CIVILIAN POLICE OVERSIGHT ADVISORY BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE

Gail Oliver
Rowan Wymark
Diane McDermott, CPOA Executive Director
Ali Abbasi, CPOA Deputy Director

Thursday, August 1, 2024, at 3 p.m.
Plaza Del Sol Building, 600 2nd Street NW
3rd Floor Small Conference Room

Members Present:	Members Absent:	Others Present
Rowan Wymark	Gail Oliver	Diane McDermott, CPOA
Zander Bolyanatz		Ali Abbasi, CPOA
		Katrina Sigala, CPOA
		Valerie Barela, CPOA
		Emily Selch, CPOA
		Gabe Remer, CPOA
		Dr. Omotayo (Ty) Olubiyi, CCO

Minutes

I. **Welcome and Call to Order.** Member Wymark called to order the Policy and Procedure Review Subcommittee meeting at 3:00 p.m.

II. **Approval of the Agenda**

   a. The agenda was approved as drafted.

III. **Public Comment**

   a. None. *(see attached)*

IV. **Election of Subcommittee Chair**

   a. **Motion.** A motion was made by member Bolyantz to table the Election of Subcommittee Chair to the following Policy and Procedure Review subcommittee meeting. The motion was passed by the following vote:

For – Bolyanatz, Wymark

V. **Approval of Minutes from July 1, 2024**

   a. July 1, 2024, minutes were approved.

VI. **Policy Development and Review Process –** *Emily Selch*

a. CPOA Data Analyst Emily Selch gave a PowerPoint presentation on the APD Policy Process. *(see attached)*

VII. **APD Policy-Related Activities/Discussion Items:**

a. **PPRB Drafts Awaiting CPOAB Comment**

1. **SOP 1-5 (Formerly 1-12) Harassment or Sexual Harassment in the Workplace.**

    a. Ms. Selch presented the CPOA policy recommendations for SOP 1-5. The Subcommittee recommended moving the recommendations to the Board for adoption at the next regularly scheduled Board meeting.

2. **SOP 1-31 (Formerly 2-06 and 8-14) Court Services Unit**

    a. Ms. Selch presented the CPOA policy recommendation for SOP 1-31. The Policy and Procedure Subcommittee recommended moving the recommendations to the Board for adoption at the next regularly scheduled Board meeting.

3. **SOP 1-35 (Formerly 5-8) Crime Scene Specialists Unit**

    a. There were no recommendations for SOP 1-35.

4. **SOP 1-58 Crime Gun Intelligence Center (CGIC)**

    a. There were no recommendations for SOP 1-58.

5. **SOP 1-93 (Formerly 8-11) Telephone Reporting Unit (TRU)**

    a. There were no recommendations for SOP 1-93.

6. **SOP 2-21 (Formerly 3-22) Apparent Natural Death or Suicide of an Adult**

    a. Ms. Selch presented the CPOA policy recommendation for SOP 2-21. The Policy and Procedure Subcommittee recommended moving the recommendations to the Board for adoption.

7. **SOP 2-36 (Formerly 1-13) Police-News Media Relations and Release of Police Identification**
   a. The Policy and Procedure Subcommittee recommended placing SOP 2-36 on the agenda for the next Board meeting for discussion and potential action.

8. **SOP 2-50 (Formerly 3-66) Crash Review Board (Formerly Safety Review Board)**
   a. The Policy and Procedure Subcommittee recommended placing SOP 2-50 on the agenda for the next Board meeting for discussion and potential action.

9. **SOP 2-72 (Formerly 2-91) Procedures for Serious Crimes Call-Out**
   a. The Policy and Procedure Subcommittee recommended placing SOP 2-72 on the agenda for the next Board meeting for discussion and potential action.

10. **SOP 1-12 (Formerly 1-45) Volunteer and Internship Programs**
    a. The Policy and Procedure Subcommittee recommended placing SOP 1-12 on the agenda for the next Board meeting for discussion and potential action.

11. **SOP 1-39 (Formerly 4-07 and 6-4) DWI Unit**
    a. The Policy and Procedure Subcommittee recommended placing SOP 1-39 on the agenda for the next Board meeting for discussion and potential action.

12. **SOP 2-28 (Formerly 3-20) Flood Control Channel Action Plan**
    a. The Policy and Procedure Subcommittee recommended placing SOP 2-28 on the agenda for the next Board meeting for discussion and potential action.

13. **SOP 2-45 (Formerly 2-55) Pursuit by Motor Vehicle**
    a. The Policy and Procedure Subcommittee recommended placing SOP 2-45 on the agenda for the next Board meeting for discussion and potential action.

14. **SOP 2-81 (Formerly 2-15) Off-Duty Conduct Power of Arrest**

a. The Policy and Procedure Subcommittee recommended placing SOP 2-81 on the agenda for the next Board meeting for discussion and potential action.

15. **SOP 2-85 Certificates for Evaluation**

a. The Policy and Procedure Subcommittee recommended placing SOP 2-85 on the agenda for the next Board meeting for discussion and potential action.

16. **SOP 1-21 (Formerly 4-14) Bicycle Patrol**

a. The Policy and Procedure Subcommittee recommended placing SOP 1-21 on the agenda for the next Board meeting for discussion and potential action.

17. **SOP 2-9 (Formerly 1-37) Use of Computer Systems**

a. The Policy and Procedure Subcommittee recommended placing SOP 2-9 on the agenda for the next Board meeting for discussion and potential action.

18. **SOP 2-30 (Formerly 1-30) Emergency Command Post (ECP)**

a. The Policy and Procedure Subcommittee recommended placing SOP 2-30 on the agenda for the next Board meeting for discussion and potential action.

19. **SOP 2-83 Hospital Procedures and Rules**

a. The Policy and Procedure Subcommittee recommended placing SOP 2-83 on the agenda for the next Board meeting for discussion and potential action.

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

a. The Policy and Procedure Subcommittee recommended placing SOP 2-86 on the agenda for the next Board meeting for discussion and potential action.

21. SOP 3-42 (Formerly 2-30) Criminal Investigation of Department Personnel

The Policy and Procedure Subcommittee recommended placing SOP 3-42 on the agenda for the next Board meeting to discuss and take potential action on September 8, 2024.

VIII. Policy Recommendation(s):

a. SOP 2-16 Reports

1. The Policy and Procedure Review Subcommittee recommended to table SOP 2-16 for discussion at the next subcommittee meeting.

b. SOP 1-6 Patrol Ride-Along Program

1. The Policy and Procedure Review Subcommittee recommended placing SOP 1-6 on the agenda for the next Board meeting on August 8, 2024, for discussion and possible action. (*see attached*)

IX. Other Business

a. Member Bolyantaz inquired about the Use of Force Case review materials for the August 8, 2028 Board meeting.

X. Next Meeting Thursday, September 5, 2024, at 3 p.m.

a. The Policy and Procedure Subcommittee recommended discussing possible changes to the next meeting date at the Board meeting on August 8, 2024.

XI. Adjournment

a. The meeting was adjourned at 4:53 p.m.

APPROVED:

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Rowan Wymark   Date
Policy & Procedure Review
Subcommittee Member

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

Attachments

ALBUQUERQUE CIVILIAN POLICE OVERSIGHT

CIVILIAN POLICE OVERSIGHT ADVISORY BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE
PUBLIC COMMENT SIGN-IN SHEET

SUBCOMMITTEE MEETING DATE: _____8·1·2024._____

NAME (PLEASE PRINT)

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APD Policy Process

Presented by the CPOA

Why is there an APD policy review process?

- In their 2014 findings letter, the DOJ wrote: "We have determined that structural and systemic deficiencies—including insufficient oversight, inadequate training, and ineffective policies— contribute to the use of unreasonable force"
- Per paragraph 145 of the court-approved settlement agreement (CASA) with the DOJ, "the Policy and Procedures Review Board shall review each policy or procedure six months after it is implemented and annually thereafter, to ensure that the policy or procedure provides effective direction to APD personnel and remains consistent with this Agreement, best practices, and current law. The Policy and Procedures Review Board shall review and revise policies and procedures as necessary upon notice of a significant policy deficiency during audits or reviews"
- APD is now fully compliant and will remain in a "sustainment" phase until the end of 2025

Resources

- The CPOA uses the Oversight Ordinance (amended in January 2023) and SOP 3-52: Policy Development Process to inform their understanding of the policy process

CPOAB Policy Role

- Provide policy guidance to APD (Oversight Ordinance: 9-4-1-4) on or off-cycle during public commentary, as a voting member of PPRB, or via the formal recommendation process (SOP 3-52: Policy Development Process)
- Review and analyze CPOA policy suggestions, data, and research (SOP 3-52: Policy Development Process)
- Report the amount of time spent on policy activities, relative to other activities, to the CPOA for the semi-annual report (Oversight Ordinance: 9-4-1-11-F)
- Share with the CPOA policy topics of interest for inclusion in the semi-annual report (Oversight Ordinance: 9-4-1-11-B)

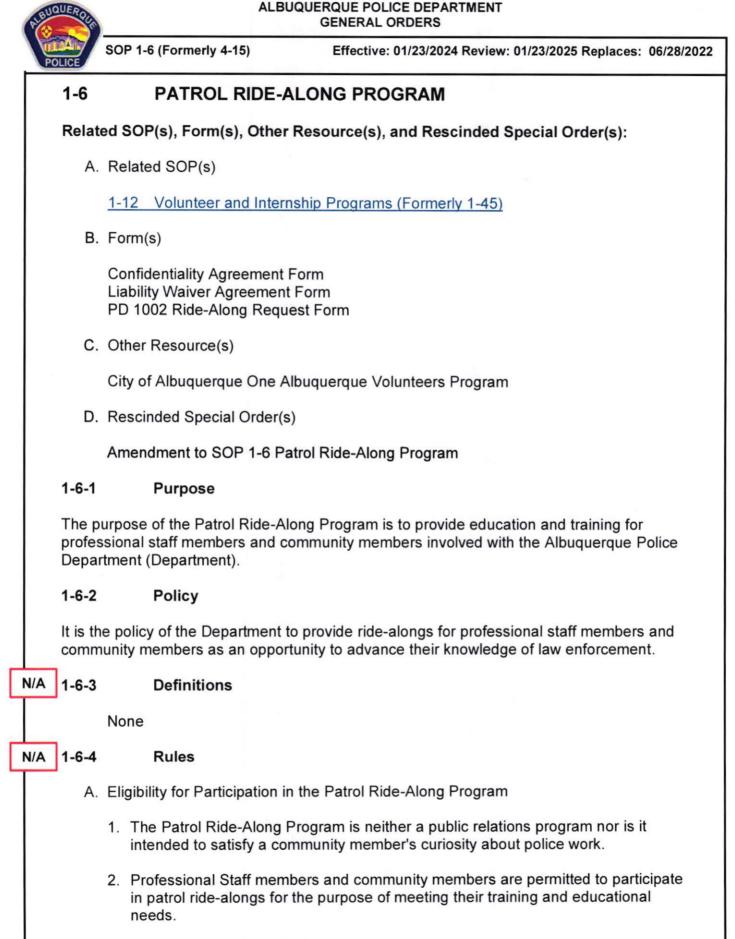# When does the CPOAB get involved? This is subject to change!

- There are four entry points for CPOAB involvement:
    1. During the commentary period
        a. Once the policy owner and legal have worked on the policy for a period of 47-49 days, the policy will be posted online on PowerDMS for public commentary
        b. The policy will be available for public comment online for **15 days**
    2. At PPRB
        a. After the 15-day public commentary period ends, the policy goes back to the policy owner for their revisions and enters into a post-commentary period. This period may last as a little as **20 days**
        b. Once the post-commentary ends and the policy owner has committed to presenting their policy, the Policy and Procedure Unit will share a draft of the policy **at least 1 week** prior to the meeting
    3. During the 35-day review
        a. Once approved at PPRB, the Policy and Procedure Unit will send a copy of the policy to the CPOAB for **35 days.** During that time, the CPOAB may discuss the policy at their subcommittee, monthly Board meeting, and, when appropriate, share their formal recommendations with APD via Smartsheets or relay them to the CPOA
    4. Off-cycle
        a. If a policy is not up for a review, the CPOAB may submit recommendations via Smartsheet at any time
- **Note: This described timeline reflects SO 24-91 and subsequent conversations with APD and is subject to change because SOP 3-52 (Policy Development Process) is being revised! PPRB may happen after the 35-day review period, which would necessitate a revision to the Oversight Ordinance**

What does reviewing a policy entail?

- A good checklist of things to look for in a policy review includes those from 3-52-4-C-5-b:
    - Clarity of language
    - Conflict with existing SOPs
    - Compatibility with federal, state, and local laws
    - Compatibility with union contracts
    - Compatibility with City administrative orders or directives
    - Related policy and policing issues

How does the CPOA support the CPOAB in their policy efforts?

- Collaborate on policy ideas and recommendations
- Share policy research
- Submit policy recommendations on behalf of the CPOAB

1-6   PATROL RIDE-ALONG PROGRAM

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

   1-12   Volunteer and Internship Programs (Formerly 1-45)

B. Form(s)

   Confidentiality Agreement Form
   Liability Waiver Agreement Form
   PD 1002 Ride-Along Request Form

C. Other Resource(s)

   City of Albuquerque One Albuquerque Volunteers Program

D. Rescinded Special Order(s)

   Amendment to SOP 1-6 Patrol Ride-Along Program

1-6-1   Purpose

The purpose of the Patrol Ride-Along Program is to provide education and training for professional staff members and community members involved with the Albuquerque Police Department (Department).

1-6-2   Policy

It is the policy of the Department to provide ride-alongs for professional staff members and community members as an opportunity to advance their knowledge of law enforcement.

N/A ## 1-6-3   Definitions

   None

N/A ## 1-6-4   Rules

A. Eligibility for Participation in the Patrol Ride-Along Program

   1. The Patrol Ride-Along Program is neither a public relations program nor is it intended to satisfy a community member's curiosity about police work.

   2. Professional Staff members and community members are permitted to participate in patrol ride-alongs for the purpose of meeting their training and educational needs.

3. A professional staff member or community member who wants to participate in the Patrol Ride-Along Program must be eligible for the **Department's** Volunteer Program or Internship Program, consistent with SOP Volunteer and internship Programs, and belong to one (1) of the following qualifying groups:

   a. Another law enforcement agency;
   b. Civilian Police Oversight Agency (CPOA);
   c. Civilian Police Oversight Agency Board (CPOAB);
   d. Community Policing Council (CPC);
   e. A Professional Staff member;
   f. Police Officer applicant;
   g. A volunteer in the **Department's** Chaplain Unit;
   h. A volunteer in the **Department's** Volunteer Program;
   i. An intern in the **Department's** Intern Program; or
   j. With approval from the Office of the Chief of Police.

4. A professional staff member, community member, or Police Service Aide (PSA) applicant who applies to participate in the Patrol Ride-Along Program who is under the age of eighteen (18) is only eligible for a ride-along through the PSA program.

5. A professional staff member or community member shall only be permitted to participate in two (2) patrol ride-alongs per year.

6. A member of the CPOA and the CPOAB is permitted to participate in two (2) ride-alongs every six (6) months.

B. Unauthorized Patrol Ride-Along

6

1. Officers and PSAs shall abide by the Patrol Ride-Along requirements prior to authorizing any community member or professional staff member to ride along on patrol.

7 1-6-5   **Procedures**

A. Submission of Ride-Along Request Form

N/A

1. A community member must register to participate through oneabqvolunteers.com consistent, with SOP Volunteer and Internship Program (refer to SOP Volunteer and Internship Program for sanction classifications and additional duties), including completion of the Liability Waiver Form and the Confidentiality Agreement Form.

2. The Volunteer Coordinator-must submit a completed Ride-Along Request Form to the area commander or their designee prior to their scheduled ride-along.

    a. The Volunteer Coordinator shall track all ride-along forms to ensure a professional staff member or community member, except for the CPOA and CPOAB does not exceed two (2) patrol ride-alongs per year.

B. Control by Area Commander

   1. An Area Commander or their designee shall schedule the ride-along and shall assign the officer who will take the professional staff member or community member on a ride-along.

   2. An Area Commander may establish additional requirements that are necessary to carry out the Patrol Ride-Along Program.

   3. A professional staff member, community member, or CPOA member shall not be permitted to participate in a ride-along prior to submission of the Ride-Along Request Form and approval from an Area Commander or their designee.

7