE IX – POLICY RECOMMENDATIONS**

### **1. Policy Recommendations:**

- 1.1. The CPOA may make recommendations on policy to the approved policy process established by APD. APD shall provide the CPOA with reasonable access to APD premises, files, documents, reports, data (including APD raw data), and any other materials that are reasonably necessary for this purpose.
- 1.2. The chair of the Board shall designate one Board member to serve on each APD policy development committee. The Director and the Board member designated by the Chair shall each serve as voting members and representatives of the Board on such committees. They shall report back to the Board about the outcomes and votes cast at the next regularly scheduled meeting of the Board.
- 1.3. APD shall provide all policy proposals passed by the APD Policy and Procedures Review Board to the Board for its review, comment, and recommendations prior to final adoption.

- 1.4. Each Community Policing Council wishing to submit comments or recommendations must submit them to the CPOA Director within fifteen (15) days of the policy becoming available. In making its final policy recommendations, the Board shall review and consider any timely submitted comments and recommendations of the CPCs.
- 1.5. The Chief of Police or designee shall respond to policy recommendations made by the CPOA in writing within 45 days of final action on a policy by APD. As part of this response, APD shall indicate whether the Board's policy recommendation will be followed through standard operating procedures or should be adopted as policy by the City Council or specifically explain any reasons why such policy recommendations will not be followed or were not adopted.

## **ARTICLE X – CODE OF CONDUCT**

### **1. Code of Conduct:**

**All Board Members are expected to follow the following guidelines for ethical conduct:**

- 1.1. **Integrity:** We act honestly, ethically, and impartially in all our decisions and actions. We take full responsibility for our conduct and hold ourselves accountable as members of this board.
- 1.2. **Transparency:** We strive for transparency and openness in all board activities, including decision-making, stakeholder communication, and public information dissemination. We foster trust and confidence through open and honest engagement.
- 1.3. **Impartiality:** We approach all matters with an open mind, free from bias, prejudice, or favoritism. Our decisions and recommendations are based solely on merit, evidence, and the principles of fairness.
- 1.4. **Confidentiality:** We safeguard sensitive information obtained during our board activities, strictly adhering to applicable laws and regulations regarding data protection and confidentiality.
- 1.5. **Respect:** We treat everyone with dignity, respect, and empathy, recognizing and valuing the diversity of perspectives and experiences we encounter.
- 1.6. **Independence:** We think, judge, and act independently. We resist undue influence, pressure, or interference from outside forces, maintaining our autonomy and objectivity.
- 1.7. **Professionalism:** We conduct ourselves with professionalism, civility, and decorum in all CPOAB interactions, upholding the highest standards of conduct and demonstrating respect for all involved.

### **2. Definition of “for Cause”:**

- 2.1. Cause for removal from the Board shall include any violation of the Conduct Section of the Boards and Commissions Ordinance (Section 2-6-1-3(C)). Cause for removal may also include violations of any law, regulation, charter provision, the job description for

Board members (attached as Appendix 1) and other violations of the duties of a Board member including the intentional failure to carry out the duties and responsibilities of the Board. Cause for removal may also include the inability or failure of a Board member to objectively and impartially perform the necessary functions of the Board.

**3. Dress Code:**

3.1. All board members will dress at a minimum in “business casual” attire or more formal attire appropriate to a professional board for all Regular/ Special board meetings, public attendance, and/ or any time representing the City of Albuquerque's CPOAB at an external event.

**4. Communication with CPOA:**

- 4.1. All board members must check their City of Albuquerque-provided emails at least once every three days to ensure timely attention to matters.
- 4.2. In the event of an urgent matter, staff may reach out by phone or text message.

**5. City Issued Property:**

- 5.1. All board members shall maintain all City issued property in good working order. In the event that any City issued property is damaged, the Board member shall immediately notify the Chair and Agency.
- 5.2. All board members shall make arrangements to return all City issued property in good working order within 14 calendar days of departure from Board service.
- 5.3. Failure to return all City issued property within 30 calendar days of departure from Board service shall result in funds being deducted from stipend or honorariums owed to the former Board member. The City may also pursue any other legal action necessary to recoup the value of any unreturned or damaged City issued property.



1. SOP 1-83: Real Time Crime Center
  - a. 1-83-4-D-1-b: replace “affect” with “inform” to read: “Provide the Department and other partners with analysis to identify patterns and characteristics of crime trends to *inform* the deployment of personnel and resources”
  - b. 1-83-4-F: Re-write to be in a similar format to 1-83-4-A-E
2. SOP 1-95: Metro Traffic Division
  - a. 1-95-5-A: Add provision that personnel are to check for an Unattended Vehicle Permit, in accordance with SOP 2-48: Towing Services
3. SOP 1-2: Social Media
  - a. 1-2-4-A-7: Specify if this is regarding an employee posting on their personal page or on behalf of the Department
  - b. Add that approval from the PIO shall be documented in writing to 1-2-4-A-2 or wherever the Department deems appropriate
4. SOP 2-6: Use of Emergency Warning Equipment
  - a. 2-6-3-D: Define full emergency equipment
5. SOP 3-46: Discipline System
  - a. 3-46-3-E: Define OBRD and CASA acronyms
6. SOP 2-16: Reports
  - a. 2-16-4-A-3-a: Make this it’s only section and keep 2-16-4-A-3-b beneath it or keep it as it is and turn b into an i
  - b. 2-16-5-B-3-b: Separate this provision or make a standalone item
  - c. 2-16-5-B-6-a: Rewrite to: “Supplement Reports shall correspond to the original report in the record management system (e.g., TraCS and Mark 43)
  - d. 2-16-5-E-4: Add “or review/approve their reports” to include supervisors so that this reads: “Department personnel who have planned days off beyond their normal duty weekends (i.e., vacation time, military leave, leave taken under the Federal Medical Leave Act (FMLA), etc.) shall submit or review/approve of their reports prior to starting their time off from work”
  - e. 2-16-5-C: Rewrite to:
    1. Department personnel shall submit Uniform Incident Reports, Uniform Crash Reports, Supplemental Reports, and any related documents (e.g., bank records, receipts, etc.) by the end of their shift, except at the direction of a supervisor
      - a. If Department personnel are not physically capable of submitting their reports by the end of their shift during which the incident occurred, the employee’s immediate supervisor or their designee shall ensure that the report from the involved employee is submitted by the end of the employee’s shift during which the incident occurred
      - b. If personnel receive approval from their supervisor to submit their report late, they shall document when and how that approval was given in the incident’s existing CAD report
    2. A supervisor shall complete the review/approval of all reports within three (3) workdays of when they were submitted, except at the direction of their supervisor

7. 3-21: Scheduled and Unscheduled Leave and SOP 3-43: Relief of Duty (Off-cycle)
  - a. Add a provision that reads something to the effect of: "Personnel shall set up automatic replies when taking a leave exceeding one week. Supervisors shall ensure that employees have configured the automatic before commencing their leave. In the event that an employee fails to set up automatic replies, the supervisor shall coordinate with the IT department to have automatic replies configured."
8. 2-46: Response to Traffic Crashes (Off-cycle)
  - a. 2-46-4-A-1-b-ii: Add "Department personnel shall request emergency medical services (EMS) personnel to respond whenever injuries are apparent or any of the involved vehicles have deployed airbags or sustained significant damage"