

**From:** Beth Mohr  
**To:** pob; nbullock@cabq.gov; Mark T. Baker  
**Subject:** Draft POB Agenda  
**Date:** Thursday, June 04, 2015 10:32:14 PM  
**Attachments:** POB Agenda - 6-11-2015 DRAFT.docx

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Please take a few moments to review the Draft POB agenda and let me know if you have any questions or comments. Because we have significant training during this meeting, I moved City Staff and reports up in the agenda, so that those folks can go home if they'd like to, instead of sitting through our training.

Please read this carefully and give me your comments by 3 pm Friday, June 4th, after which I will finalize it and send it to the CPOA for posting.

Thanks much, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

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# **CIVILIAN POLICE OVERSIGHT AGENCY**

*Dr. Moira Amado-McCoy*

*Dr. Jeannette Baca*

*Dr. Susanne Brown*

*Eric H. Cruz*

*Joanne Fine*

*Beth Mohr*

*Rev. Dr. David. Ring III*

*Leonard Waites*

*J. Scott Wilson*

Robin S. Hammer, Acting Interim Executive Director

## **POLICE OVERSIGHT BOARD AGENDA**

**Thursday, June 11, 2015 – 4:00 PM**

**Vincent E. Griego Chambers**

- I. Welcome & Call to Order ~ Acting Chair, Beth A. Mohr**
- II. Pledge of Allegiance ~ Dr. Moira Amado-McCoy**
- III. Approval of the Agenda**
- IV. Approval of Minutes**
- V. Public Comments**
- VI. Discussion & Possible Action of IPRA Resolution ~ Mark T. Baker, Independent Counsel to POB**
- VII. Reports from City Staff**
  - A. Executive Director – Report by Acting Interim Executive Director Robin Hammer**
  - B. SOP Update – Report by Assistant Lead Investigator Paul Skotchdopole**
  - C. Mayor's Staff – Report**
  - D. City Council Staff– Report by Council Staff Julian Moya**
  - E. City Attorney's Staff – Report by Assistant City Attorney Nicholas Bullock**
  - F. APD– Report by Lt. Jennifer Garcia**
- VIII. Report from the Subcommittees:**
  - A. Complaint Review Subcommittee**  
*Discussion and Possible Action re: CPOA Citizen Complaint Process Mapping*
  - B. Outreach Subcommittee**  
*Discussion and Possible Action re: Outreach issues*  
*Discussion and Possible Action re: Status of Community Engagement Specialist position*  
*Discussion and Possible Action re: Status of CABQ automatic email*
  - C. Rules and Regulations Subcommittee**  
*Report*
  - D. Personnel Subcommittee**  
*Discussion and Possible Action re: Process to Select Executive Director*
- IX. POB Training ~ Internal Affairs Process, APD Staff**
- X. Meeting with Counsel re: Pending Litigation & Personnel Issues**
- XI. POB Training ~ Mark. T. Baker, Independent Counsel to POB**
  - A. Police Oversight Ordinance**
  - B. Consent Decree (formerly DOJ Settlement Agreement)**
- XII. Other Business**
- XIII. Adjournment ~ Next Regularly Scheduled POB meeting will be on**  
***Thursday, July 9, 2015 at 4:00 PM in the Vincent E. Griego Chambers***

*(Dinner break will be taken by POB at ~6:00 pm, during a natural break in the agenda)*

M002774

**From:** Beth Mohr  
**To:** pob; mbullock@cabq.gov; Mark T. Baker  
**Subject:** Re: Draft POB Agenda  
**Date:** Thursday, June 04, 2015 10:42:20 PM  
**Attachments:** POB Agenda - 6-11-2015 DRAFT.docx

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Sorry, here it is with one small change - I noted the possibility of discussion and possible action being taken in the public meeting regarding personnel issue or pending litigation, so that if action is taken, nobody can say it wasn't on the agenda.  
-B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

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Eric H. Cruz      Joanne Fine      Beth Mohr  
Rev. Dr. David. Ring III      Leonard Waites      J. Scott Wilson  
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Thursday, June 11, 2015 – 4:00 PM

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- XII. **Other Business**
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**Thursday, July 9, 2015 at 4:00 PM in the Vincent E. Griego Chambers**

**From:** Moira Amado-McCoy  
**To:** Scott Wilson; Leonard Waites  
**Subject:** CRC  
**Date:** Thursday, June 04, 2015 8:16:22 PM

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Dear Scott and Leonard --

We've set up Tuesday, June 9th at 9:30 for case review.

Agenda forthcoming.

Moira

**From:** Moira Amado-McCoy  
**To:** Hammer, Robin; Scott Wilson; Leonard Waites; Beth A. Mohr; Mark Baker  
**Subject:** CRC  
**Date:** Friday, June 05, 2015 6:59:16 AM

---

Good Morning, Robin.

These are the specific agenda items to be placed among the standing items for next week's CRC meeting. As you know, we'll have to have a draft of this asap -- this morning, if possible.

- I. Review of Internal Case Procedures
  - a. New spreadsheets, support documents
  - b. First level analysis
  - c. Questions of training and investigative instruction
- II. Discussion of Procedures Once Delivered to POB
  - a. Reception and review procedures for CRC
  - b. Assurance of appropriate delivery to both CRC and POB
  - c. Coordination with other agency stakeholders
  - d. Interaction with CPOA upon Board findings.

III. Consideration of contribution to Written POB Rules

Mark Baker will be attending this meeting with us. Please also assure that Paul Cash is available.

Thank you,

Moira Amado-McCoy  
505-553-1818

**From:** Leonard Waites  
**To:** Moira Amado-McCoy  
**Cc:** Beth Mohr; Mark T. Baker; Hammer, Robin; Scott Wilson  
**Subject:** Re: CRC  
**Date:** Friday, June 05, 2015 7:27:56 AM

---

Thanks Moira, I am OK with the time and place.

On Jun 5, 2015 6:59 AM, "Moira Amado-McCoy" <[amadomccoy.pob@gmail.com](mailto:amadomccoy.pob@gmail.com)> wrote:

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Thank you,

Moira Amado-McCoy  
505-553-1818

**From:** Maira Amado-McCoy  
**To:** Leonard Waites  
**Subject:** Re: CRC  
**Date:** Friday, June 05, 2015 7:42:40 AM

---

Thanks, Leonard. Does that mean you might have suggestions/amendments to the agenda items?

Maira

On Fri, Jun 5, 2015 at 7:27 AM, Leonard Waites <[phamason.lw@gmail.com](mailto:phamason.lw@gmail.com)> wrote:

Thanks Maira, I am OK with the time and place.

On Jun 5, 2015 6:59 AM, "Maira Amado-McCoy" <[amadomccoy.pob@gmail.com](mailto:amadomccoy.pob@gmail.com)> wrote:

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Thank you,

Maira Amado-McCoy  
505-553-1818



**From:** Scott Wilson  
**To:** Leonard Waites; Moira Amado-McCoy  
**Cc:** Beth A. Mohr; Mark T. Baker; Hammer, Robin  
**Subject:** RE: CRC  
**Date:** Friday, June 05, 2015 9:38:52 AM

---

Moira, this looks great.... see you Tuesday.

J. Scott Wilson

"When everything around you seems to be lacking in integrity, find it in yourself.  
Change the world from where you're standing..."

---

Date: Fri, 5 Jun 2015 07:27:56 -0600  
Subject: Re: CRC  
From: phamason.lw@gmail.com  
To: amadomccoy.pob@gmail.com  
CC: cabq.pob.mohr@gmail.com; mbaker@peiferlaw.com; rhammer@cabq.gov;  
jswilsonpob@outlook.com

Thanks Moira, I am OK with the time and place.

On Jun 5, 2015 6:59 AM, "Moira Amado-McCoy" <[amadomccoy.pob@gmail.com](mailto:amadomccoy.pob@gmail.com)> wrote:

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Thank you,

Moirá Amado-McCoy  
505-553-1818

**From:** Hammer, Robin  
**To:** Moira Amado-McCoy; Scott S. Wilson; Leonard Waites; Beth Mohr; "Mark Baker"  
**Subject:** RE: CRC Agenda  
**Date:** Friday, June 05, 2015 9:48:17 AM  
**Attachments:** 6-2-15 Case Review Subcommittee Agenda-.docx

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Moira,

Please let me know if this Agenda is OK to publish today.

Thanks,  
Robin

**Robin S. Hammer, Esq.**

Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Moira Amado-McCoy [mailto:amadamccoy.pob@gmail.com]  
**Sent:** Friday, June 05, 2015 6:59 AM  
**To:** Hammer, Robin; Scott S. Wilson; Leonard Waites; Beth Mohr; Mark Baker  
**Subject:** CRC

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M002783

Thank you,

Moirá Amado-McCoy  
505-553-1818

**CIVILIAN POLICE OVERSIGHT AGENCY  
POLICE OVERSIGHT BOARD  
CASE REVIEW SUBCOMMITTEE**

*Moirá Amado-McCoy, Chair*      *Leonard Waits*  
*Jeffery Scott Wilson*  
Robin Hammer, Acting Executive Director

**POLICE OVERSIGHT BOARD  
CASE REVIEW SUBCOMMITTEE**

**Tuesday, June 9, 2015 – 9:30 am  
Plaza del Sol, 600 2nd Street NW –  
Basement Hearing Room, #160**

**A G E N D A**

- I. Welcome and Call to Order:** *Subcommittee Chair Moira Amado-McCoy*
- II. Approval of Agenda**
- III. Public Comments**
- IV. Review of Internal Case Procedures**
  - a. New spreadsheets, support documents**
  - b. First level analysis**
  - c. Questions of training and investigative instruction**
- V. Discussion of Procedures Once Delivered to POB**
  - a. Reception and review procedures for CRC**
  - b. Assurance of appropriate delivery to both CRC and POB**
  - c. Coordination with other agency stakeholders**
  - d. Interaction with CPOA upon Board findings.**
- VI. Consideration of contribution to Written POB Rules**
- VII. Other Business & Committee Recommendations**
- VIII. Next Meeting – To be announced at meeting**
- IX. Adjournment**

**From:** Hammer, Robin  
**To:** Maira Amado-McCoy; Leonard Waites; Scott S. Wilson  
**Cc:** Beth Mohr; "Mark Baker"; Cash, Paul  
**Subject:** RE: prose description of spreadsheet columns  
**Date:** Friday, June 05, 2015 11:13:01 AM  
**Attachments:** Spreadsheet.Key.docx

---

Member of the Case Review Committee:

Attached is a draft of an explanation of the columns titles/terms of Paul Cash's spreadsheet.

Please let me know if you have any questions.

Thanks,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Maira Amado-McCoy [mailto:amadamccoy.pob@gmail.com]  
**Sent:** Friday, June 05, 2015 7:15 AM  
**To:** Hammer, Robin; Cash, Paul; Mark Baker; Beth Mohr  
**Subject:** prose description of spreadsheet columns

Good Morning, Robin.

Will you be able to have the summary descriptions to me today?

Maira Amado-McCoy  
505-553-1818

### Spreadsheet Column Key

- A. **Case #:** This number is assigned when the case is entered into our database, by year and then chronologically. Almost invariably, the higher the number within a year, the later the case was received.
- B. **Received Date:** The date the case is received by the City. Sometimes it takes a few days to reach our office. The Complaint is received via email, mail, in person, routed through APD, fax, or telephone.
- C. **Assigned:** This is the date the case is entered into the database. The investigator does not always receive the case on that day, but the case is typically on their desk within a few days of this date. Assigned to investigators in rotation, Police Reports, CADs requested, target letters sent to Officers and initial letter sent to citizen. Interviews scheduled, recordings and evidence requested. SOPs reviewed, interviews conducted, synopsis, issues of concern, summary, and proposed findings letter prepared.
- D. **Due Date:** This is a 90 day deadline, as prescribed by the APOA contract and the Settlement Agreement.
- E. **Extension:** This indicates whether the assigned Investigator requested a 30 day extension to the 90 day investigative period and the Chief of Police granted the request.
- F. **Inv. to ED:** The date the investigator turned the case into the Executive Director for her review. The Executive Director reviews the investigation evidence and investigator's proposed findings. The Executive Director writes a proposed findings letter, based upon a draft submitted by the investigator. This review per case takes varying about of time, depending upon the complexity of the case and/or the quality of the investigator's work. If necessary, she returns a case file to the assigned investigator and directs the investigator to modify or expand their written work product within the file.
- G. **ED to APD:** The date the Executive Director sends the case to APD for review and possible disciplinary action. APD Chain of Command, typically a Commander, a Deputy Chief and the Chief, reviews the case and Executive Director's proposed findings. After receiving input from the Chain of Command, the Chief imposes discipline. APD sends the citizen via certified mail a letter from the Chief stating his findings in the case.
- H. **Date to POC/POB:** The date the Commission/Board reviewed the IRO/Executive Director's proposed findings letter. Board may remand matter; modify, or affirm findings letter. Board may request correspondence be sent to Police Department regarding findings or discipline.
- I. **Ltr. to Citizen:** The date the CPOA staff sent by certified mail the findings letter to the citizen. The citizen may appeal either the Chief's findings or the Boards findings within 30 days of receipt of letter.
- J. **Inv:** The CPOA investigator assigned to the case.

- K. **Staff Recommends:** This would be used to indicate the Executive Director's proposed finding in the case: sustained, not sustained, unfounded, exonerated.
- L. **POB action:** this indicates whether the POB agreed with or modified the Executive Director's proposed findings.
- M. **Case Summary:** A short one or two word description of the type of case, i.e. investigations, conduct, driving, excessive force, arrests.
- N. **Days from Rec to ED:** Number of days between receipt of the case and when the case was given to the Executive Director for review.
- O. **Days from ED to APD:** Number of days between when the case was given to the Executive Director and when the Executive Director gave the case to APD for review.
- P. **Days from Rec. to APD:** Number of days between receipt of the case and when the executive director gave the case to APD for review.
- Q. **Days from Rec. to Ltr:** Number of days between receipt of the case and when the certified letter was sent to the citizen.



**From:** Beth Mohr  
**To:** Hammer, Robin; Mark T. Baker; pob; Jessica Hernandez; Hults, Samantha M.  
**Subject:** Agenda for June 11, 2015 Police Oversight Board Meeting  
**Date:** Friday, June 05, 2015 3:07:04 PM  
**Attachments:** POB Agenda - 6-11-2015 FINAL.docx

---

All:

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**From:** Joanne Fine  
**To:** Mark Baker; "Beth Mohr"; Hammer, Robin; pob; Jessica Hernandez; Hults, Samantha M.  
**Cc:** Yntema IV, Hessel E.  
**Subject:** RE: Agenda for June 11, 2015 Police Oversight Board Meeting  
**Date:** Friday, June 05, 2015 5:01:03 PM

---

Amen to that. Yeah!

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** Mark Baker <mbaker@peiferlaw.com>  
**Date:** 06/05/2015 4:52 PM (GMT-07:00)  
**To:** 'Beth Mohr' <cabq.pob.mohr@gmail.com>, "Hammer, Robin" <rhammer@cabq.gov>, pob <pob@cabq.gov>, Jessica Hernandez <jmhernandez@cabq.gov>, "Hults, Samantha M." <shults@cabq.gov>  
**Cc:** "Yntema IV, Hessel E." <hyntema@cabq.gov>  
**Subject:** RE: Agenda for June 11, 2015 Police Oversight Board Meeting

Also, I don't know if it fits under one of the staff reports that's already on the agenda, but Hess Yntema had previously indicated he'd be willing to help each board member set up a rule in their email so that all emails that relate to POB matters will be copied to a central account from which we can pull them for review when a public records request comes in. I think tackling that on 6/11 would be ideal if it's humanly possible to do so. It will keep the board members from having to individually scan their email each time there's a request.

***Mark T. Baker***

Peifer, Hanson & Mullins, P.A.

Post Office Box 25245

Albuquerque, New Mexico 87125

Tel: (505) 247-4800

Fax: (505) 243-6458

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M002791

mail and then delete this message from your system. Please do not copy it or use it for any purpose, or disclose its contents to any other person. Any views or opinions expressed in this e-mail may be solely those of the author and are not necessarily those of Peifer, Hanson & Mullins, P.A.

---

**From:** Beth Mohr [mailto:cabq.pob.mohr@gmail.com]  
**Sent:** Friday, June 5, 2015 3:07 PM  
**To:** Hammer, Robin; Mark Baker; pob; Jessica Hernandez; Hults, Samantha M.  
**Subject:** Agenda for June 11, 2015 Police Oversight Board Meeting

All:

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**To:** Beth Mohr; David Ring; Eric H. Cruz; Hammer, Robin; Jeannette V. Baca; Joanne Fine; Leonard Waites; Molra Amado-McCoy; Scott S. Wilson; Susanne Brown  
**Cc:** "Mark T. Baker"  
**Subject:** NACOLE, Minutes, Memo from APD  
**Date:** Friday, May 29, 2015 4:04:29 PM  
**Attachments:** DQJ PREVENTION RETALIATION.pdf  
May 19 2015 Minutes CPOA DRAFT-.doc

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POB Members:

The Convention and Visitors' Bureau staff, who has assisted with our application to host the 2016 NACOLE Conference in Albuquerque, has informed me that the NACOLE Board has narrowed their selection to considering Albuquerque and Detroit for the Fall 2016 NACOLE Conference. Staff from the CVB will give a tour of Albuquerque to a NACOLE staffer on June 7-9. The tour will include a site visit to the CPOA Administrative Office, but the time has not yet been set for that portion of the tour.

Attached are the Draft Minutes for the May 19 POB Meeting. I had difficulty hearing on the tape who made a second to two motions. I highlighted these in yellow in the draft. If you could assist me in filling in these gaps, I would appreciate it. The video of the most recent meeting can be found on GovTV's home page: <http://www.cabq.gov/culturalservices/govtv>

I received the attached Memo from APD IA regarding a review of their retaliation policy and am forwarding it for your consideration.

Please let me know if you have any questions.

Thanks,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3774  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>



Richard J. Berry  
Mayor

# City of Albuquerque

## Albuquerque Police Department



Gorden E. Eden, Jr.  
Chief of Police

May 6, 2015

### Interoffice Memorandum

**To:** William (Bill) Slauson, Executive Director, Administrative Support Bureau

**From:** Arturo E. Gonzalez, Commander, Professional Accountability Division

**Subject:** Settlement Agreement, DOJ, Preventing Retaliation – Paragraph 196.

On May 5, 2015 at 1300 hours, Civilian Police Oversight Agency (CPOA) Acting Executive Director Robin Hammer and I reviewed Albuquerque Police Department's current anti-retaliation policies and implementation, as mandated in the Department of Justice (DOJ) Settlement Agreement Paragraph 196. Settlement Agreement Paragraph 196 is found in the Section VIII. Misconduct Complaint Intake, Investigation and Adjudication. DOJ paragraph 196 states:

196. Within six months of the Effective Date, and annually thereafter, the Internal Affairs Bureau and the Civilian Police Oversight Agency shall review APD's anti-retaliation policy and its implementation. This review shall consider the alleged incidents of retaliation that occurred or were investigated during the reporting period, the discipline imposed for retaliation, and supervisors' performance in addressing and preventing retaliation. Following such review, the City shall modify its policy and practice, as necessary, to protect individuals, including other APD personnel, from retaliation for reporting misconduct.

Paragraph 196, addresses a review of APD's retaliation policies for reporting misconduct. The Albuquerque Police Department current Standard Operating Procedures (SOPs) prohibit retaliation in two sections. The Department prohibits retaliation through **Personnel Code of Conduct Rule 1-04-4(N)** which states:

**Rule 1-04-4(N).** Personnel will not act officiously or permit personal feelings, animosities, or friendship to influence their decisions.

Another current anti-retaliation policy, which has a level five sanction, is also outlined in **Personnel Code of Conduct Rule 1-04-6(I)**.

**Rule: 1-04-6(I)** states:

Personnel shall not knowingly interfere with criminal or administrative investigations, assigned tasks, or duty assignments of another, and shall not directly or indirectly, by threat

or bribe, attempt to secure the withdrawal or abandonment of a complaint or charges. Personnel shall not, without previous authorization from the primary investigator or immediate supervisor, conduct any criminal or administrative follow-up investigation outside the scope of their assignment.

After conferring, CPOA Acting Executive Director Hammer and I agreed that SOP Rule 1-04-6(I) should be amended to specifically address retaliation for the filing an administrative or criminal complaint or allegation. On March 16, 2015, the Professional Accountability Division proposed to the Standard Operating Procedure Review Committee (SOPRC) that the additional language be included to 1-04-6(I):

Retaliation for reporting misconduct or for cooperating with an investigation of misconduct shall be grounds for discipline, up to and including termination of employment. (DOJ ¶197 ¶195)

The SOPRC is currently reviewing this proposed additional language for SOP Rule 1-04-6(I) to specifically address retaliation for making an allegation against an APD employee.

Also at our meeting on May 5, 2015, Acting Executive Director Hammer and I conducted an audit on all Internal Affairs and Civilian Police Complaints cases decided from 2007 to present which included allegations of violations of SOP Rules 1-04-6(N) and 1-04-6(I).

Upon audit of cases alleging violations of SOP Rule 1-04-6(N), revealed 128 cases. Of these 128, six (6) were found to contain allegations of retaliation, five (5) Citizen Complaints and one (1) Internal Affairs case. Upon review, the five (5) Citizen Complaints, did not relate to "retaliation" as described in DOJ paragraph 196, but rather there was an allegation that police action was in retaliation for the citizens' prior actions or feelings. These five complaints claimed acts of "retaliation" as a result of police action, e.g. subject receiving a citation, and not as a result of a citizen initially complaining on an officer or employee.

One Internal Affairs case, I-131-07, involved an allegation for retaliation for making an administrative or criminal complaint. In this case, an APD employee was found to be violation of 1-04-4(N) for retaliation for another employee making an administrative complaint. The employee was sustained on SOP 1-04-4(N). The Chief imposed discipline in that case resulting in the demotion of the employee.

Twenty-two (22) cases were reviewed during an audit of all cases containing allegations of violations of SOP Rule 1-04-6(I). None of these cases related to "retaliation" for making a criminal or administrative complaint as described in Paragraph 196.

Acting Executive Director Robin Hammer fully participated in and endorsed the review of the described Internal and Civilian complaints. Acting Executive Director Hammer also will provide a copy of this Memo to the full Police Oversight Board for their consideration. As described by the DOJ mandate, we agreed to schedule an annual meeting between, as the Commander of the

Memo to Mr. Slauson

RE: Settlement Agreement Paragraph 196, Anti-Retaliation Policies

May 7, 2015

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Professional Accountability Division, and Ms. Hammer as the CPOA Executive Director, to review APD's retaliation Policies and implementation. Our next review is currently set for May 5, 2016.

cc: Robert Y. Huntsman, Assistant Chief  
Gerald Cruz, Quality Assurance Auditor  
Robin Hammer, Acting Executive Director, CPOA  
Police Oversight Board



# **CIVILIAN POLICE OVERSIGHT AGENCY**

**Tuesday, May 19, 2015**

**Vincent E. Griego Chambers, Basement Level  
City/County Government Center - One Civic Plaza NW  
Albuquerque, New Mexico**

## **Members Present:**

Leonard Waites (Chair, by Phone)  
Beth Mohr (Acting Chair)  
Jeffrey Scott Wilson (Co-Vice Chair)  
Dr. Jeanette Baca  
Susanne Brown  
Eric Cruz  
Joanne Fine  
Rev. David Ring III

## **Others Present:**

Robin Hammer  
Paul Skotchdopole  
Diane McDermott  
Chris Davidson  
Erin O'Neil  
Paul Cash  
Michelle Contreras  
Acting APD Lt. Mike Medrano  
Mark Barker, Esq.  
Jessica Hernandez, City Attorney  
Nicholas Bullock, Assistant City Attorney  
Julian Moya, City Council

## **MINUTES**

**I. WELCOME AND CALL TO ORDER:** Acting Chair Mohr called the meeting to order at 4:07 p.m.

**II. PLEDGE OF ALLEGIANCE:** Board Member Cruz led the Board in the Pledge.

**III. APPROVAL OF AGENDA -** Acting Chair Mohr requested that there be a reorder of the agenda. After Public Comment, Items VII and VIII will be discussed, followed by Item VI.6.3, followed by Item IX, and then back to VI.A and VI.B. Board Member Ring made a motion to approve the Agenda with the above changes. Board Member \_\_\_\_\_ seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**IV. APPROVAL OF MINUTES –** Acting Chair Mohr requested that the minutes be amended to reflect changes suggested by Board Member Amado-McCoy. Board Member Ring moved for the approval of the minutes with the changes. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **V. PUBLIC COMMENTS –**

**Charles Arasim –** Mr. Arasim informed the Board that he sent an e-mail on April 13 requesting e-mail correspondence regarding business of the Board. He stated that the Board is on the verge of being implicated in a complaint to the Attorney General for being in violation of the Inspection of Public Records Act. He stated that the city attorney and city clerk are denying him information and he assumes that the Board's record custodian is in on this. If the information that he

requested is not received by May 20, 2015, by 2:00 p.m. he will file his complaint with the Attorney General. Mr. Arasim stated that the Acting Executive Director has no contract and he is curious why she is here, and that everything that the Acting Executive Director is doing is fraudulent.

## **VII. CIVIL RIGHTS TRAINING**

Attorney Mark Baker thanked the Board for their service. Mr. Baker discussed his background and experience in Civil Rights matters. Mr. Baker presented a slideshow and gave training to the Board on Civil Rights. He discussed the 4<sup>th</sup> Amendment and search and seizure issues. Mr. Baker cited examples of violations of the 4<sup>th</sup> Amendment. Mr. Baker discussed Use of Force and Use of Deadly Force. He also discussed Use of Force when dealing with the mentally ill. Mr. Baker discussed probable cause. He also discussed the Garrity Rule, which arises from the 5<sup>th</sup> Amendment. Mr. Baker took questions from the Board regarding his presentation.

## **VIII. DISCUSSION OF CONTRACT TO RETAIN INDEPENDENT LEGAL COUNSEL**

Acting Chair Mohr discussed the process that the Board undertook to hire the Independent Legal Counsel. Acting Chair Mohr stated that the Independent Legal Counsel's role is to represent the Board. After discussion, Board Member Fine made a motion to approve Mark Baker as the Independent Legal Counsel. Board Member \_\_\_\_\_ seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(C) REPORT FROM PERSONNEL SUBCOMMITTEE**

Board Member Fine made a motion that the Board meet in Executive Session regarding selection of the Executive Director. Board Member Ring seconded the motion. A roll call was taken and all Board members agreed. At 5:42 p.m., the Board met in Executive Session to discuss the process of hiring an Executive Director.

The Executive Session ended at 7:03 pm. After Executive Session, Board Member Fine made a motion to note that only personnel matters were discussed during the Executive Session. Board Member Baca seconded the motion. A roll call was taken and all Board members agreed.

## **IX. CITIZEN POLICE COMPLAINT FINDINGS BY CPOA**

Acting Chair Mohr stated that the Board is confused regarding whether the Board can hear Citizen Police Complaints. Acting Chair Mohr has been in contact with Mr. Ginger and stated that the Board will be getting more clarification regarding this. Acting Chair Mohr indicated that the Board is considering not hearing complaints at this time. Attorney Mark Baker stated that the Rules and Procedures need to be investigated, and that he is looking for effective models. Acting Chair Mohr discussed training for the Board. Acting Chair Mohr made a motion to table this issue. Board Member Ring seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(A) COMPLAINT REVIEW SUBCOMMITTEE**

Co-Chair Wilson reported that the Citizen Police Complaint Subcommittee met on two occasions. The Subcommittee is learning about the process regarding CPCs, and being informed on the status of CPCs. Co-Chair Wilson reported that there are CPCs available for review by the Board.

## **VI.(B) OUTREACH SUBCOMMITTEE**

Board Member Baca reported that the Outreach Subcommittee has had one meeting where the hiring of an Outreach Coordinator was discussed. The City will advertise the position to be titled as Community Engagement and Communications Specialist. Board Member Baca stated that the New Mexico Youth Forum has been invited back to future Board meetings. Business cards and e-mail accounts were discussed, and a motion was made that Board Member Baca will follow up with the City on the issue of business cards and e-mail accounts. Board Member Cruz seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(C) PERSONNEL SUBCOMMITTEE**

Acting Chair Mohr reported that the Personnel Subcommittee has been busy. They had one meeting in which discussion was had regarding the hiring of Independent Legal Counsel. The Board discussed the job description and selection of the Executive Director. The Board discussed several changes to the Executive Director job description. Board Member Ring made a motion to adopt the changes to the Executive Director job description. Board Member Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(D) ADDITIONAL SUBCOMMITTEES**

Acting Chair Mohr stated that she wanted to be on a committee that looks at training and policies of APD. Chair Waites stated his desire for a subcommittee to assist the Independent Legal Counsel regarding rules and regulations. Board Member Cruz made a motion to create a subcommittee to assist the ILC regarding rules and regulations. Board Member Ring seconded the motion. Committee members will be Chair Waites, Co-Chair Wilson, and Board Member Ring. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **X. DISCUSSION OF LETTERS FROM POB REGARDING CPCs FROM PRIOR MEETINGS**

Co-Chair Wilson made a motion to defer this discussion. Board Member Brown seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **XI. DISCUSSION OF POB RIDE-ALONG PROTOCOLS**

The Board discussed the ride-along protocols, and agreed that the Board members should be allowed to ride-along with officers who may have been involved in previous shooting **cases**. If a Board member participated in a ride-along with an officer who had been involved in a shooting, the Board member could recuse themselves from hearing any cases involving that officer. Board Member Cruz made a motion to allow Board members to ride-along with officers who may have been involved in a shooting case. Board Member Fine seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **XII. REPORTS FROM CITY STAFF**

**A. Acting Executive Director Hammer** – Acting Executive Director Hammer reported April 2015 statistics as follows:

### **April 2015:**

13 new Citizen Police Complaints  
10 Job Well Done Letters

A motion was made by Board Member Fine that the CPC Subcommittee will look at the backlog of CPC cases. Co-Chair Wilson seconded the motion. This issue will be on the agenda of the June 2015 Board meeting. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**B. SOP Update** – CPOA Lead Investigator Paul Skotchdopole had nothing to report and has not attended any APD meetings. Mr. Skotchdopole stated that he has not yet been placed back on the attendee list for meetings. Attorney Mark Baker will work with Ms. Hernandez to have Mr. Skotchdopole put back on the attendee list.

**C. Mayor's Staff** – No one was present to report.

**D. City Council Staff** – Mr. Moya stated that City Council is finalizing the budget for fiscal year 2016.

**E. City Attorney's Staff** – Assistant City Attorney Bullock had nothing to report.

**F. APD** – Acting Lt. Medrano from APD Internal Affairs presented the report for April 2015.

APD Calls for Service: 39,606  
Internal Affair cases for April 2015  
Received - 13                      Inactivated - 0                      Completed -10  
Mediated - 0                      Pending - 12

Discipline imposed in April 2015  
0 verbal reprimands                      5 letters of reprimands  
1 8-hour suspension                      1 16-hour suspension  
1 80-hour suspension                      1 120-hour suspension  
2 termination

Internal Affairs personnel presented information on IA complaints for 2014. The Board received the printed report and discussed the information with APD.

### **XIII. DISCUSSION TO CONSIDER SPECIAL MEETING**

A motion was made by Board Member Baca to defer this matter until the June 2015 Board meeting. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**XIV. OTHER BUSINESS** – No other business.

**XV. ADJOURNMENT** - *Next POB meeting will be on Thursday, June 11, 2015, at 4:00 PM in the Vincent E. Griego Chambers.* The meeting adjourned at 9:07 p.m.

**APPROVED:**

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**Leonard Waites, Chair**  
**Civilian Police Oversight Agency**

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DATE

CC:     Tony Duran, City Council  
          Trina Gurule, Acting City Clerk  
          Ken Sanchez, City Council President

**From:** [Beth Mohr](#)  
**To:** [Leonard Waites](#); [Mark T. Baker](#)  
**Subject:** Fwd: NACOLE, Minutes, Memo from APD  
**Date:** Wednesday, June 03, 2015 4:34:05 PM  
**Attachments:** [DOJ PREVENTION RETALIATION.pdf](#)  
[May 19 2015 Minutes CPOA DRAFT-.doc](#)

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Leonard -

Robin has you listed chairing the June 11th meeting, as well as signing off on the minutes for the May 19th meeting (which I don't think you can do, since you didn't chair that meeting, but that's a formality). Is it your intention to Chair the June 11th meeting?

Either way is fine, but I need to know before I go through the hours of work that's involved with putting together and submitting the agenda, and I need to get you in touch with Mark Baker, who has training and agenda items for the June 11th meeting as well. And all this needs to happen ASAP, because the agenda has to get put together this week for posting on June 5th, the drop dead date for posting is June 8th, but earlier is best.

Thanks much, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

----- Forwarded message -----

From: **Hammer, Robin** <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)>  
Date: Fri, May 29, 2015 at 4:04 PM  
Subject: NACOLE, Minutes, Memo from APD  
To: Beth Mohr <[cabq.pob.mohr@gmail.com](mailto:cabq.pob.mohr@gmail.com)>, David Ring <[dzr3@juno.com](mailto:dzr3@juno.com)>, "Eric H. Cruz" <[cabq.pob.cruz@gmail.com](mailto:cabq.pob.cruz@gmail.com)>, "Hammer, Robin" <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)>, "Jeannette V. Baca" <[jvbaca.pob@gmail.com](mailto:jvbaca.pob@gmail.com)>, Joanne Fine <[joannefine413@gmail.com](mailto:joannefine413@gmail.com)>, Leonard Waites <[phamason.lw@gmail.com](mailto:phamason.lw@gmail.com)>, Moira Amado-McCoy <[amadomccoy.pob@gmail.com](mailto:amadomccoy.pob@gmail.com)>, "Scott S. Wilson" <[jswilsonpob@outlook.com](mailto:jswilsonpob@outlook.com)>, Susanne Brown <[susanne.brown37@yahoo.com](mailto:susanne.brown37@yahoo.com)>  
Cc: "Mark T. Baker" <[mbaker@peiferlaw.com](mailto:mbaker@peiferlaw.com)>

POB Members:

The Convention and Visitors' Bureau staff, who has assisted with our application to host the 2016 NACOLE Conference in Albuquerque, has informed me that the NACOLE Board has narrowed their selection to considering Albuquerque and Detroit for the Fall 2016 NACOLE Conference. Staff from the CVB will give a tour of Albuquerque to a NACOLE staffer on June 7-9. The tour will include a site visit to the CPOA Administrative Office, but the time has not yet been set for that portion of the tour.

M002802

Attached are the Draft Minutes for the May 19 POB Meeting. I had difficulty hearing on the tape who made a second to two motions. I highlighted these in yellow in the draft. If you could assist me in filling in these gaps, I would appreciate it. The video of the most recent meeting can be found on GovTV's home page:  
<http://www.cabq.gov/culturalservices/govtv>

I received the attached Memo from APD IA regarding a review of their retaliation policy and am forwarding it for your consideration.

Please let me know if you have any questions.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

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Richard J. Berry  
Mayor

# City of Albuquerque

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Gorden E. Eden, Jr.  
Chief of Police

May 6, 2015

### Interoffice Memorandum

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**From:** Arturo E. Gonzalez, Commander, Professional Accountability Division

**Subject:** Settlement Agreement, DOJ, Preventing Retaliation – Paragraph 196.

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**Memo to Mr. Slauson**

**RE: Settlement Agreement Paragraph 196, Anti-Retaliation Policies**

**May 7, 2015**

**Page 3**

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Dr. Jeanette Baca  
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Board Member Baca reported that the Outreach Subcommittee has had one meeting where the hiring of an Outreach Coordinator was discussed. The City will advertise the position to be titled as Community Engagement and Communications Specialist. Board Member Baca stated that the New Mexico Youth Forum has been invited back to future Board meetings. Business cards and e-mail accounts were discussed, and a motion was made that Board Member Baca will follow up with the City on the issue of business cards and e-mail accounts. Board Member Cruz seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(C) PERSONNEL SUBCOMMITTEE**

Acting Chair Mohr reported that the Personnel Subcommittee has been busy. They had one meeting in which discussion was had regarding the hiring of Independent Legal Counsel. The Board discussed the job description and selection of the Executive Director. The Board discussed several changes to the Executive Director job description. Board Member Ring made a motion to adopt the changes to the Executive Director job description. Board Member Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(D) ADDITIONAL SUBCOMMITTEES**

Acting Chair Mohr stated that she wanted to be on a committee that looks at training and policies of APD. Chair Waites stated his desire for a subcommittee to assist the Independent Legal Counsel regarding rules and regulations. Board Member Cruz made a motion to create a subcommittee to assist the ILC regarding rules and regulations. Board Member Ring seconded the motion. Committee members will be Chair Waites, Co-Chair Wilson, and Board Member Ring. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **X. DISCUSSION OF LETTERS FROM POB REGARDING CPCs FROM PRIOR MEETINGS**

Co-Chair Wilson made a motion to defer this discussion. Board Member Brown seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **XI. DISCUSSION OF POB RIDE-ALONG PROTOCOLS**

The Board discussed the ride-along protocols, and agreed that the Board members should be allowed to ride-along with officers who may have been involved in previous shooting **cases**. If a Board member participated in a ride-along with an officer who had been involved in a shooting, the Board member could recuse themselves from hearing any cases involving that officer. Board Member Cruz made a motion to allow Board members to ride-along with officers who may have been involved in a shooting case. Board Member Fine seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **XII. REPORTS FROM CITY STAFF**

**A. Acting Executive Director Hammer** – Acting Executive Director Hammer reported April 2015 statistics as follows:

### **April 2015:**

13 new Citizen Police Complaints

10 Job Well Done Letters

A motion was made by Board Member Fine that the CPC Subcommittee will look at the backlog of CPC cases. Co-Chair Wilson seconded the motion. This issue will be on the agenda of the June 2015 Board meeting. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**B. SOP Update** – CPOA Lead Investigator Paul Skotchdopole had nothing to report and has not attended any APD meetings. Mr. Skotchdopole stated that he has not yet been placed back on the attendee list for meetings. Attorney Mark Baker will work with Ms. Hernandez to have Mr. Skotchdopole put back on the attendee list.

**C. Mayor's Staff** – No one was present to report.

**D. City Council Staff** – Mr. Moya stated that City Council is finalizing the budget for fiscal year 2016.

**E. City Attorney's Staff** – Assistant City Attorney Bullock had nothing to report.

**F. APD** – Acting Lt. Medrano from APD Internal Affairs presented the report for April 2015.

APD Calls for Service: 39,606

Internal Affair cases for April 2015

Received - 13                      Inactivated - 0                      Completed -10

Mediated - 0                      Pending - 12

Discipline imposed in April 2015

0 verbal reprimands                      5 letters of reprimands

1 8-hour suspension                      1 16-hour suspension

1 80-hour suspension                      1 120-hour suspension

2 termination

Internal Affairs personnel presented information on IA complaints for 2014. The Board received the printed report and discussed the information with APD.

### **XIII. DISCUSSION TO CONSIDER SPECIAL MEETING**

A motion was made by Board Member Baca to defer this matter until the June 2015 Board meeting. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**XIV. OTHER BUSINESS** – No other business.

**XV. ADJOURNMENT** - *Next POB meeting will be on Thursday, June 11, 2015, at 4:00 PM in the Vincent E. Griego Chambers.* The meeting adjourned at 9:07 p.m.

**APPROVED:**

---

**Leonard Waites, Chair**  
**Civilian Police Oversight Agency**

---

DATE

CC: Tony Duran, City Council  
Trina Gurule, Acting City Clerk  
Ken Sanchez, City Council President

**From:** Dave Ring  
**To:** rhammer@cabq.gov  
**Cc:** cabq.pob.mohr@gmail.com; cabq.pob.cruz@gmail.com; rhammer@cabq.gov; jvbaca.pob@gmail.com; joannefine413@gmail.com; phamason.lw@gmail.com; amadomccoy.pob@gmail.com; jswilsonpob@outlook.com; susanne.brown37@yahoo.com; mbaker@peiferlaw.com  
**Subject:** Re: NACOLE, Minutes, Memo from APD  
**Date:** Thursday, June 04, 2015 8:26:33 AM

---

Robin, I'm slow in responding, as I've been out of town. I noticed, as did several others, that the overall sound level set in the Council Chamber room during our last meeting was considerably lower than in previous times. This led to considerable difficulty in hearing and interpreting what was being said. Do we have any ability to reset the sound controls in that room for our meetings? -- Dave Ring

---

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<http://thirdpartyoffers.juno.com/TGL3141/55706009c18606009709bst01vuc>



**From:** Beth Mohr  
**To:** Hammer, Robin  
**Cc:** David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown; Mark T. Baker  
**Subject:** Re: NACOLE, Minutes, Memo from APD  
**Date:** Thursday, June 04, 2015 10:38:05 PM

---

Ms. Hammer,

Mr. Waites did not Chair the May 19th meeting, and therefore could not sign off on those minutes, even if he was going to Chair the June meeting, which he is not. Please correctly reflect that I chaired that meeting, and append the minutes for my signature, once they are corrected and complete. It occurs to me that perhaps someone could take adequate notes for the minutes during the actual meeting, rather than listening to the recording and trying to recreate them.

Thanks, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

On Fri, May 29, 2015 at 4:04 PM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

POB Members:

The Convention and Visitors' Bureau staff, who has assisted with our application to host the 2016 NACOLE Conference in Albuquerque, has informed me that the NACOLE Board has narrowed their selection to considering Albuquerque and Detroit for the Fall 2016 NACOLE Conference. Staff from the CVB will give a tour of Albuquerque to a NACOLE staffer on June 7-9. The tour will include a site visit to the CPOA Administrative Office, but the time has not yet been set for that portion of the tour.

Attached are the Draft Minutes for the May 19 POB Meeting. I had difficulty hearing on the tape who made a second to two motions. I highlighted these in yellow in the draft. If you could assist me in filling in these gaps, I would appreciate it. The video of the most recent meeting can be found on GovTV's home page: <http://www.cabq.gov/culturalservices/govtv>

I received the attached Memo from APD IA regarding a review of their retaliation policy and am forwarding it for your consideration.

M002813

Please let me know if you have any questions.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3774

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

**From:** Beth Mohr  
**To:** Hammer, Robin  
**Cc:** David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown; Mark T. Baker  
**Subject:** Re: NACOLE, Minutes, Memo from APD  
**Date:** Friday, June 05, 2015 3:02:27 PM

---

Ms. Hammer - I note that Bill Slauson dated his memo on May 6th, addressed to include the POB. However, the first time we received this from you was in your email of May 29th, where it was unhelpfully included with an email about a variety of disparate and unrelated matters. That email started with NACOLE and matters to include the Convention and Visitor's Bureau, then moved on to meeting minutes, and finally included, without explanation, this memo regarding the retaliation policy. This is an ineffective style of communication.

In the future, it would be helpful if you could send emails which provide information about a single topic, or at least related topics, including some history of why we are receiving the information, what action we are being asked to consider, and a discussion of the deadline involved, if any.

The POB has consistently been asking you to work on more effective communication, and this is another example of ineffective communication. This ineffective communication results in a great deal of work for the volunteer members of this Board to be able to piece together the fragments of information you provide into something useful and meaningful, to ultimately take appropriate action. Another example of your unhelpful communication would include the sending of agendas and minutes which are incomplete, incorrect, or not the most recent version of an item.

Additionally, when someone includes the POB as a recipient of a memorandum or other communication, we expect to receive it within a reasonable amount of time. Twenty-three days is not a reasonable amount of time; I would consider two business days to be a reasonable amount of time.

As the Board that supervises and evaluates you, we anticipate and appreciate that your communication will be more effective and timely in the future.

Thank-you. -Beth

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

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M002815

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Please let me know if you have any questions.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

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Albuquerque, NM 87103

(505) 924-3774

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

**From:** Hammer, Robin  
**To:** Beth Mohr  
**Cc:** David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown; "Mark T. Baker"  
**Subject:** RE: NACOLE, Minutes, Memo from APD  
**Date:** Friday, June 05, 2015 5:07:34 PM

---

Beth,

Thank you for the suggestions. I will incorporate these into my future emails.

Regards,  
Robin

**Robin S. Hammer, Esq.**

Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Beth Mohr [mailto:[cabq.pob.mohr@gmail.com](mailto:cabq.pob.mohr@gmail.com)]  
**Sent:** Friday, June 05, 2015 3:02 PM  
**To:** Hammer, Robin  
**Cc:** David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown; Mark T. Baker  
**Subject:** Re: NACOLE, Minutes, Memo from APD

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Thanks,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
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M002818

Albuquerque, NM 87103  
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Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Hammer, Robin  
**To:** Beth Mohr; Eric H. Cruz; Joanne Fine  
**Cc:** Leonard Waites; "Mark T. Baker"; Contreras, Michelle  
**Subject:** Draft 5-6-15 Personnel Subcommittee Minutes  
**Date:** Saturday, June 06, 2015 10:52:30 AM  
**Attachments:** 5-6-15 Personnel Sub Minutes DRAFT.docx

---

Personnel Subcommittee Members:

Attached are the draft Minutes of the May 6, 2015 Personnel Subcommittee.

Please let me know if you have any corrections or changes.

All the best,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
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Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>



**POLICE OVERSIGHT BOARD  
PERSONNEL SUBCOMMITTEE**

**Wednesday, May 6, 2015 – 1:30 p.m.  
Plaza Del Sol, 600 2<sup>nd</sup> St. NW  
Seventh Floor Conference Room**

**Members Present**

Eric Cruz  
Beth Mohr (Chair)  
Joanne Fine

**Others Present**

Robin S. Hammer  
Michelle Contreras  
Diane McDermott  
Leonard Waites  
Blake Whitcomb, Asst. City Attorney

**MINUTES**

- I. Welcome and Call to Order:** Chair Mohr called the meeting to order at 1:30 p.m.
- II. Public Comments.** None
- III. Approval of the Minutes:** Board Member Fine moved that the minutes for the April 27, 2015 Personnel Subcommittee be deferred to the next meeting scheduled for June 9, 2015 at 1:30 p.m. Board Member Cruz seconded the motion. Passed.  
For: 3 – Fine, Mohr, Cruz
- IV. Discussion of Contract for Independent Legal Counsel**
  - A. Introduction of applications for Independent Counsel Contract**

The members discussed the contract for the Independent Legal Counsel. The legal counsel advertisement was read out loud by Assistant City Attorney Whitcomb for the record prior to reviewing the applications. Chair Mohr indicated that she had received several applications but only printed and distributed the Curriculum Vitae's (CV's) Members Fine and Cruz for their review during the meeting. Ms. Mohr made available to the Members all of the other documents which the applicants had supplied. Ms. Mohr provided an extra set of applications to be kept for the record. Chair Mohr suggested that, if during their review of the applications, if the Subcommittee selected more than one applicant, she proposed that they come up with a questionnaire to obtain more information from selected applicants.
  - B. Discussion of Process for ranking and selection**

The Members discussed the process for ranking and selection of the applicants. Chair Mohr advised the Subcommittee that there was an issue of the hourly wage which is set at \$185. Acting Executive Director Hammer advised the Subcommittee that there was setset amount of money for the Independent Legal Counsel position within the Civilian Police Oversight Agency (CPOA) budget, but that the Subcommittee could set the

hourly rate for the Independent Council. Ms. Hammer stated that other City boards have hired legal counsel with an hourly rate from \$120 to \$180. Ms. Hammer indicated that there is a budget of \$15,000 until June 30, 2015 and \$75,000 for fiscal year 2016 allotted for the hiring of the Independent Legal Counsel. Assistant City Attorney Whitcomb recommended that the Subcommittee rank candidates by their hourly rate and negotiate their rate. Mr. Whitcomb also clarified that \$180 to \$200 is reasonable government rate. Chair Mohr summarized that a \$75,000 budget with a potential hourly rate of \$180 would result to about 400 billable hours. Chair Mohr indicated that if they select an attorney from a law firm, that it would not be appropriate for the firm to send an associate to the POB meetings. Chair Mohr suggested that Subcommittee members go through the applications, which are sorted by alphabetically order, and discuss each one.

### **C. Discussion of Candidates**

After the Subcommittee read reviewed the applications, Chair Mohr proposed that the candidates must have the following qualifications:

1. Be an active member of the New Mexico Bar;
2. Have expertise in civil rights, police misconduct and criminal law;
3. Have some expertise in Contract Law, Municipal Regulation, Open Meetings Act, IPRA and Union Contracts, but knowledge in each of these legal areas of law were not required.

### **D. Selection of Top Candidates**

The Members discussed the following candidates for the Independent Legal Counsel. Board Member Fine wanted clarification on how they were rating the applicants. In response, Chair Mohr indicated that they would go through the *yes*, *no* and *maybe* piles and then rank the applicants in the *yes* pile of the following candidates:

1. Christina Adams
2. Erika E. Anderson
3. Adam S. Baker
4. Mark T. Baker
5. Wayne L. Baker
6. Renee Barela Gutierrez
7. Adam Harrison Bell
8. Joshua D. Boone
9. Joshua L. Carpenter
10. Diane Garrity
11. John T. L. Grubestic
12. George F. Heidke
13. Henry F. Narvaez
14. Amy Sirignano
15. Christopher N. Orton
16. Ryan J. Villa
17. Joel M. Young

After reviewing the applications, Subcommittee Members sorted the applications by *yes* and *maybe*. The following applicant was placed in the *yes* pile:

1. Amy Sirignano

The following applicants were placed in the *maybe* pile:

1. Wayne L. Baker
2. Mark T. Baker
3. John T. L. Grubescic
4. George F. Heidke

#### **E. Discussion of Potential Legal Conflicts**

A discussion was had regarding the potential legal conflicts. Chair Mohr asked Assistant City Attorney Whitcomb to request the City Attorney's Office to determine if Amy Sirignano had any conflicts with the City.

#### **F. Discussion of Next Steps and Recommendations for Selection**

The Members discussed the steps and recommendations the Subcommittee should take in the process of selecting an applicant. Chair Mohr advised the Subcommittee members that they have several choices; they could ask Ms. Amy Sirignano if she would take the rate and put it forward to the full Board as sole choice, rank the *maybe* pile now, or do a survey for more information. Board Member Cruz proposed that they rank the applicants including Ms. Sirignano, who was selected as the only *yes* candidate.

Chair Mohr indicated that she had prepared a questionnaire with 10 questions to present to the four *maybe* applicants in the event Ms. Sirignano did not take an \$180 per hour rate.

Board Member Fine moved that the Subcommittee present their number one selection, Amy Sirignano, and the list of alternates to the full POB board. Board Member Cruz seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

Board Member Cruz moved that if Ms. Amy Sirignano declined the propose hourly rate and negotiations have failed, that the Subcommittee would send the prepared questionnaire to the remaining four candidates: Wayne L. Baker, Mark T. Baker, John T. L. Grubescic, George F. Heidke. Board Member Fine seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

After the motion, Ms. Hammer suggested that if Ms. Sirignano did not accept the officer, that the Subcommittee delegate the task for further background research of the alternates to a Subcommittee Member. Chair Mohr volunteered to do the background research of the five candidates..

#### **V. Other Business and Subcommittee Recommendations. None.**

- VI. **Next Meeting set for Tuesday, June 9, 2015 at 1:30 p.m.**
- VII. **Adjournment:** Board Member Cruz moved to adjourn the meeting. Board member Fine seconded. Passed.

The meeting adjourned at 3:51 p.m.

---

Approved by:  
Beth Mohr, Personnel Subcommittee Chair

---

Date

CC: Julian Moya, City Council Staff  
Natalie Y. Howard, City Clerk  
Rey Garduño, City Council President

**From:** Joanne Fine  
**To:** Hammer, Robin  
**Cc:** Beth Mohr; Eric H. Cruz; Leonard Waites; Mark T. Baker; Contreras, Michelle  
**Subject:** Re: Draft 5-6-15 Personnel Subcommittee Minutes  
**Date:** Saturday, June 06, 2015 12:22:57 PM  
**Attachments:** 5-6-15 Personnel Sub Minutes DRAFT.docx

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Here are my corrections to the May 6th Personnel Committee minutes. See errors and changes in yellow highlights and cross outs. If you have any questions, call me directly at 350-2531 today. Otherwise, please send them out as corrected today. As our meeting is Tuesday, June 9th, I would like these minutes to not be delayed again as the last meeting minutes were delayed from April.

If your staffing resources do not allow for the Subcommittee and POB meeting minutes to be distributed for review within a week of those meetings, I would suggest you realign your staffing pattern so they can be delivered in that time frame. It is not reasonable to make us wait month over month. It delays and diminishes our ability to do the work we have been asked to do in a timely manner.

Speaking of which, where are our April POB minutes that you were directed to change to include Dr. Amado McCoy's comments? What is the excuse for that extended delay? This is tiresome and unacceptable, Ms. Hammer. I was promised that those minutes would be delivered along with the Personnel Committee minutes. Again, it is a promise only half delivered. When exactly will we receive the April POB minutes as amended by Dr. McCoy? Your work product is again in arrears, hampering our work once again. Do not bother to blame staff. This is your management duty. Do what you have to in order to make the necessary changes within the budget to make this work more timely as we have requested time and again.

Thank you,  
Joanne Fine

On Sat, Jun 6, 2015 at 10:52 AM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

Personnel Subcommittee Members:

Attached are the draft Minutes of the May 6, 2015 Personnel Subcommittee.

Please let me know if you have any corrections or changes.

All the best,  
Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

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--

Joanne Fine  
Police Oversight Board Member

**POLICE OVERSIGHT BOARD  
PERSONNEL SUBCOMMITTEE**

**Wednesday, May 6, 2015 – 1:30 p.m.  
Plaza Del Sol, 600 2<sup>nd</sup> St. NW  
Seventh Floor Conference Room**

**Members Present**

Eric Cruz  
Beth Mohr (Chair)  
Joanne Fine

**Others Present**

Robin S. Hammer  
Michelle Contreras  
Diane McDermott  
Leonard Waites  
Blake Whitcomb, Asst. City Attorney

**MINUTES**

- I. Welcome and Call to Order:** Chair Mohr called the meeting to order at 1:30 p.m.
- II. Public Comments.** None
- III. Approval of the Minutes:** Due to their late arrival, Board Member Fine moved that the minutes for the April 27, 2015 Personnel Subcommittee be deferred to the next meeting scheduled for June 9, 2015 at 1:30 p.m. Board Member Cruz seconded the motion. Passed.  
For: 3 – Fine, Mohr, Cruz
- IV. Discussion of Contract for Independent Legal Counsel**
  - A. Introduction of applications for Independent Counsel Contract**

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9. Joshua L. Carpenter
10. Diane Garrity
11. John T. L. Grubesic
12. George F. Heidke
13. Henry F. Narvaez
14. Amy Sirignano
15. Christopher N. Orton
16. Ryan J. Villa
17. Joel M. Young



After reviewing the applications, Subcommittee Members sorted the applications by *yes* and *maybe*. The following applicant was placed in the *yes* pile:

1. Amy Sirignano

The following applicants were placed in the *maybe* pile:

1. Wayne L. Baker
2. Mark T. Baker
3. John T. L. Grubescic
4. George F. Heidke

#### **E. Discussion of Potential Legal Conflicts**

A discussion was had regarding the potential legal conflicts. Chair Mohr asked Assistant City Attorney Whitcomb to request the City Attorney's Office to determine if Amy Sirignano had any conflicts with the City.

#### **F. Discussion of Next Steps and Recommendations for Selection**

The Members discussed the steps and recommendations the Subcommittee should take in the process of selecting an applicant. Chair Mohr advised the Subcommittee members that they have several choices; they could ask Ms. Amy Sirignano if she would take the rate and put it forward to the full Board as sole choice, rank the *maybe* pile now, or do a survey for more information. Board Member Cruz proposed that they rank the applicants including Ms. Sirignano, who was selected as the only *yes* candidate.

Chair Mohr indicated that she had prepared a questionnaire with 10 questions to present to the four *maybe* applicants in the event Ms. Sirignano did not take an the \$180 per hour rate.

Board Member Fine moved that the Subcommittee present their number one selection, Amy Sirignano and the list of alternates to the full POB board. Board Member Cruz seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

Board Member Cruz moved that if Ms. Amy Sirignano declined the propose hourly rate and negotiations have failed, that the Subcommittee would send the prepared questionnaire to the remaining four candidates: Wayne L. Baker, Mark T. Baker, John T. L. Grubescic, George F. Heidke. Board Member Fine seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

After the motion, Ms. Hammer suggested that if Ms. Sirignano did not accept the ~~offer~~ offer, that the Subcommittee delegate the task for further background research of the alternates to a Subcommittee Member. Chair Mohr volunteered to do the background research of the five candidates.:

- V. **Other Business and Subcommittee Recommendations.** None.
- VI. **Next Meeting set for Tuesday, June 9, 2015 at 1:30 p.m.**
- VII. **Adjournment:** Board Member Cruz moved to adjourn the meeting. Board member Fine seconded. Passed.

The meeting adjourned at 3:51 p.m.

\_\_\_\_\_  
Approved by:  
Beth Mohr, Personnel Subcommittee Chair

\_\_\_\_\_  
Date

CC: Julian Moya, City Council Staff  
Natalie Y. Howard, City Clerk  
Rey Garduño, City Council President

**From:** Hammer, Robin  
**To:** Joanne Fine  
**Cc:** Beth Mohr; Eric H. Cruz; Leonard Waites; "Mark T. Baker"; Contreras, Michelle  
**Subject:** RE: Draft 5-6-15 Personnel Subcommittee Minutes with Joanne Fines' changes  
**Date:** Saturday, June 06, 2015 2:36:52 PM  
**Attachments:** 5-6-15 Personnel Sub Minutes DRAFT2.docx

---

Attached are the Personnel Subcommittee Minutes with Joanne Fines' suggested changes.

Regards,  
Robin

**Robin S. Hammer, Esq.**

Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Joanne Fine [mailto:joannefine413@gmail.com]  
**Sent:** Saturday, June 06, 2015 12:23 PM  
**To:** Hammer, Robin  
**Cc:** Beth Mohr; Eric H. Cruz; Leonard Waites; Mark T. Baker; Contreras, Michelle  
**Subject:** Re: Draft 5-6-15 Personnel Subcommittee Minutes

Here are my corrections to the May 6th Personnel Committee minutes. See errors and changes in yellow highlights and cross outs. If you have any questions, call me directly at 350-2531 today. Otherwise, please send them out as corrected today. As our meeting is Tuesday, June 9th, I would like these minutes to not be delayed again as the last meeting minutes were delayed from April.

If your staffing resources do not allow for the Subcommittee and POB meeting minutes to be distributed for review within a week of those meetings, I would suggest you realign your staffing pattern so they can be delivered in that time frame. It is not reasonable to make us wait month over month. It delays and diminishes our ability to do the work we have been asked to do in a timely manner.

Speaking of which, where are our April POB minutes that you were directed to change to include Dr. Amado McCoy's comments? What is the excuse for that extended delay? This is tiresome and unacceptable, Ms. Hammer. I was promised that those minutes would be delivered along with the Personnel Committee minutes. Again, it is a promise only half delivered. When exactly will we receive the April POB minutes as amended by Dr. McCoy? Your work product is again in arrears, hampering our work once again. Do not bother to blame staff. This is your management duty. Do what you have to in order to make the necessary changes within the budget to make this work more timely as we have requested time and again.

Thank you,  
Joanne Fine

On Sat, Jun 6, 2015 at 10:52 AM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:  
Personnel Subcommittee Members:

Attached are the draft Minutes of the May 6, 2015 Personnel Subcommittee.

Please let me know if you have any corrections or changes.

All the best,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
[\(505\) 924-3774](tel:(505)924-3774)  
Fax: [\(505\) 924-3775](tel:(505)924-3775)  
<http://www.cabq.gov/cpoa>

--

Joanne Fine  
Police Oversight Board Member

**POLICE OVERSIGHT BOARD  
PERSONNEL SUBCOMMITTEE**

**Wednesday, May 6, 2015 – 1:30 p.m.  
Plaza Del Sol, 600 2<sup>nd</sup> St. NW  
Seventh Floor Conference Room**

**Members Present**

Eric Cruz  
Beth Mohr (Chair)  
Joanne Fine

**Others Present**

Robin S. Hammer  
Michelle Contreras  
Diane McDermott  
Leonard Waites  
Blake Whitcomb, Asst. City Attorney

**MINUTES**

- I. Welcome and Call to Order:** Chair Mohr called the meeting to order at 1:30 p.m.
- II. Public Comments.** None
- III. Approval of the Minutes:** Due to their late arrival, Board Member Fine moved that the minutes for the April 27, 2015 Personnel Subcommittee be deferred to the next meeting scheduled for June 9, 2015 at 1:30 p.m. Board Member Cruz seconded the motion. Passed.  
For: 3 – Fine, Mohr, Cruz
- IV. Discussion of Contract for Independent Legal Counsel**
  - A. Introduction of applications for Independent Counsel Contract**

The members discussed the contract for the Independent Legal Counsel. The legal counsel advertisement was read out loud by Assistant City Attorney Whitcomb for the record prior to reviewing the applications. Chair Mohr indicated that she had received several applications but only printed and distributed the Curriculum Vitae's (CV's) Members Fine and Cruz for their review during the meeting. Ms. Mohr made available to the Members all of the other documents which the applicants had supplied. Ms. Mohr provided an extra set of applications to be kept for the record. Chair Mohr suggested that, if during their review of the applications, the Subcommittee selected more than one applicant, she proposed that they come up with a questionnaire to obtain more information from selected applicants.
  - B. Discussion of Process for ranking and selection**

The Members discussed the process for ranking and selection of the applicants. Chair Mohr advised the Subcommittee that there was an issue of the hourly wage which is set at \$185. Acting Executive Director Hammer advised the Subcommittee that there was set amount of money for the Independent Legal Counsel position within the Civilian

Police Oversight Agency (CPOA) budget, but that the Subcommittee could set the hourly rate for the Independent Council. Ms. Hammer stated that other City boards have hired legal counsel with an hourly rate from \$120 to \$180. Ms. Hammer indicated that there is a budget of \$15,000 until June 30, 2015 and \$75,000 for fiscal year 2016 allotted for the hiring of the Independent Legal Counsel. Assistant City Attorney Whitcomb recommended that the Subcommittee rank candidates by their hourly rate and negotiate their rate. Mr. Whitcomb also clarified that \$180 to \$200 is reasonable government rate. Chair Mohr summarized that a \$75,000 budget with a potential hourly rate of \$180 would result to about 400 billable hours. Chair Mohr indicated that if they select an attorney from a law firm, that it would not be appropriate for the firm to send an associate to the POB meetings. Chair Mohr suggested that Subcommittee members go through the applications, which are sorted by alphabetical order, and discuss each one.

### **C. Discussion of Candidates**

After the Subcommittee reviewed the applications, Chair Mohr proposed that the candidates must have the following qualifications:

1. Be an active member of the New Mexico Bar;
2. Have expertise in civil rights, police misconduct and criminal law;
3. Have some expertise in Contract Law, Municipal Regulation, Open Meetings Act, IPRA and Union Contracts, but knowledge in each of these legal areas of law were not required.

### **D. Selection of Top Candidates**

The Members discussed the following candidates for the Independent Legal Counsel. Board Member Fine wanted clarification on how they were rating the applicants. In response, Chair Mohr indicated that they would go through the *yes*, *no* and *maybe* piles and then rank the applicants in the *yes* pile of the following candidates:

1. Christina Adams
2. Erika E. Anderson
3. Adam S. Baker
4. Mark T. Baker
5. Wayne L. Baker
6. Renee Barela Gutierrez
7. Adam Harrison Bell
8. Joshua D. Boone
9. Joshua L. Carpenter
10. Diane Garrity
11. John T. L. Grubestic
12. George F. Heidke
13. Henry F. Narvaez
14. Amy Sirignano
15. Christopher N. Orton
16. Ryan J. Villa
17. Joel M. Young

After reviewing the applications, Subcommittee Members sorted the applications by *yes* and *maybe*. The following applicant was placed in the *yes* pile:

1. Amy Sirignano

The following applicants were placed in the *maybe* pile:

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#### **E. Discussion of Potential Legal Conflicts**

A discussion was had regarding the potential legal conflicts. Chair Mohr asked Assistant City Attorney Whitcomb to request the City Attorney's Office to determine if Amy Sirignano had any conflicts with the City.

#### **F. Discussion of Next Steps and Recommendations for Selection**

The Members discussed the steps and recommendations the Subcommittee should take in the process of selecting an applicant. Chair Mohr advised the Subcommittee members that they have several choices; they could ask Ms. Amy Sirignano if she would take the rate and put it forward to the full Board as sole choice, rank the *maybe* pile now, or do a survey for more information. Board Member Cruz proposed that they rank the applicants including Ms. Sirignano, who was selected as the only *yes* candidate.

Chair Mohr indicated that she had prepared a questionnaire with 10 questions to present to the four *maybe* applicants in the event Ms. Sirignano did not take the \$180 per hour rate.

Board Member Fine moved that the Subcommittee present their number one selection, Amy Sirignano and the list of alternates to the full POB board. Board Member Cruz seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

Board Member Cruz moved that if Ms. Amy Sirignano declined the propose hourly rate and negotiations have failed, that the Subcommittee would send the prepared questionnaire to the remaining four candidates: Wayne L. Baker, Mark T. Baker, John T. L. Grubescic, George F. Heidke. Board Member Fine seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

After the motion, Ms. Hammer suggested that if Ms. Sirignano did not accept the offer, that the Subcommittee delegate the task for further background research of the alternates to a Subcommittee Member. Chair Mohr volunteered to do the background research of the five candidates.

- V. **Other Business and Subcommittee Recommendations.** None.
- VI. **Next Meeting set for Tuesday, June 9, 2015 at 1:30 p.m.**
- VII. **Adjournment:** Board Member Cruz moved to adjourn the meeting. Board member Fine seconded. Passed.

The meeting adjourned at 3:51 p.m.

---

Approved by:  
Beth Mohr, Personnel Subcommittee Chair

---

Date

CC: Julian Moya, City Council Staff  
Natalie Y. Howard, City Clerk  
Rey Garduño, City Council President



**From:** Beth Mohr  
**To:** Hammer, Robin; pob; Mark T. Baker; Jessica Hernandez; Hults, Samantha M.; nbullock@cabq.gov  
**Subject:** Final POB Agenda for June 11th Meeting  
**Date:** Saturday, June 06, 2015 6:25:26 PM  
**Attachments:** POB Agenda - 6-11-2015 FINAL.docx

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All: Enclosed is the final agenda after comments. Please confirm for me that it's posted within the deadline. Thanks, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

# CIVILIAN POLICE OVERSIGHT AGENCY

Dr. Moira Amado-McCoy

Dr. Jeannette Baca

Dr. Susanne Brown

Eric H. Cruz

Joanne Fine

Beth Mohr

Rev. Dr. David Ring III

Leonard Waites

J. Scott Wilson

Robin S. Hammer, Acting Interim Executive Director

## POLICE OVERSIGHT BOARD AGENDA

Thursday, June 11, 2015 – 4:00 PM

Vincent E. Griego Chambers

- I. **Welcome & Call to Order** ~ Acting Chair, Beth A. Mohr
- II. **Pledge of Allegiance** ~ Dr. Moira Amado-McCoy
- III. **Approval of the Agenda**
- IV. **Approval of Minutes**
- V. **Public Comments**
- VI. **Discussion & Possible Action of IPRA & OMA Resolution** ~ Mark T. Baker, Independent Counsel to POB
- VII. **Reports from City Staff**
  - A. **Executive Director** – *Report by Acting Interim Executive Director Robin Hammer*
  - B. **SOP Update** – *Report by Assistant Lead Investigator Paul Skotchdopole*
  - C. **Mayor's Staff** – *Report*
  - D. **City Council Staff**– *Report by Council Staff Julian Moya*
  - E. **City Attorney's Staff** – *Report by Assistant City Attorney Nicholas Bullock*
  - F. **APD**– *Report by Lt. Jennifer Garcia*
- VIII. **Report from the Subcommittees:**
  - A. **Complaint Review Subcommittee**  
*Discussion and Possible Action re: CPOA Citizen Complaint Process Mapping*
  - B. **Outreach Subcommittee**  
*Discussion and Possible Action re: Outreach issues*  
*Discussion and Possible Action re: Status of Community Engagement Specialist position*  
*Discussion and Possible Action re: Status of CABQ automatic email*
  - C. **Rules and Regulations Subcommittee**  
*Report*
  - D. **Personnel Subcommittee**  
*Discussion and Possible Action re: Process to Select Executive Director*
- IX. **POB Training ~ Internal Affairs Process, APD Staff**
- X. **Meeting with Counsel re: Pending Litigation & Personnel Issues** ~Mark T. Baker  
*Discussion and Possible Action re: Pending Litigation & Personnel Issues*
- XI. **POB Training ~ Mark. T. Baker, Independent Counsel to POB**
  - A. **Police Oversight Ordinance**
  - B. **Consent Decree (formerly DOJ Settlement Agreement)**
- XII. **Other Business**
- XIII. **Adjournment ~ Next Regularly Scheduled POB meeting will be on**  
**Thursday, July 9, 2015 at 4:00 PM in the Vincent E. Griego Chambers**

**From:** Hammer, Robin  
**To:** Beth Mohr; David Ring; Eric H. Cruz; Hammer, Robin; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown  
**Cc:** "Mark T. Baker"  
**Subject:** POB Subcommittees  
**Date:** Saturday, June 06, 2015 10:01:46 AM  
**Attachments:** POLICE OVERSIGHT BOARD SUBCOMMITTEES.docx

---

Attached is a listing of the membership of the five POB Subcommittees for your reference. This information is also on the CPOA website.

All the best,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

## **POLICE OVERSIGHT BOARD SUBCOMMITTEES**

**Updated June 5, 2015**

### **Case Review Subcommittee**

Moira Amado-McCoy, Chair

Leonard Waites

Scott Wilson

### **Outreach Subcommittee**

Meets 4th Monday of the month, 2:00 pm, Plaza del Sol Hearing Room, 160.

Dr. Jeannette Baca, Chair

Dr. Dave Ring

Leonard Waites

### **Personnel Subcommittee**

Beth Mohr, Chair

Eric Cruz

Joanne Fine

### **Policy and Procedure Review Subcommittee**

Scott Wilson

Beth Mohr

Dr. Moira Amado-McCoy

Susanne Brown

### **Rules and Regulation Subcommittee**

Leonard Waites

Scott Wilson

Dr. Dave Ring

**From:** Beth Mohr  
**To:** Hammer, Robin  
**Cc:** David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown; Mark T. Baker; pob  
**Subject:** Re: POB Subcommittees  
**Date:** Saturday, June 06, 2015 6:34:13 PM

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All: Because of the amount of work involved in Acting Chair, as well as the amount for work involved in the Personnel Subcommittee which is organizing the recruitment and selection of a permanent Director, as well as dealing with ongoing, complex personnel issues at the CPOA, I will not be actively involved in the Policy and Procedures Review Subcommittee at this time.

I am anticipating that Mr. Waites will take back the full duties of Chair starting with the August meeting, and once the new Director is selected - probably also around August - I look forward to being able to fully participate in shaping the policy and training that APD will use going forward.

Until then, my duties as Acting Chair and as Chair of Personnel need to take priority at this time. Thank-you for your understanding, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

On Sat, Jun 6, 2015 at 10:01 AM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

Attached is a listing of the membership of the five POB Subcommittees for your reference. This information is also on the CPOA website.

All the best,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

M002841

(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

From: Silvio Dell'Angela  
To: Silvio Dell'Angela  
Subject: June 3 issue of ABQ Free Press-a must read and more.  
Date: Saturday, June 06, 2015 7:28:10 PM

---

**ALL:**

Once again a Journal editorial disgracefully asks the Berry administration to be the ones to resolve the issue with the unauthorized charges by Scott Greenwood that has now exceeded \$500K. This is because Perry said go ahead and bypass the Council as if they don't matter and they should also have to pay toothless monitor James Ginger's asked for \$4.5+ million-both taxpayer rip-offs. Both arrogant men think they only have to answer to Berry and Eden and the DOJ.

You saw my last scathing e-mail to Judge Brack and the DOJ on the toothless agreement and toothless monitor likely they couldn't care less. It also reemphasized how killed officers are honored as heroes while vets returning from war in coffins receive little or nothing like that. This Rio Rancho cop was a great cop but APD is now exploiting his death to convince citizens to lay off all cops-even the bad ones.

The June 3 issue of the ABQ Free Press (APF) has a number of revealing articles about APD that are must reading. You can go on line at [abqfree.com](http://abqfree.com) or pick a copy up at Wal-Mart, Smith's and elsewhere throughout the city. In the AFP is the lead story-an interview with Pete Dinelli, a former City Councilor who says "APD Intimidation Goes Back decades."

Another article "APD Weapons Boasts Battlefield Firepower" begins with a good description of APD "Guns and Ammo R Us" exposing the military firepower. It includes another outrageous/insulting statement by Eden's lying PIO cop Celina Espinoza claiming the department has a legitimate use for such ammunition to "overcome heavily fortified obstacles and to disable heavy equipment."

Another article saying "Obama Cuts the Flow of Military Weapons to Police Departments" says APD has many military weapons deemed inappropriate. Another "Police Bean-Bag Shooting, Stomping Of Dead Man Horrifies Viewers" talks about what happened after APD killed fleeing suspected burglar Dale Anthony Lusian that APD portrayed as a suicide as they have done with others they killed.

Ignored by the media was the autopsy report showing no powder burns on Lusian's clothing and that carelessly the (APD throw-down) gun placed next to his body was different than the gun that killed him. The gun was nowhere to be found when they first came upon his dead body. One suddenly appeared but it wasn't the one that killed him. Careless job-APD. The compulsive liars in APD still claimed he committed suicide.

Another AFP article "APD Probes Officer-involved shooting" talks about the killing of Rodrigo Garcia who was fleeing APD in his car. Eden's liar Celina was at it again claiming APD doesn't know how many officers shot at the fleeing car. Really? Then another one "Cameras, Media,

M002843

Commanders all Erode Morale Cops Say.” It is a blistering indictment of APD’s corrupt leadership that begins in the Mayor’s office.

One current unnamed cop asks why hasn’t Berry placed anyone involved in Schultz’s Tasergate put on leave? That’s because one put on leave would include Berry who greased the \$1.9 million rip-off of taxpayers for Schultz in a no-bid contract.

Good retired cops Tom Grover and Dan Klein provided inputs as well as other cops anonymously. Anybody wonder why the Auditor’s blistering report on TASERGATE won’t be allowed to be released?

Another article by the Rio Rancho Chief Asks What to do about career criminals-one Andrew Romero who murdered a great cop Gregg Nigel Benner also a career AF man. Everybody downtown who screwed up the case against Romero and let him loose are in a CYA mode.

Berry and APD would like to see DA Brandenburg take full blame for it to complete Berry’s Perry’s and Eden’s vengeful retaliation against her for daring to charge cops Sandy and Perez for the murder of homeless James Boyd. Some letters to the editor in the AFP hammers APD and our inept/corrupt Mayor Berry but they don’t care.

Neither Ginger and his expensive crew nor the free spending Greenwood and Streicher won’t change what’s really wrong here in APD with just crisis intervention and other training, merely looking at SOPs and other claimed “corrective actions.”

It’s like wasting money teaching dishonest/corrupt people ethics, you can’t change them. But as long as councilors accept Eden’s and Perry’s doubletalk, then they are no longer serving the people.

Since the murder by trigger happy two cops of African-American homeless Vietnam war veteran Vincent Wood in early July 2011, APD with the Mayor blessing has repeatedly ignored my July 27, 2013 NM IPRA request to see the videos of that killing but APD repeatedly stonewalled me.

Finally KOAT reported today that APD is being sued for Wood’s murder. See below. Where is US AG Loretta Lynch? Is this homeless black man-a vet disposable?

---

*Estate of man killed by police files wrongful death lawsuit-Vincent Wood shot and killed*

*in 2013 Published 3:37 PM MDT Jun 06, 2015 [Mike Springer](#)*

*ALBUQUERQUE, N.M. —The estate of a man shot and killed by Albuquerque police in 2013 is filing a wrongful death suit against the city. An attorney representing the estate of Vincent Wood filed the suit last month. It’s unknown if the city has received it. Police said Wood was armed with butcher knives when officers shot and killed him by a gas station near San Mateo and*



*Montgomery in July 2013. The suit claims the officers knew of Wood's mental health history but did not wait for the crisis intervention officer to arrive before shooting Wood. It also claims the officers never tried using non-lethal methods such as bean bags or a Taser to subdue Wood before shooting him. The suit claims Wood was shot nine times in about a minute after the officers arrived on the scene. The suit does not list a specific dollar amount the estate is seeking, but it is listed as in excess of \$25,000. Action 7 News reached out to the city and APD for comment but neither replied.*

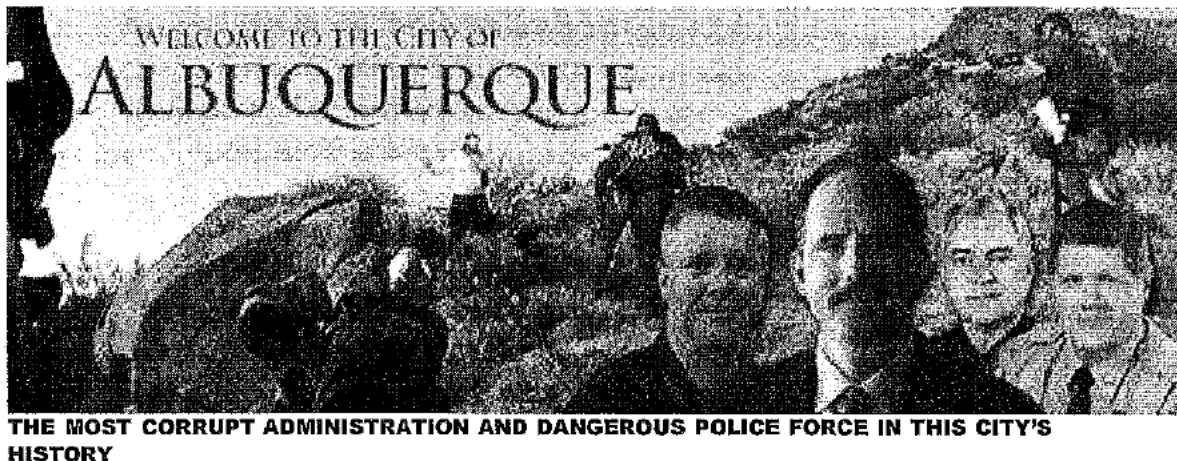
---

Does the DOJ, Judge Brack or anyone else believe that James Ginger and his PMR Inc. team of mostly former police officers or carpetbagger Scott Greenwood will really change the culture at APD for the over \$5 million they will be given? What a betrayal!

Silvio

For WE THE PEOPLE

Living in the Land of hopelessness



**From:** [Beth Mohr](#)  
**To:** [LGI.POB.AE@cabq.gov](mailto:LGI.POB.AE@cabq.gov)  
**Subject:** Thank-you for your email Re: June 3 Issue of ABQ Free Press-a must read and more.  
**Date:** Saturday, June 06, 2015 7:28:16 PM

---

Thank-you for your email. I am a Police Oversight Board member; this is a volunteer position for which I have limited availability. If your email requires a response from me, I will endeavor to do so within 72 hours. Thank-you for your patience.

--

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

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**From:** Hammer, Robin  
**To:** Beth Mohr; David Ring; Eric H. Cruz; Hammer, Robin; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown  
**Cc:** "Mark T. Baker"  
**Subject:** April 9 2015 POB Minutes  
**Date:** Saturday, June 06, 2015 12:08:26 PM  
**Attachments:** April 9 2015 Minutes CPOA-DRAFT2.doc

---

Board Members:

Attached are the April 9 2015 POB Minutes with Dr. Amado-McCoy's suggested changes for your records.

Regards,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
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# **CIVILIAN POLICE OVERSIGHT AGENCY**

**Thursday, April 9, 2015**

**Vincent E. Griego Chambers, Basement Level  
City/County Government Center - One Civic Plaza NW  
Albuquerque, New Mexico**

## **Members Present:**

Leonard Waites (By Phone)  
Beth Mohr (Acting Chair)  
Jeffrey Scott Wilson (Co-Vice Chair)  
Dr. Moira Amado-McCoy  
Dr. Jeanette Baca  
Eric Cruz  
Joanne Fine  
Rev. David Ring III

## **Others Present:**

Robin Hammer  
Paul Skotchdopole  
Diane McDermott  
Chris Davidson  
Erin O'Neil  
Paul Cash  
Michelle Contreras  
Lt. Jennifer Garcia, APD Internal Affairs  
Sgt Mike Medrano, APD Internal Affairs  
Nicholas Bullock, City Attorney  
Julian Moya, City Council

## **MINUTES**

- I. WELCOME AND CALL TO ORDER:** Acting Chair Beth Mohr called the meeting to order at 5:01 p.m.
- II. PLEDGE OF ALLEGIANCE:** Board Member Ring led the Board in the Pledge.
- III. APPROVAL OF AGENDA -** Acting Chair Mohr requested that a dinner break be added to the Agenda. Board Member Baca suggested the dinner break and Executive Session be combined. Acting Chair Mohr requested that discussion on process of how complaints will be handled to be put back on the agenda, as well as Item VII(C), training of board, and VII(D), discussion of subcommittees by Board Member Baca. Acting Chair Mohr also requested that discussion be held regarding the City Council Resolution to hold part of the Board's duties in abeyance. Board Member Fine moved the motion. Co-Chair Wilson seconded the motion. Passed.  
For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring
- IV. APPROVAL OF MINUTES –** Acting Chair Mohr noted that the March minutes should reflect that the meeting adjourned at 8:55 p.m. Board Member Ring moved for the approval of the minutes. Board Member Baca seconded the motion. Passed.  
For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring

## V. PUBLIC COMMENTS –

**CHARLES ARASIM** – Mr. Arasim informed the Board that he has been addressing the POC for many years. He also stated that if the Subcommittee to select the new Executive Director conducts interviews in executive session, then that would constitute a violation of the Open Meetings Act. Mr. Arasim requested that the Board reject the application of Acting Executive Director Hammer as the permanent Executive Director, stating that when he previously filed a complaint, Acting Executive Director Hammer sat on the complaint for over a year.

**TAD NIEMYJSKI** – Mr. Niemyjski stated that he is from Poland, and was originally living in Chicago before coming to Albuquerque. He stated that he is familiar with the POC process and wanted to know if the Board is for the people. Mr. Wynosky felt that the Board should be comprised of real citizens free from politics.

**DON SCHRADER** - Mr. Schrader stated that all police should be tested for unhealed PTSD, and that if officers have unhealed PTSD, they should have desk jobs or work outside APD. Mr. Schrader stated that all officers should be trained to resolve situations in a non-violent manner, and that officers who have never shot or beaten a citizen should be given a special honor. Mr. Schrader stated that drug tests should be given to officers to test for drugs or steroids after being involved in any incident. Mr. Schrader stated that officers should not stalk protestors or victims' families, and that police should be respected and not feared by citizens.

**ANDRES VALDEZ** - Mr. Valdez stated that he is associated with an organization by the name of Vecinos United. Mr. Valdez stated that he has sued the former POC for meetings held behind closed doors, and that the Board will be in violation of the Open Meetings Act if they select the new Executive Director in a closed meeting.

## VI. SETTLEMENT AGREEMENT DISCUSSION/TRAINING A. Acting Executive Director Hammer explained and gave a history of the DOJ Settlement Agreement to the Board. Ms. Hammer also explained the status of the Settlement Agreement and its requirements.

B. Acting Executive Director Hammer advised the Board that Mr. Ginger has requested that the Board receive training prior to hearing any complaints. In response, Board Member Amado-McCoy stated that the Board was not asked for their input regarding the meeting with Mr. Ginger. Acting Chair Mohr stated that some other Board Members were scheduled to meet with the federal monitor, Mr. Ginger, but that meeting did not take place. Board Member Amado-McCoy commented that the Board was qualified last month, but was found to be not qualified this month. Acting Executive Director Hammer informed the Board that Mr. Ginger, or his designee, would like to appear at the May 2015 POB meeting.

C. The Board discussed that there will be a backlog of cases. Acting Executive Director Hammer indicated that once the board has completed its training and a strategic plan put in place, she would present pending CPC cases to the Board Members. The Board requested that an ongoing state-of-the-agency report be sent to the Case Review

Subcommittee, to include a summary of where the CPCs (including Officer-Involved Shootings) are in the process, what information the CPCs are waiting on, and a breakdown of SOP violations. Board Member Fine made a motion that an ongoing report be made to the Case Review Subcommittee. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

## **VII. DISCUSSION OF ROLE OF CPOA AND POB**

(A) The Board and Acting Executive Director Hammer discussed the City Council Resolution to hold in abeyance POB review of CPC and Officer Involved Shooting cases until mandated training is completed. Acting Executive Director Hammer discussed training that the Board needs to complete to be in compliance with the Settlement Agreement and Ordinance. Board Member Amado-McCoy felt the Board was comprised of neutral, third party civilians for a reason. Board Member Amado-McCoy stated that if the Board were to consider the number of hours that the Board spent at APD training, many community members could consider this as inappropriate. Board Member Amado-McCoy stated that the question was not whether the Board should or should not attend training, but whether or not the Board was capable of performing our mandated function without it. The Board expressed concerns that waiting to complete training would result in a backlog of complaints to be heard. Co-Vice Chair Wilson suggested that the first meeting of the Board may have upset some people. Board Member Amado-McCoy suggested that the Board should appear before the City Council.

Board Member Amado-McCoy made a motion that Mr. Moya arrange a meeting between Board Members and the City Council and that Board Member Amado-McCoy should attend the City Council meeting the following week in order to articulate our objections to the suggestion that the Board hear no further cases until trained. Board Member Cruz seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring

Acting Chair Mohr spoke about an ABA Webinar being presented on April 16, 2015, on Strategies for Success: Implementing and Improving Citizen Police Oversight of Law Enforcement.” Acting Executive Director Hammer suggested the Webinar would be helpful to the Board. Acting Chair Mohr spoke about training called Foundation on Open Government being held on April 29, 2015. The City Attorney will observe the training and will provide further details on the time and location. Board Member Amado-McCoy requested that Acting Executive Director Hammer inquire of APD about special training events, and that should be a priority.

Board Member Baca spoke regarding a Policy and Procedure Subcommittee, and made a motion that the discussion be held open to the next meeting. Co-Chair Wilson seconded the motion. Discussion was had and the Board discussed creating a Policy and Procedure Subcommittee. Members will be Co-Chair Wilson, Co-Chair Mohr, and Board Member Amado-McCoy. Board Member Baca made a motion to create the Policy and Procedure Subcommittee. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

## **VIII. REPORTS FROM SUBCOMMITTEES**

**A. Outreach Subcommittee** Acting Executive Director Hammer requested that guest speaker Adrian Carver be heard out of order before the dinner break. Mr. Carver made a presentation on behalf of the New Mexico Forum for Youth. Mr. Carver felt that young people should be involved with the policy-making process at many levels of government, and that young people have voices and need to be heard. Mr. Carver felt that the Youth Alliance could provide data to the Board regarding young people. He also discussed that the Youth Alliance could act in an advisory capacity to the Board, and work with the Outreach Subcommittee. The Board indicated that it would welcome input from the Youth Alliance, which will continue to work with Board Member Ring and the Outreach Subcommittee.

Board Member Fine made a motion to break for dinner. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring. The Board was in recess at 7:15 p.m.

The Board reconvened at 7:49 p.m.

## **VIII. REPORTS FROM SUBCOMMITTEES**

**A. Outreach Subcommittee** – Board Member Baca reported on the Outreach Subcommittee. Board Member Baca was selected to Chair the Subcommittee. Chair Waites and Board Member Ring also sit on the Subcommittee. Board Member Baca discussed the New Mexico Forum for Youth, the Outreach Coordinator position, and neighborhood associations. Board Member Baca explained how she has approached the neighborhood associations, and that the Board should become active with the neighborhood associations.

**B. Personnel Subcommittee** – Acting Chair Mohr discussed the search process to select the new Executive Director. The Board is bound by a Court Order to conduct interviews in an open meeting. The Board will select three names to be sent to the City Council and a CPOA staff member will assist the Board in delivery of the names to the City Council. The City Council will make the decision on who becomes the Executive Director.

Board Member Ring made a motion to accept this process to select the Executive Director as outlined. Board Member Fine seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

Acting Chair Mohr further discussed the task of the Personnel Subcommittee to select the Executive Director.

Board Member Amado-McCoy made a motion that the Personnel Subcommittee should begin their work. Board Member Baca seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

At 8:20 p.m., the Board and Assistant City Attorney Bullock met in Executive Session.

## **IX. DISCUSSION OF CONTRACT FOR INDEPENDENT LEGAL COUNSEL**

The Board reconvened at 8:47 p.m. to discuss the contract for the Independent Legal Counsel position. There are funds available until end of fiscal year 2015. The Personnel Subcommittee should fast track the search for Independent Legal Counsel. Funds are also available beginning fiscal year 2016 for Independent Legal Counsel. Acting Chair Mohr placed an ad for the April 22, 2015, Bar Journal.

Co-Chair Wilson made a motion that the search for Independent Legal Counsel should move forward expeditiously. Board Member Amado-McCoy seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

The next meeting of the Personnel Subcommittee and the Outreach Subcommittee would be on April 27, 2015.

**X. DISCUSSION OF CITY COUNCIL'S BUDGET QUESTIONS POSED TO CPOA** – Acting Executive Director Hammer presented general questions from the City Council, and provided a flow chart. Acting Executive Director Hammer discussed the process of selecting the Executive Director, the Independent Legal Counsel, and the Outreach Coordinator. Contract service for a paralegal position was also discussed. Training and Travel was also discussed.

**XI. DISCUSSION OF DRAFT CPOA RULES** – Co-Chair Wilson made a motion to defer this item to a future date. Board Member Amado-McCoy seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

## **XII. REPORTS FROM CITY STAFF:**

**A. Acting Executive Director Hammer** – Acting Executive Director Hammer reported March 2015 statistics as follows:

### **March 2015:**

- 17 new Citizen Police Complaints
- 16 Job Well Done Letters
- 14 Cases Resolved

A bid was placed to have the fall 2016 NACOLE conference in Albuquerque. A decision should be made in May 2015. Acting Executive Director Hammer discussed the Talk-to-a-Cop program which brings citizens and officers together. A new database being worked on, IA-PRO, will help to identify officers who may have issues.

**B. SOP Update** – CPOA Lead Investigator Paul Skotchdopole had nothing to report and has not attended any APD meetings as there have been no meetings of the Policy and Procedure Committee. It was discussed that Chief Eden will place Mr. Skotchdopole on the attendee list for future meetings. Board Member Amado-McCoy indicated that the Board would like the staff's input regarding the SOPs.



**C. Mayor's Staff** – No one was present to report.

**D. City Council Staff** – Mr. Moya stated that on April 20, 2015, the City Council will appoint Sue Ann Brown to serve on the Board.

**E. City Attorney's Staff** – City Attorney Bullock had nothing to report.

**F. APD** – Lt. Garcia from APD Internal Affairs presented the report for March 2015.

APD Calls for Service: 40,663  
Internal Affair cases for March 2015  
Received - 21                      Inactivated - 0                      Completed - 12  
Mediated - 0                      Pending - 16

Discipline imposed in March 2015  
3 verbal reprimands                      5 letters of reprimands  
1 32-hour suspension                      1 40-hour suspension  
1 160-hour suspension  
0 termination

**XIII. OTHER BUSINESS** – No other business.

**XIV. ADJOURNMENT** - *Next POB meeting will be on Tuesday, May 19, 2015, at 4:00 PM in the Vincent E. Griego Chambers. Note the change from Thursday to Tuesday for next month's meeting.* The meeting adjourned at 9:19 p.m.

**APPROVED:**

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**Beth Mohr, Acting Chair**  
**Civilian Police Oversight Agency**

---

DATE

CC:      Julian Moya, City Council  
         Trina Gurule, Acting City Clerk  
         Rey Garduno, City Council President

**From:** Joanne Fine  
**To:** Hammer, Robin  
**Cc:** Beth Mohr; David Ring; Eric H. Cruz; Jeannette V. Baca; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown; Mark T. Baker  
**Subject:** Re: April 9 2015 POB Minutes  
**Date:** Sunday, June 07, 2015 11:11:29 AM

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These minutes for the April POB meeting are still so sloppy and inaccurate that I am volunteering to listen to the full meeting and submit to the group my version of what these minutes should be. At least, I was in attendance. I believe that makes my version of the minutes more likely to be accurate. Let me state for the record that inaccuracies and omissions as are represented in these minutes are an affront to the Board and a seemingly purposeful barrier to the successful completion of our assigned duties.

They are NOT up to any business standard of which I am aware - this is a problem that needs to be managed by the Executive Director, Acting or otherwise.

Joanne Fine  
POB Board Member

On Sat, Jun 6, 2015 at 12:08 PM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

Board Members:

Attached are the April 9 2015 POB Minutes with Dr. Amado-McCoy's suggested changes for your records.

Regards,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

--

Joanne Fine  
Police Oversight Board Member

**From:** Hammer, Robin  
**To:** Beth Mohr; David Ring; Eric H. Cruz; Hammer, Robin; Jeannette V. Baca; Joanne Fine; Leonard Waltes; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown  
**Cc:** "Mark T. Baker"; Contreras, Michelle  
**Subject:** May 19 2015 POB Meeting Minutes with suggested changes  
**Date:** Saturday, June 06, 2015 2:45:13 PM  
**Attachments:** May 19 2015 Minutes CPOA DRAFT2.doc

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POB Members:

Attached are the May 19 2015 POB Meeting Minutes with suggested changes from Beth Mohr and Joanne Fine.

Please let me know if you have any questions.

Thanks,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
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<http://www.cabq.gov/cpoa>

# **CIVILIAN POLICE OVERSIGHT AGENCY**

**Tuesday, May 19, 2015**

**Vincent E. Griego Chambers, Basement Level  
City/County Government Center - One Civic Plaza NW  
Albuquerque, New Mexico**

## **Members Present:**

Leonard Waites (Chair, by Phone)  
Beth Mohr (Acting Chair)  
Jeffrey Scott Wilson (Co-Vice Chair)  
Dr. Jeanette Baca  
Susanne Brown  
Eric Cruz  
Joanne Fine  
Rev. David Ring III

## **Others Present:**

Robin Hammer  
Paul Skotchdopole  
Diane McDermott  
Chris Davidson  
Erin O'Neil  
Paul Cash  
Michelle Contreras  
Acting APD Lt. Mike Medrano  
Mark Barker, Esq.  
Jessica Hernandez, City Attorney  
Nicholas Bullock, Assistant City Attorney  
Julian Moya, City Council

## **MINUTES**

**I. WELCOME AND CALL TO ORDER:** Acting Chair Mohr called the meeting to order at 4:07 p.m.

**II. PLEDGE OF ALLEGIANCE:** Board Member Cruz led the Board in the Pledge.

**III. APPROVAL OF AGENDA -** Acting Chair Mohr requested that there be a reorder of the agenda. After Public Comment, Items VII and VIII will be discussed, followed by Item VI.6.3, followed by Item IX, and then back to VI.A and VI.B. Board Member Ring made a motion to approve the Agenda with the above changes. Board Member Ring seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**IV. APPROVAL OF MINUTES –** Acting Chair Mohr requested that the minutes be amended to reflect changes suggested by Board Member Amado-McCoy. Board Member Ring moved for the approval of the minutes with the changes. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **V. PUBLIC COMMENTS –**

**Charles Arasim –** Mr. Arasim informed the Board that he sent an e-mail on April 13 requesting e-mail correspondence regarding business of the Board. He stated that the Board is on the verge of being implicated in a complaint to the Attorney General for being in violation of the Inspection of Public Records Act. He stated that the city attorney and city clerk are denying him information and he assumes that the Board's record custodian is in on this. If the information that he

requested is not received by May 20, 2015, by 2:00 p.m. he will file his complaint with the Attorney General. Mr. Arasim stated that the Acting Executive Director has no contract and he is curious why she is here, and that everything that the Acting Executive Director is doing is fraudulent.

## **VII. CIVIL RIGHTS TRAINING**

Attorney Mark Baker thanked the Board for their service. Mr. Baker discussed his background and experience in Civil Rights matters. Mr. Baker presented a slideshow and gave training to the Board on Civil Rights. He discussed the 4<sup>th</sup> Amendment and search and seizure issues. Mr. Baker cited examples of violations of the 4<sup>th</sup> Amendment. Mr. Baker discussed Use of Force and Use of Deadly Force. He also discussed Use of Force when dealing with the mentally ill. Mr. Baker discussed probable cause. He also discussed the Garrity Rule, which arises from the 5<sup>th</sup> Amendment. Mr. Baker took questions from the Board regarding his presentation.

## **VIII. DISCUSSION OF CONTRACT TO RETAIN INDEPENDENT LEGAL COUNSEL**

Acting Chair Mohr discussed the process that the Board undertook to hire the Independent Legal Counsel. Acting Chair Mohr stated that the Independent Legal Counsel's role is to represent the Board. After discussion, Board Member Fine made a motion to approve Mark Baker as the Independent Legal Counsel. Board Member Brown seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(C) REPORT FROM PERSONNEL SUBCOMMITTEE**

Board Member Fine made a motion that the Board meet in Executive Session regarding selection of the Executive Director. Board Member Ring seconded the motion. A roll call was taken and all Board members agreed. At 5:42 p.m., the Board met in Executive Session to discuss the process of hiring an Executive Director.

The Executive Session ended at 7:03 pm. After Executive Session, Board Member Fine made a motion to note that only personnel matters were discussed during the Executive Session. Board Member Baca seconded the motion. A roll call was taken and all Board members agreed.

## **IX. CITIZEN POLICE COMPLAINT FINDINGS BY CPOA**

Acting Chair Mohr stated that the Board is confused regarding whether the Board can hear Citizen Police Complaints. Acting Chair Mohr has been in contact with Mr. Ginger and stated that the Board will be getting more clarification regarding this. Acting Chair Mohr indicated that the Board is considering not hearing complaints at this time. Attorney Mark Baker stated that the Rules and Procedures need to be investigated, and that he is looking for effective models. Acting Chair Mohr discussed training for the Board. Acting Chair Mohr made a motion to table this issue. Board Member Ring seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(A) COMPLAINT REVIEW SUBCOMMITTEE**

Co-Chair Wilson reported that the Citizen Police Complaint Subcommittee met on two occasions. The Subcommittee is learning about the process regarding CPCs, and being informed on the status of CPCs. Co-Chair Wilson reported that there are CPCs available for review by the Board.

## **VI.(B) OUTREACH SUBCOMMITTEE**

Board Member Baca reported that the Outreach Subcommittee has had one meeting where the hiring of an Outreach Coordinator was discussed. The City will advertise the position to be titled as Community Engagement and Communications Specialist. Board Member Baca stated that the New Mexico Youth Forum has been invited back to future Board meetings. Business cards and e-mail accounts were discussed, and a motion was made that Board Member Baca will follow up with the City on the issue of business cards and e-mail accounts. Board Member Cruz seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(C) PERSONNEL SUBCOMMITTEE**

Acting Chair Mohr reported that the Personnel Subcommittee has been busy. They had one meeting in which discussion was had regarding the hiring of Independent Legal Counsel. The Board discussed the job description and selection of the Executive Director. The Board discussed several changes to the Executive Director job description. For the Executive Director job description, refer to Attachment A. Board Member Ring made a motion to adopt the changes to the Executive Director job description. Board Member Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **VI.(D) ADDITIONAL SUBCOMMITTEES**

Acting Chair Mohr stated that she wanted to be on a committee that looks at training and policies of APD. Chair Waites stated his desire for a subcommittee to assist the Independent Legal Counsel regarding rules and regulations. Board Member Cruz made a motion to create a subcommittee to assist the ILC regarding rules and regulations. Board Member Ring seconded the motion. Committee members will be Chair Waites, Co-Chair Wilson, and Board Member Ring. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **X. DISCUSSION OF LETTERS FROM POB REGARDING CPCs FROM PRIOR MEETINGS**

Co-Chair Wilson made a motion to defer this discussion. Board Member Brown seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **XI. DISCUSSION OF POB RIDE-ALONG PROTOCOLS**

The Board discussed the ride-along protocols, and agreed that the Board members should be allowed to ride-along with officers who may have been involved in previous shooting cases. If a Board member participated in a ride-along with an officer who had been involved in a shooting, the Board member could recuse themselves from hearing any cases involving that officer. Board Member Cruz made a motion to allow Board members to ride-along with officers who may have been involved in a shooting case. Board Member Fine seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

## **XII. REPORTS FROM CITY STAFF**

**A. Acting Executive Director Hammer** – Acting Executive Director Hammer reported April 2015 statistics as follows:

### **April 2015:**

13 new Citizen Police Complaints

#### 10 Job Well Done Letters

A motion was made by Board Member Fine that the CPC Subcommittee will look at the backlog of CPC cases. Co-Chair Wilson seconded the motion. This issue will be on the agenda of the June 2015 Board meeting. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**B. SOP Update** – CPOA Lead Investigator Paul Skotchdopole had nothing to report and has not attended any APD meetings. Mr. Skotchdopole stated that he has not yet been placed back on the attendee list for meetings. Attorney Mark Baker will work with Ms. Hernandez to have Mr. Skotchdopole put back on the attendee list.

**C. Mayor's Staff** – No one was present to report.

**D. City Council Staff** – Mr. Moya stated that City Council is finalizing the budget for fiscal year 2016.

**E. City Attorney's Staff** – Assistant City Attorney Bullock had nothing to report.

**F. APD** – Acting Lt. Medrano from APD Internal Affairs presented the report for April 2015.

APD Calls for Service: 39,606

Internal Affairs cases for April 2015

Received - 13

Inactivated - 0

Completed - 10

Mediated - 0

Pending - 12

Discipline imposed in April 2015

0 verbal reprimands

5 letters of reprimands

1 8-hour suspension

1 16-hour suspension

1 80-hour suspension

1 120-hour suspension

2 termination

Internal Affairs personnel presented information on IA complaints for 2014. The Board received the printed report and discussed the information with APD.

### **XIII. DISCUSSION TO CONSIDER SPECIAL MEETING**

A motion was made by Board Member Baca to defer this matter until the June 2015 Board meeting. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring.

**XIV. OTHER BUSINESS** – No other business.

**XV. ADJOURNMENT** - *Next POB meeting will be on Thursday, June 11, 2015, at 4:00 PM in the Vincent E. Griego Chambers.* The meeting adjourned at 9:07 p.m.



**APPROVED:**

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**Beth Mohr, Acting Chair**  
**Civilian Police Oversight Agency**

---

DATE

cc: Julian Moya, City Council Staff  
Natalie Y. Howard, City Clerk  
Rey Garduño, City Council President

**From:** Maira Amado-McCoy  
**To:** Hammer, Robin  
**Cc:** Beth Mohr; David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Scott S. Wilson; Susanne Brown; Mark T. Baker; Contreras, Michelle  
**Subject:** Re: May 19 2015 POB Meeting Minutes with suggested changes  
**Date:** Sunday, June 07, 2015 7:42:27 AM

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Terrific. These are by far the best -- clear, efficient, and meaningful -- board minutes I've seen in this process. Written by someone other than the phantom "paralegal" Ms. Hanes, I'm guessing? How much do we pay Betty Hanes again? From what I'm seeing of the writing and rewriting process, Ms. Fine might be justified in submitting an invoice?

Thanks to our colleagues for all the hard work.

Maira

On Sat, Jun 6, 2015 at 2:45 PM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

POB Members:

Attached are the May 19 2015 POB Meeting Minutes with suggested changes from Beth Mohr and Joanne Fine.

Please let me know if you have any questions.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3770

Fax: (505) 924-3775

M002862

<http://www.cabq.gov/cpoa>

**From:** Joanne Fine  
**To:** Hammer, Robin  
**Cc:** Beth A. Mohr; David Z. Ring; Eric H. Cruz; Jeanette Baca; Jeffrey Scott Wilson; Leonard Waites; Moira Amado-McCoy; susanne.brown37@gmail.com  
**Subject:** Re: May 19 2015 POB Meeting Minutes with suggested changes  
**Date:** Sunday, June 07, 2015 10:57:52 AM

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What is still not accurate: [See section VI]

A] It speaks only of a motion to create a committee to assist the ILC. It does not say that this committee will be Ad Hoc.

B] Also, the Training and Policies Committee relates to ordinance assignments to recommend Training and Policy changes to APD. I believe we had a motion to create that committee as well, yet these minutes do not reflect that.

Here is what your revised minutes say. They are incomplete and missing important information. Again.

"VI.(D) ADDITIONAL SUBCOMMITTEES

Acting Chair Mohr stated that she wanted to be on a committee that looks at training and policies of APD. Chair Waites stated his desire for a subcommittee to assist the Independent Legal Counsel regarding rules and regulations. Board Member Cruz made a motion to create a subcommittee to assist the ILC regarding rules and regulations. Board Member Ring seconded the motion. Committee members will be Chair Waites, Co-Chair Wilson, and Board Member Ring. Passed.  
For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring."

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Thanks,

Robin

**Robin S. Hammer, Esq.**

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<http://www.cabq.gov/cpoa>

--  
Joanne Fine  
Police Oversight Board Member

**From:** [Maira Amado-McCoy](#)  
**To:** [Joanne Fine](#)  
**Cc:** [Hammer, Robin](#); [Beth A. Mohr](#); [David Z. Ring](#); [Eric H. Cruz](#); [Jeanette Baca](#); [Jeffrey Scott Wilson](#); [Leonard Waites](#); [susanne.brown37@gmail.com](#)  
**Subject:** Re: May 19 2015 POB Meeting Minutes with suggested changes  
**Date:** Sunday, June 07, 2015 11:24:01 AM

---

Thank you for being so thorough, Joanne.

I'm so grateful that you've taken on the task of assuring that our meeting minutes accurately reflect our work. I say this in response not only to the minutes I've seen come across corrected these past few days since you committed to the project, but also to the work in which I know you've been knee-deep regarding the April minutes.

I'm glad the oversight (and even the line-by-line work) of all this is in your capable and careful hands, and I'm also very much committed to assuring that we won't have to continue this double-duty of oversight AND completing the work itself for much longer.

Maira

On Sun, Jun 7, 2015 at 10:57 AM, Joanne Fine <[joannefine413@gmail.com](mailto:joannefine413@gmail.com)> wrote:  
What is still not accurate: [See section VI]

A] It speaks only of a motion to create a committee to assist the ILC. It does not say that this committee will be Ad Hoc.

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regarding rules and regulations. Board Member Cruz made a motion to create a subcommittee to

assist the ILC regarding rules and regulations. Board Member Ring seconded the motion.

Committee members will be Chair Waites, Co-Chair Wilson, and Board Member Ring. Passed.

For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring."

On Sat, Jun 6, 2015 at 2:45 PM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

POB Members:

Attached are the May 19 2015 POB Meeting Minutes with suggested changes from Beth Mohr and Joanne Fine.

Please let me know if you have any questions.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

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(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

Joanne Fine  
Police Oversight Board Member

**From:** Joanne Fine  
**To:** Moira Amado-McCoy  
**Cc:** Hammer, Robin; Beth A. Mohr; David Z. Ring; Eric H. Cruz; Jeanette Baca; Jeffrey Scott Wilson; Leonard Waites; [susanne.brown37@gmail.com](mailto:susanne.brown37@gmail.com)  
**Subject:** Re: May 19 2015 POB Meeting Minutes with suggested changes  
**Date:** Sunday, June 07, 2015 11:32:14 AM

---

Start by telling me where I can find the recordings of our POB meetings on Gov TV or on any other site. It appears that only the most recent meeting is available. Surely, as a matter of public record, it should be archived somewhere. Where is that place, Ms. Hammer?

On Sun, Jun 7, 2015 at 11:24 AM, Moira Amado-McCoy <[amadomccoy.pob@gmail.com](mailto:amadomccoy.pob@gmail.com)> wrote:

Thank you for being so thorough, Joanne.

I'm so grateful that you've taken on the task of assuring that our meeting minutes accurately reflect our work. I say this in response not only to the minutes I've seen come across corrected these past few days since you committed to the project, but also to the work in which I know you've been knee-deep regarding the April minutes.

I'm glad the oversight (and even the line-by-line work) of all this is in your capable and careful hands, and I'm also very much committed to assuring that we won't have to continue this double-duty of oversight AND completing the work itself for much longer.

Moira

On Sun, Jun 7, 2015 at 10:57 AM, Joanne Fine <[joannefine413@gmail.com](mailto:joannefine413@gmail.com)> wrote:

What is still not accurate: [See section VI]

A] It speaks only of a motion to create a committee to assist the ILC. It does not say that this committee will be Ad Hoc.

B] Also, the Training and Policies Committee relates to ordinance assignments to recommend Training and Policy changes to APD. I believe we had a motion to create that committee as well, yet these minutes do not reflect that.

Here is what your revised minutes say. They are incomplete and missing important information. Again.

"VI.(D) ADDITIONAL SUBCOMMITTEES

Acting Chair Mohr stated that she wanted to be on a committee that looks at training and policies of

APD. Chair Waites stated his desire for a subcommittee to assist the Independent Legal Counsel

regarding rules and regulations. Board Member Cruz made a motion to create a subcommittee to

assist the ILC regarding rules and regulations. Board Member Ring seconded the motion.

Committee members will be Chair Waites, Co-Chair Wilson, and Board Member



Ring. Passed.

For: 8 – Waites, Mohr, Wilson, Baca, Brown, Cruz, Fine, Ring."

On Sat, Jun 6, 2015 at 2:45 PM, Hammer, Robin <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

POB Members:

Attached are the May 19 2015 POB Meeting Minutes with suggested changes from Beth Mohr and Joanne Fine.

Please let me know if you have any questions.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

--

Joanne Fine  
Police Oversight Board Member

--

Joanne Fine  
Police Oversight Board Member

**From:** Maira Amado-McCoy  
**To:** Hammer, Robin; Scott Wilson; Leonard Waltes; Mark Baker; Beth A. Mohr; Cash, Paul  
**Subject:** Meeting Minutes from CRC, 7 May  
**Date:** Sunday, June 07, 2015 4:01:50 PM

---

Robin --

I do not believe I've seen any meeting minutes from the CRC meeting May 7th. Does this agree with your records?

Maira Amado-McCoy

**From:** Beth Mohr  
**To:** LGLPOBAF@cabq.gov  
**Subject:** Thank-you for your email Re: Pending cases???  
**Date:** Monday, June 15, 2015 10:46:07 AM

---

Thank-you for your email. I am a Police Oversight Board member; this is a volunteer position for which I have limited availability. If your email requires a response from me, I will endeavor to do so within 72 hours. Thank-you for your patience.

--

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***The only thing necessary for the triumph of evil is for good men to do nothing. ~ Edmund Burke***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

**From:** [Scott Wilson](#)  
**To:** [Beth A. Mohr; phamason.lw@gmail.com](#)  
**Cc:** [amadomccoy.nob@gmail.com](#)  
**Subject:** Sub committees  
**Date:** Monday, June 08, 2015 7:20:50 AM

---

Chair person Waites, acting Chair person Mohr,

It is with deep regret that I ask to be excused from my position(s) on the sub committees I am currently assigned to.

I will continue to devote my energy and focus on the regularly scheduled Board meetings.

Thank you for your understanding.

J. Scott Wilson

"When everything around you seems to be lacking in integrity, find it in yourself.  
Change the world from where you're standing..."

**From:** Leonard Waites  
**To:** Dr. Molra McCoy POB  
**Subject:** Fwd: Sub committees  
**Date:** Monday, June 08, 2015 3:58:23 PM

---

Fyi

----- Forwarded message -----

From: "Scott Wilson" <[jswilsonpob@outlook.com](mailto:jswilsonpob@outlook.com)>  
Date: Jun 8, 2015 7:20 AM  
Subject: Sub committees  
To: "Beth A. Mohr" <[cabq.pob.mohr@gmail.com](mailto:cabq.pob.mohr@gmail.com)>, "[phamason.lw@gmail.com](mailto:phamason.lw@gmail.com)"  
<[phamason.lw@gmail.com](mailto:phamason.lw@gmail.com)>  
Cc: "[amadamccoy.pob@gmail.com](mailto:amadamccoy.pob@gmail.com)" <[amadamccoy.pob@gmail.com](mailto:amadamccoy.pob@gmail.com)>

Chair person Waites, acting Chair person Mohr,

It is with deep regret that I ask to be excused from my position(s) on the sub committees I am currently assigned to.  
I will continue to devote my energy and focus on the regularly scheduled Board meetings.

Thank you for your understanding.

J. Scott Wilson

"When everything around you seems to be lacking in integrity, find it in yourself.  
Change the world from where you're standing..."

**From:** Contreras, Michelle  
**To:** Maira Amado-McCoy; Leonard Waites; Scott S. Wilson  
**Cc:** Hammer, Robin  
**Subject:** Case Review Sub-Committee Minutes for May 7, 2015  
**Date:** Monday, June 08, 2015 4:47:02 PM  
**Attachments:** 5-7-2015 Case Review Minutes DRAFT.docx

---

Good afternoon Members,

Please find attached minutes for Case Review Sub-Committee Minutes for May 7, 2015. Please let me know if you have questions.

Thanks.

Michelle

**Michelle Contreras**

Senior Administrative Assistant  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

# **POLICE OVERSIGHT BOARD CASE REVIEW SUBCOMMITTEE**

**Thursday, May 7, 2015 – 9:30 a.m.  
Plaza Del Sol Hearing Room #160, Basement Level,  
600 2<sup>nd</sup> St. NW Albuquerque, New Mexico**

## **Members Present**

Moirira Amado-McCoy (Chair)  
Jeffery Scott Wilson  
Leonard Waites

## **Others Present**

Robin S. Hammer  
Paul Cash  
Michelle Contreras  
Diane McDermott  
Paul Skotchdopole  
Chris Davidson  
Erin O'Neil

## **Minutes**

- I. **Welcome and Call to Order: Committee Member Moirira Amado-McCoy.** Chair Amado-McCoy called the meeting to order at 9:30 a.m.
- II. **Vote for Committee Chair.** Board Member Waites moved to nominate Moirira Amado-McCoy as Chair of the Case Review Sub-Committee. Board Member Wilson seconded the motion. Passed.  
For: 3 – Waites, Wilson, Amado-McCoy
- III. **Public Comments.** None
- IV. **The Life of a Case as it moves through the CPOA. Robin Hammer, Analyst Paul Cash, and CPOA Staff**  
A discussion was had regarding the life of a case as it moves through the Civilian Police Oversight Agency. Chair Amado-McCoy distributed an *Excel* sheet, which is contained in the record.
  - a. **How cases arrive**
  - b. **Sorting and assignment**
  - c. **Requirements and distinctions between cases**
  - d. **Timeline**
  - e. **Interaction with other bodies/agencies/stakeholder groups**
  - f. **Evaluated for assignment for POB review**
  - g. **Post-POB review period**

Board member Wilson moved that this discussion of the 30 day-review period be brought before the board for discussion regarding what the policy is in respect to the timeframe and routing of CPC cases. Chair Amado-McCoy seconded.  
For: 3 – Waites, Wilson, Amado-McCoy

Civilian Police Oversight Agency  
Police Oversight Board Case Review Subcommittee  
Minutes – May 7, 2015  
Page 1



- V. **Presentation of (10) possible cases for review for May meeting, Robin Hammer.**  
None.
- VI. **Discussion: formal name of committee, scope of work.**  
A discussion was had regarding the scope of work that the Case Review Sub-Committee is charged over. The Sub-Committee would review all completed cases and recommend the approved cases/citizen letters and place them on a consent agenda. If cases require further information, then the case would come back to the Sub-Committee for further review and research.
- VII. **Other Business & Committee Recommendations.** None.
- VIII. **Next Meeting set for Monday, May 11, 2015 at 4:00 p.m.**
- IX. **Adjournment:** Chair Amado-McCoy moved to adjourn the meeting. Board member Waites seconded. Passed.  
For: 3 – Waites, Wilson, Amado-McCoy

The meeting adjourned at 11:50 a.m.

**From:** Beth Mohr  
**To:** Hammer, Robin; pob  
**Cc:** Mark T. Baker  
**Subject:** Personnel Subcommittee Minutes - Corrected  
**Date:** Tuesday, June 09, 2015 12:54:55 PM  
**Attachments:** 5-6-15 Personnel Sub Minutes - MOHR corrected.pdf

---

Please find my enclosed corrected subcommittee minutes. Hopefully these incorporated Ms. Fine's changes; so many wrong versions have gone around that I've frankly lost track.

If these are approved by the Personnel Subcommittee today, I will sign them. -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

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**POLICE OVERSIGHT BOARD  
PERSONNEL SUBCOMMITTEE**

Wednesday, May 6, 2015 – 1:30 p.m.  
Plaza Del Sol, 600 2<sup>nd</sup> St. NW  
Seventh Floor Conference Room

**Members Present**

Eric Cruz  
Beth Mohr (Chair)  
Joanne Fine

**Others Present**

Robin S. Hammer  
Michelle Contreras  
Diane McDermott  
Leonard Waites  
Blake Whitcomb, Asst. City Attorney

**MINUTES**

- I. Welcome and Call to Order:** Chair Mohr called the meeting to order at 1:30 p.m.
- II. Public Comments.** None
- III. Approval of the Minutes:** Due to their late arrival, Board Member Fine moved that the minutes for the April 27, 2015 Personnel Subcommittee be deferred to the next meeting scheduled for June 9, 2015 at 1:30 p.m. Board Member Cruz seconded the motion. Passed.  
For: 3 – Fine, Mohr, Cruz
- IV. Discussion of Contract for Independent Legal Counsel**  
**A. Introduction of applications for Independent Counsel Contract**  
The members discussed the contract for the Independent Legal Counsel. The legal counsel advertisement was read out loud by Assistant City Attorney Whitcomb for the record prior to reviewing the attorney applicants. Chair Mohr indicated that she had received several applications consisting of a letter and CV for each applicant, but only printed and distributed the Curriculum Vitae's (CV's) Members Fine and Cruz for their review during the meeting. Ms. Mohr made available to the Members all of the other documents which the applicants had supplied. Ms. Mohr provided an extra set of CV's to be kept for the record. Chair Mohr suggested that, if during their review of the CVs, the Subcommittee selected more than one applicant; she proposed that they come up with a questionnaire to obtain more information from selected applicants.
- B. Discussion of Process for ranking and selection**  
The Members discussed the process for ranking and selection of the applicants. Chair Mohr advised the Subcommittee that there was an issue of the hourly wage which is set at \$180. Acting Executive Director Hammer advised the Subcommittee that there was set amount of money for the Independent Legal Counsel contract within the Civilian

Police Oversight Agency (CPOA) budget, but that the Subcommittee could set the hourly rate for the Independent Council. Ms. Hammer stated that other City boards have hired legal counsel with an hourly rate from \$120 to \$180. Ms. Hammer indicated that there is a budget of \$15,000 until June 30, 2015 and \$75,000 for fiscal year 2016 allotted for the hiring of the Independent Legal Counsel. Assistant City Attorney Whitcomb recommended that the Subcommittee rank candidates by their hourly rate and negotiate their rate. Mr. Whitcomb also clarified that \$180 to \$200 is reasonable government rate. Chair Mohr summarized that a \$75,000 budget with a potential hourly rate of \$180 would result to about 400 billable hours. Chair Mohr indicated that if they select an attorney from a law firm, that it would not generally be appropriate for the firm to send an associate to the POB meetings, except by special arrangement. Chair Mohr suggested that Subcommittee members go through the CVs, which are sorted by alphabetical order, and discuss each one.

### **C. Discussion of Candidates**

After the Subcommittee reviewed the applications, Chair Mohr proposed that the candidates must have the following qualifications:

1. Be an active member of the New Mexico Bar;
2. Have expertise in civil rights, police misconduct and criminal law;
3. Have some expertise in Contract Law, Municipal Regulation, Open Meetings Act, IPRA and Union Contracts, but knowledge in each of these legal areas of law were not required.

### **D. Selection of Top Candidates**

The Members discussed the following candidates for the Independent Legal Counsel. Board Member Fine wanted clarification on how they were rating the applicants. In response, Chair Mohr indicated that they would go through the *yes*, *no* and *maybe* piles and then rank the applicants in the *yes* pile of the following candidates:

1. Christina Adams
2. Erika E. Anderson
3. Adam S. Baker
4. Mark T. Baker
5. Wayne L. Baker
6. Renee Barela Gutierrez
7. Adam Harrison Bell
8. Joshua D. Boone
9. Joshua L. Carpenter
10. Diane Garrity
11. John T. L. Grubestic
12. George F. Heidke
13. Henry F. Narvaez
14. Amy Sirignano
15. Christopher N. Orton
16. Ryan J. Villa
17. Joel M. Young

After reviewing the applications, Subcommittee Members sorted the applications by *yes* and *maybe*. The following applicant was placed in the *yes* pile:

1. Amy Sirignano

The following applicants were placed in the *maybe* pile:

1. Mark T. Baker
2. Wayne L. Baker
3. John T. L. Grubescic
4. George F. Heidke

#### **E. Discussion of Potential Legal Conflicts**

A discussion was had regarding the potential legal conflicts. Chair Mohr asked Assistant City Attorney Whitcomb to request the City Attorney's Office to determine if Amy Sirignano had any conflicts with the City.

#### **F. Discussion of Next Steps and Recommendations for Selection**

The Members discussed the steps and recommendations the Subcommittee should take in the process of selecting an applicant. Chair Mohr advised the Subcommittee members that they have several choices; they could ask Ms. Amy Sirignano if she would take the rate and put it forward to the full Board as sole choice, rank the *maybe* pile now, or do a survey for more information. Board Member Cruz proposed that they rank the applicants including Ms. Sirignano, who was selected as the only *yes* candidate.

Chair Mohr indicated that she had prepared a questionnaire with 10 questions to present to the four *maybe* applicants in the event Ms. Sirignano did not take the \$180 per hour rate.

Board Member Fine moved that the Subcommittee present their number one selection, Amy Sirignano and the list of alternates to the full POB board. Board Member Cruz seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

Board Member Cruz moved that if Ms. Amy Sirignano declined the propose hourly rate and negotiations have failed, that the Subcommittee would send the prepared questionnaire to the remaining four candidates: Mark T. Baker, Wayne L. Baker, John T. L. Grubescic, and George F. Heidke. Board Member Fine seconded the motion. Passed.

For: 3 – Fine, Mohr, Cruz

After the motion, Ms. Hammer suggested that if Ms. Sirignano did not accept the offer, that the Subcommittee delegate the task for further background research of the alternates to a Subcommittee Member. Chair Mohr volunteered to do the background research of the five candidates.

- V. **Other Business and Subcommittee Recommendations.** None.
- VI. **Next Meeting set for Tuesday, June 9, 2015 at 1:30 p.m.**
- VII. **Adjournment:** Board Member Cruz moved to adjourn the meeting. Board member Fine seconded. Passed.

The meeting adjourned at 3:51 p.m.

\_\_\_\_\_  
Approved by:  
Beth Mohr, Personnel Subcommittee Chair

\_\_\_\_\_  
Date

CC: Julian Moya, City Council Staff  
Natalie Y. Howard, City Clerk  
Rey Garduño, City Council President

**From:** Hammer, Robin  
**To:** Leonard Waites  
**Subject:** Dr. J.D. Smith  
**Date:** Tuesday, June 09, 2015 4:07:57 PM

---

Dr. J.D. Smith of Georgia would like to speak with you. Her phone number is 770-808-4340.

Thanks,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Jeannette Baca  
**To:** Moirra Amado-McCoy; susanne.brown37@gmail.com; Beth Mohr; Joanne Fine; Scott S. Wilson; Leonard Waites; Eric H. Cruz; David Ring; Yntema IV, Hessel E.; Mark Baker; Oney, Kathleen  
**Subject:** Fwd: CABQ email for POB  
**Date:** Wednesday, June 10, 2015 8:01:35 AM  
**Attachments:** image001.png

---

Good morning,

I am forwarding an email from Mr. Baker about the email issue we have been discussing regarding IPRA requests. As indicated in the email, if you would like Mr. Yntema to help you set up a rule in your email to automatically copy POB emails, bring a device [to the meeting tomorrow] to log into your email. Please allow enough time for him to do this before the meeting. Thanks!

Have a good day,  
Jeannette

On Mon, Jun 8, 2015 at 3:03 PM, Mark Baker <[mbaker@peiferlaw.com](mailto:mbaker@peiferlaw.com)> wrote:

Hess has agreed to help each of you set up a rule in your email to automatically copy POB emails to the address below. If board members bring a device through which they can log into their email, he can help each of you get it in place. Assuming most of you are using gmail or another web based email program, a single device hooked up to the internet should be enough for you and him to work through it.

***Mark T. Baker***

Peifer, Hanson & Mullins, P.A.

Post Office Box 25245

Albuquerque, New Mexico 87125

Tel: (505) 247-4800

Fax: (505) 243-6458

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**From:** Jeannette Baca [mailto:[jyBaca.pob@gmail.com](mailto:jyBaca.pob@gmail.com)]  
**Sent:** Monday, June 8, 2015 2:56 PM  
**To:** Oney, Kathleen  
**Cc:** Beth Mohr; Yntema IV, Hessel E.; Mark Baker

**Subject:** Re: CABQ email for POB

Great! Thanks Kathleen. I may stop by briefly on Thursday.

Have a great afternoon,

Jeannette

On Mon, Jun 8, 2015 at 2:12 PM, Oney, Kathleen <[koney@cabq.gov](mailto:koney@cabq.gov)> wrote:

Hello Jeannette,

I apologize for the delay. We have created an email listed as [pobipra@cabq.gov](mailto:pobipra@cabq.gov). This will be the email that all IPRA requests will be used for. The assigned records custodian (which has not been assigned yet I don't think) will be added as an administrator (along with myself). They will use this email address to respond to the requester and for members to forward all their applicable correspondence to it.

Does that clear it up? Please let me know if you have further questions. My office is actually right next door to the conference room of where your meeting will be, so if you would like to drop by and talk to me before, feel free.

*Kathleen Oney*

IPRA / Codification Specialist

Office of the City Clerk

505-924-3657

**From:** Beth Mohr  
**To:** pob; Mark T. Baker  
**Subject:** For POB Meeting: Interview questionnaire for applicants  
**Date:** Wednesday, June 10, 2015 11:54:31 AM  
**Attachments:** Draft Questionnaire for CPOA Director Applicants.pdf

---

POB Members - Enclosed is the draft list of questions the the personnel committee came up with as a writing assignment for Director applicants. This assignment would be sent to applicants that make our "Yes" and "Maybe" pile, as we take the first cut of applicants for the Director position.

We will describe the process proposed by the Personnel Subcommittee, as well as these questions, for consideration by the full Board tomorrow. Please come prepared with other interview or questionnaire questions. Between the writing assignment, phone interview, and in-person interview, we will be able to use all the questions you have. We will also tailor questions to the backgrounds of our applicants once we have applications, so don't feel like this needs to be finalized tonight, but let's have a discussion about the process and get this underway. Thanks, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

## Questionnaire for Director of Civilian Police Oversight Agency Applicants

You may add your answers to this document, or format your answers separately; please send your completed questionnaire as a PDF to CITY HR TO BE INSERTED.

Please provide the following information:

Name:

Firm/Employer:

Address:

Phone:

1. Referring to the DOJ Settlement Agreement/Consent Decree, what strikes you as the most important goal for the CPOA (and POB, if applicable) to achieve within the next 12 months, in order to demonstrate to the community that civilian oversight is meaningful and effective?
2. What in your experience will most make you valuable to the CPOA office and the POB?
3. Please provide a specific example of an ethical conflict you encountered, how you handled it, and why, as well as the outcome.
4. Give one or more examples of a challenge you encountered as a manager/supervisor, how you dealt with it and why.
5. Which of your legal cases are you the most proud of and why?
6. Please describe your experience working with disparate groups of stakeholders, such as community groups, union officials, elected officials, Department of Justice attorneys, a DOJ monitor, and others.
7. Describe your investigative philosophy.
8. The CPOA as an organization has gone through a period of transition and is currently dealing with a variety of issues, including a large backlog of cases. What in your background makes you uniquely qualified to take the helm of this organization and move it forward?
9. What is your vision for the CPOA?
10. What do you view as the top five assets you bring to this position, whether personality traits, knowledge-based skills or experiences. Explain why each is important and how it is uniquely beneficial to the CPOA. Also provide at least one challenging area of your personality or skill set that you struggle with or are working to improve.
11. Describe a situation where you were involved with a group that started out with conflict or opposite points of view, where you were able to help achieve the group's goals through a collaborative process of your facilitation or management. Describe the stakeholders, your role and responsibility, and also give the outcome.
12. Please provide three professional references that we may contact, please include their full name, firm and position, phone number(s) and email address, as well as a few words detailing their knowledge of you.
13. The CPOA Director will be interacting with the POB during televised monthly meetings. In order to demonstrate that an applicant is comfortable with interacting with the POB on live TV (and to comply with a court order) the final interview for the Director position will take place on TV (<https://www.cabq.gov/culturalservices/govtv>).

Are you willing and able to be interviewed on live TV?

14. Is there anything else we should have asked? Feel free to share anything you wish the POB to know about you that will help us make a decision.

**From:** Joanne Fine  
**To:** Beth A. Mohr; David Z. Ring; Eric H. Cruz; Jeanette Baca; Jeffrey Scott Wilson; Leonard Waites; Molra Amado-McCoy; susanne.brown37@gmail.com  
**Cc:** Hammer, Robin; Contreras, Michelle  
**Subject:** ACTION REQUIRED 4.9.15 POB Minutes Revised  
**Date:** Wednesday, June 10, 2015 11:18:13 AM  
**Attachments:** REVISED Apr 9 2015 POB minutes.doc

---

I have enclosed the revised minutes of our April Meeting as requested by Acting Chair Mohr. I endeavored to better reflect the discussions we had at that meeting. Please review this revised draft prior to our meeting tomorrow as it will be on the agenda.

Thank you,  
Joanne

Joanne Fine  
Police Oversight Board Member

# **CIVILIAN POLICE OVERSIGHT AGENCY**

**Thursday, April 9, 2015**

**Vincent E. Griego Chambers, Basement Level  
City/County Government Center - One Civic Plaza NW  
Albuquerque, New Mexico**

## **Members Present:**

Leonard Waites (By Phone)  
Beth Mohr (Acting Chair)  
Jeffrey Scott Wilson (Co-Vice Chair)  
Dr. Moira Amado-McCoy  
Dr. Jeanette Baca  
Eric Cruz  
Joanne Fine  
Rev. David Ring III

## **Others Present:**

Robin Hammer  
Paul Skotchdopole  
Diane McDermott  
Chris Davidson  
Erin O'Neil  
Paul Cash  
Michelle Contreras  
Lt. Jennifer Garcia, APD Internal Affairs  
Sgt Mike Medrano, APD Internal Affairs  
Nicholas Bullock, City Attorney  
Julian Moya, City Council

## **MINUTES**

- I. WELCOME AND CALL TO ORDER:** Acting Chair Beth Mohr called the meeting to order at 5:01 p.m.
- II. PLEDGE OF ALLEGIANCE:** Board Member Ring led the Board in the Pledge.
- III. APPROVAL OF AGENDA -** Acting Chair Mohr requested that a dinner break be added to the Agenda. Board Member Baca suggested the dinner break and Executive Session be combined. Acting Chair Mohr requested that discussion on process of how complaints will be handled to be put back on the agenda, as well as Item VII(C), training of board, and VII(D), discussion of subcommittees by Board Member Baca. Acting Chair Mohr also requested that discussion be held regarding the City Council Resolution to hold part of the Board's duties in abeyance. Board Member Fine moved the motion. Co-Chair Wilson seconded the motion. Passed.  
For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring
- IV. APPROVAL OF MINUTES –** Acting Chair Mohr noted that the March minutes should reflect that the meeting adjourned at 8:55 p.m. Board Member Ring moved for the approval of the minutes. Board Member Baca seconded the motion. Passed.  
For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring

## V. PUBLIC COMMENTS –

**CHARLES ARASIM** – Mr. Arasim informed the Board that he has been addressing the POC for many years. He also stated that if the Subcommittee to select the new Executive Director conducts interviews in executive session, then that would constitute a violation of the Open Meetings Act. Mr. Arasim requested that the Board reject the application of Acting Executive Director Hammer as the permanent Executive Director, stating that when he previously filed a complaint, Acting Executive Director Hammer sat on the complaint for over a year.

**TAD NIEMYJSKI** – Mr. Niemyjski stated that he is from Poland, and was originally living in Chicago before coming to Albuquerque. He stated that he is familiar with the POC process and wanted to know if the Board is for the people. Mr. Wynosky felt that the Board should be comprised of real citizens free from politics.

**DON SCHRADER** - Mr. Schrader stated that all police should be tested for unhealed PTSD, and that if officers have unhealed PTSD, they should have desk jobs or work outside APD. Mr. Schrader stated that all officers should be trained to resolve situations in a non-violent manner, and that officers who have never shot or beaten a citizen should be given a special honor. Mr. Schrader stated that drug tests should be given to officers to test for drugs or steroids after being involved in any incident. Mr. Schrader stated that officers should not stalk protestors or victims' families, and that police should be respected and not feared by citizens.

**ANDRES VALDEZ** - Mr. Valdez stated that he is associated with an organization by the name of Vecinos United. Mr. Valdez stated that he has sued the former POC for meetings held behind closed doors, and that the Board will be in violation of the Open Meetings Act if they select the new Executive Director in a closed meeting.

## VI. SETTLEMENT AGREEMENT DISCUSSION/TRAINING

Acting Executive Director Hammer reiterated the history of the DOJ Settlement Agreement to the Board and also explained the status of the Settlement Agreement and its requirements. She further advised the Board that Mr. Ginger, the DOJ Monitor, has requested that the Board receive training prior to hearing any complaints.

*Resolution: To hold in abeyance POB review of Citizen Police Complaint and Officer Involved Shooting cases until mandated training is completed and Rules are adopted*

The Board had an extended discussion encompassing the following concerns.

1. The POB was not communicated with as a whole about any concerns held by the City Council or the Monitor. Board Members Mohr and Wilson who were invited to a meet and greet with Dr. Ginger reported that the event turned into a complaint session about the POB's action in March 2015. It was noted that City Council members were NOT at this meeting.
2. As a result of that event a resolution was requested of the City Council by the Monitor that the POB not review any citizen complaints until all training described

in the Ordinance had been completed by a quorum of the POB and the new POB rules had been written and voted on successfully. The vote on that resolution is to be held on April 20, 2015.

3. McCoy expressed concerns regarding how this moving target of "training" for the board unavoidably raises a fundamental question about the legitimacy of neutral, third-party, civilian review boards (non-subject matter experts) as a whole: If we agree that any manner of training can be enriching for such a board, does this also mean that a civilian board cannot perform their mandated functions without it?
4. McCoy argued that any further discussion of training must be focused, purposeful, and with an end product in mind, identifying which particular training should be a prerequisite to our ability to review cases after a full investigation by the CPOA. Assembling such training cannot be a casual wish-list compiled on the fly by a single stakeholder. McCoy identified the fact that the board has already put in approximately 648 cumulative hours in training with APD, and that this relationship building within a program whose top two stated goals are to "Understand and appreciate APD" and to "Hear positive comments about APD" (47th Citizen Police Academy, "Goals"), could be considered inappropriate by the standards of other stakeholders.
5. Dr. McCoy and others expressing confusion about what had made the POB qualified to hear complaints in March and not in April. Was the POB less qualified than they were the previous month. What changed? Several members seemed convinced that the POB was being reigned in for reasons not apparent to the Board.
6. McCoy expressed concern that though the resolution has yet to be passed by the Council, our agenda for April included no cases for us to address. Fine expressed concern that this would further delay communication with citizens who have filed complaints some of which are seriously backlogged already. Delay further hurts the person who has a complaint and the officer who is being complained about.
7. Ring referred to the Ordinance which says the POB should operate and independently as possible.
8. Baca asked what the status was of the cases the POB heard in March and was told by Hammer that those decisions remain in place.
9. Fine brought up the seemingly competing missions of hearing all the cases [and not mediating any of them] and having 51% of the POB output be policy recommendations. Clarification is needed to describe success of the work of the POB as the Ordinance, the Settlement Agreement as drafted and the Union rules are in some ways in conflict with one another.
10. Wilson asked if the Union Contract which comes up for renewal this summer might include a way to reach agreement on some of the disparities which have fallen into the path of the POB by way of the Ordinance, the Settlement Agreement and the Union Contract.

Overall, the board expressed multifaceted concerns that the Council and the Monitor have agreed among themselves to delay the start date of our work without the communication



courtesy, if not inclusion, of the POB. The central theme of the discussion was if we were not to hear cases until we were fully trained, why did we receive cases to hear in March?

**Action:** McCoy moved and Cruz seconded a motion to have Mr. Moya arrange a meeting with Councilors Garduno and Winter prior to April 20, 2015 to discuss the concerns of the POB relative to the resolution and to hear directly from the Councilors their concerns. Dr. Moira Amado McCoy agreed to attend that meeting and to also attend the April 20<sup>th</sup> City Council Meeting. Passed. For: 8- Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

## **VII. DISCUSSION OF ROLE OF CPOA AND POB**

The Board discussed that there is and will increasingly, due to delays, be a backlog of cases. Acting Executive Director Hammer indicated that once the board has completed its training and a strategic plan put in place, she would present pending CPC cases to the Board Members. The Board requested that an ongoing state-of-the-agency report be sent to the Case Review Subcommittee, to include a summary of where the CPCs (including Officer-Involved Shootings) are in the process, what information the CPCs are waiting on, and a breakdown of SOP violations. Board Member Fine made a motion that an ongoing report be made to the Case Review Subcommittee. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

Acting Chair Mohr spoke about an ABA Webinar being presented on April 16, 2015, on Strategies for Success: Implementing and Improving Citizen Police Oversight of Law Enforcement.” Acting Executive Director Hammer suggested the Webinar would be helpful to the Board. Acting Chair Mohr spoke about training called Foundation on Open Government being held on April 29, 2015. The City Attorney will observe the training and will provide further details on the time and location. Board Member Amado-McCoy requested that Acting Executive Director Hammer inquire of APD about special training events, and that should be a priority.

Board Member Baca spoke regarding a Policy and Procedure Subcommittee, and made a motion that the discussion be held open to the next meeting. Co-Chair Wilson seconded the motion. Discussion was had and the Board discussed creating a Policy and Procedure Subcommittee. Members will be Co-Chair Wilson, Co-Chair Mohr, and Board Member Amado-McCoy. Board Member Baca made a motion to create the Policy and Procedure Subcommittee. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

## **VIII. REPORTS FROM SUBCOMMITTEES**

**A. Outreach Subcommittee** Acting Executive Director Hammer requested that guest speaker Adrian Carver be heard out of order before the dinner break. Mr. Carver made a presentation on behalf of the New Mexico Forum for Youth. Mr. Carver felt that young people should be involved with the policy-making process at many levels of government, and that young people have voices and need to be heard. Mr. Carver felt that the Youth Alliance could provide data to the Board regarding young people. He also discussed that the Youth Alliance could act in an advisory capacity to the Board, and work with the Outreach Subcommittee. The Board indicated that it would welcome input from the

Youth Alliance, which will continue to work with Board Member Ring and the Outreach Subcommittee.

Board Member Fine made a motion to break for dinner. Co-Chair Wilson seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring. The Board was in recess at 7:15 p.m.

The Board reconvened at 7:49 p.m.

## **VIII. REPORTS FROM SUBCOMMITTEES**

**A. Outreach Subcommittee** – Board Member Baca reported on the Outreach Subcommittee. Board Member Baca was selected to Chair the Subcommittee. Chair Waites and Board Member Ring also sit on the Subcommittee. Board Member Baca discussed the New Mexico Forum for Youth, the Outreach Coordinator position, and neighborhood associations. Board Member Baca explained how she has approached the neighborhood associations, and that the Board should become active with the neighborhood associations.

**B. Personnel Subcommittee** – Acting Chair Mohr discussed the search process to select the new Executive Director. The Board is bound by a Court Order to conduct interviews in an open meeting. The Board will select three names to be sent to the City Council and a CPOA staff member will assist the Board in delivery of the names to the City Council. The City Council will make the decision on who becomes the Executive Director.

Board Member Ring made a motion to accept this process to select the Executive Director as outlined. Board Member Fine seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

Acting Chair Mohr further discussed the task of the Personnel Subcommittee to select the Executive Director.

Board Member Amado-McCoy made a motion that the Personnel Subcommittee should begin their work. Board Member Baca seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

At 8:20 p.m., the Board and Assistant City Attorney Bullock met in Executive Session.

## **IX. DISCUSSION OF CONTRACT FOR INDEPENDENT LEGAL COUNSEL**

The Board reconvened at 8:47 p.m. to discuss the contract for the Independent Legal Counsel position. There are funds available until end of fiscal year 2015. The Personnel Subcommittee should fast track the search for Independent Legal Counsel. Funds are also available beginning fiscal year 2016 for Independent Legal Counsel. Acting Chair Mohr placed an ad for the April 22, 2015, Bar Journal.

Co-Chair Wilson made a motion that the search for Independent Legal Counsel should move forward expeditiously. Board Member Amado-McCoy seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

The next meeting of the Personnel Subcommittee and the Outreach Subcommittee would be on April 27, 2015.

**X. DISCUSSION OF CITY COUNCIL'S BUDGET QUESTIONS POSED TO CPOA** – Acting Executive Director Hammer presented general questions from the City Council, and provided a flow chart. Acting Executive Director Hammer discussed the process of selecting the Executive Director, the Independent Legal Counsel, and the Outreach Coordinator. Contract service for a paralegal position was also discussed. Training and Travel was also discussed.

**XI. DISCUSSION OF DRAFT CPOA RULES** – Co-Chair Wilson made a motion to defer this item to a future date. Board Member Amado-McCoy seconded the motion. Passed. For: 8 – Waites, Mohr, Wilson, Amado-McCoy, Baca, Cruz, Fine, Ring.

## **XII. REPORTS FROM CITY STAFF:**

**A. Acting Executive Director Hammer** – Acting Executive Director Hammer reported March 2015 statistics as follows:

**March 2015:**

17 new Citizen Police Complaints  
16 Job Well Done Letters  
14 Cases Resolved

A bid was placed to have the fall 2016 NACOLE conference in Albuquerque. A decision should be made in May 2015. Acting Executive Director Hammer discussed the Talk-to-a-Cop program which brings citizens and officers together. A new database being worked on, IA-PRO, will help to identify officers who may have issues.

**B. SOP Update** – CPOA Lead Investigator Paul Skotchdopole had nothing to report and has not attended any APD meetings as there have been no meetings of the Policy and Procedure Committee. It was discussed that Chief Eden will place Mr. Skotchdopole on the attendee list for future meetings. Board Member Amado-McCoy indicated that the Board would like the staff's input regarding the SOPs.

**C. Mayor's Staff** – No one was present to report.

**D. City Council Staff** – Mr. Moya stated that on April 20, 2015, the City Council will appoint Sue Ann Brown to serve on the Board.

**E. City Attorney's Staff** – City Attorney Bullock had nothing to report.

**F. APD** – Lt. Garcia from APD Internal Affairs presented the report for March 2015.

APD Calls for Service: 40,663  
Internal Affair cases for March 2015  
Received - 21                      Inactivated - 0                      Completed -12  
Mediated - 0                      Pending - 16

Discipline imposed in March 2015  
3 verbal reprimands                      5 letters of reprimands  
1 32-hour suspension                      1 40-hour suspension  
1 160-hour suspension  
0 termination

**XIII. OTHER BUSINESS** -- No other business.

**XIV. ADJOURNMENT** - *Next POB meeting will be on Tuesday, May 19, 2015, at 4:00 PM in the Vincent E. Griego Chambers. Note the change from Thursday to Tuesday for next month's meeting.* The meeting adjourned at 9:19 p.m.

**APPROVED:**

---

**Beth Mohr, Acting Chair**  
**Civilian Police Oversight Agency**

---

DATE

CC:      Julian Moya, City Council  
         Trina Gurule, Acting City Clerk  
         Rey Garduno, City Council President

**From:** [Dave Ring](#)  
**To:** [joannefine413@gmail.com](#)  
**Cc:** [CABO.POB.Mohr@gmail.com](#); [cabq.pob.cruz@gmail.com](#); [jvbaca.pob@gmail.com](#); [jswilsonpob@outlook.com](#); [phamason.lw@gmail.com](#); [amadomccoy.pob@gmail.com](#); [susanne.brown37@gmail.com](#); [Rhammer@cabq.gov](#); [mcontreras@cabq.gov](#)  
**Subject:** Re: ACTION REQUIRED 4.9.15 POB Minutes Revised  
**Date:** Wednesday, June 10, 2015 1:01:48 PM

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Minor editorial correction, page 2, item 7: "...should operate and independently as possible" should instead read "...should operate as independently as possible." Otherwise, OK from me. -- Dave Ring

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<http://thirdpartyoffers.juno.com/TGL3141/5578894c92abc94c2e3est04vuc>

**From:** Beth Mohr  
**To:** poh@cabq.gov  
**Subject:** Test for all Board members receipt  
**Date:** Wednesday, June 10, 2015 12:16:29 PM

---

Beth A. Mohr CFE, CAMS, MPA, PI  
Managing Partner  
McHard Accounting Consulting LLC

***Sent with haste from my Verizon Wireless 4G LTE DROID***

**From:** Leonard Waites  
**To:** Beth Mohr  
**Subject:** Re: Test for all Board members receipt  
**Date:** Wednesday, June 10, 2015 1:19:42 PM

---

Received

On Jun 10, 2015 12:16 PM, "Beth Mohr" <[Bmohr@themchardfirm.com](mailto:Bmohr@themchardfirm.com)> wrote:

Beth A. Mohr CFE, CAMS, MPA, PI  
Managing Partner  
McHard Accounting Consulting LLC

***Sent with haste from my Verizon Wireless 4G LTE DROID***

**From:** Leonard Waites  
**To:** cabq.pob.mohr@gmail.com; dzt3@juno.com; eric.huitzar.cruz@gmail.com; jvbaca.pob@gmail.com;  
joannefine413@gmail.com; phamason.lw@gmail.com; amadomccoy.pob@gmail.com; jswilsonpob@outlook.com;  
susanne.brown37@gmail.com; Hammer, Robin  
**Subject:** June POB meeting  
**Date:** Thursday, June 04, 2015 12:58:29 PM

---

All,  
I have asked Beth Mohr to chair our June meeting while I continue to recover.  
thanks Beth.

--

Leonard Waites Chairman  
Police Oversight Board



**From:** [Jeannette Baca](#)  
**To:** [Leonard Waites](#)  
**Cc:** [cabq.pob.mohr@gmail.com](#); [dzt3@juno.com](#); [joannefine413@gmail.com](#); [amadomccoy.pob@gmail.com](#); [jswilsonpob@outlook.com](#); [susanne.brown37@gmail.com](#); [Hammer, Robin](#); [Eric H. Cruz](#)  
**Subject:** Re: June POB meeting  
**Date:** Monday, June 08, 2015 11:49:45 AM  
**Attachments:** [POB Draft BC0001.pdf](#)

---

Greetings!

I hope you all had a nice weekend.

As you know, I have suggested creating business cards for POB members; this item will be discussed again during our meeting this week. As such, I have attached a draft for your review; the back of the card (optional) would contain [complaint] information. I used the current CPOA logo which we were introduced to during our first training. The 15 stars indicate 9 Board members and the 6 area commands. The writing translates to "Justice and Equality Under the Law".

I look forward to seeing you on Thursday.

Regards,  
Jeannette

On Thu, Jun 4, 2015 at 12:58 PM, Leonard Waites <[phamason.lw@gmail.com](mailto:phamason.lw@gmail.com)> wrote:

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Police Oversight Board

## POLICE OVERSIGHT BOARD



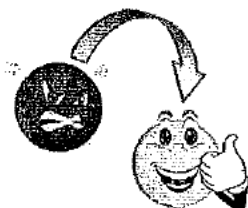
600 2<sup>ND</sup> Street NW, Room 813  
Albuquerque, New Mexico 87102

***Jeannette Baca, Ed.D., LPC***  
POB Board Member  
Civilian Police Oversight Agency

Cell Phone: 505-573-1430  
Email: [jvbaca.pob@gmail.com](mailto:jvbaca.pob@gmail.com)

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CPOA Website: [www.cabq.gov/cpoa](http://www.cabq.gov/cpoa)

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- Written Forms: mail or hand deliver to  
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- Fax: 505-924-3775
- Verbal statements: CPOA or APD employees
- TTY: 800-659-8331
- Ask for an APD supervisor or visit an APD sub-station

Questions? Call the Civilian Police Oversight Agency (CPOA) at  
(505) 924-3770 or APD Internal Affairs at (505) 768-2880

**From:** Beth Mohr  
**To:** Jeannette Baca  
**Cc:** Leonard Waites; dzt3@juno.com; joannefine413@gmail.com; amadomccoy.pob@gmail.com; jswilsonpob@outlook.com; susanne.brown37@gmail.com; Hammer, Robin; Eric H. Cruz  
**Subject:** Re: June POB meeting  
**Date:** Monday, June 08, 2015 1:01:46 PM

---

That information looks good for a card, thanks for the work on that. In order to get that business card sized, make it 45% of it's current size; at that point that font looks a little small (at least for me), so maybe we can play with the font size a little bit? Thanks again, -B

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

On Mon, Jun 8, 2015 at 11:49 AM, Jeannette Baca <[jvbaca.pob@gmail.com](mailto:jvbaca.pob@gmail.com)> wrote:  
Greetings!  
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As you know, I have suggested creating business cards for POB members; this item will be discussed again during our meeting this week. As such, I have attached a draft for your review; the back of the card (optional) would contain [complaint] information. I used the current CPOA logo which we were introduced to during our first training. The 15 stars indicate 9 Board members and the 6 area commands. The writing translates to "Justice and Equality Under the Law".

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Regards,  
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~  
Leonard Waites Chairman  
Police Oversight Board

**From:** Dave Ring  
**To:** jvbaca.pob@gmail.com  
**Cc:** phamason.lw@gmail.com; cabq.pob.mohr@gmail.com; joannefine413@gmail.com;  
amadamccoy.pob@gmail.com; jswilsonpob@outlook.com; susanne.brown37@gmail.com; rhammer@cabq.gov;  
cabq.pob.cruz@gmail.com  
**Subject:** Re: June POB meeting  
**Date:** Monday, June 08, 2015 11:59:28 PM

---

Jeannette, I like the design -- especially the effective use of the emojis on the back. Blessings! -- Dave Ring

---

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**From:** Jeannette Baca  
**To:** Leonard Waites  
**Cc:** cabg.pob.mohr@gmail.com; dzt3@juno.com; joannefine413@gmail.com; amadomccoy.pob@gmail.com; jswilsonpob@outlook.com; susanne.brown37@gmail.com; Hammer, Robin; Eric H. Cruz  
**Subject:** Re: June POB meeting  
**Date:** Wednesday, June 10, 2015 8:29:27 AM

---

Good morning,

Thanks to all who provided feedback on the business card! I will bring a copy of the card with your suggestions to the meeting tomorrow. Beth, thanks for tending to details (font); I sort of figured the professionals would take care of this, good point. Yes, the exclamation point will go (can you tell I like exclamation points? I also like semicolon's, which I tend to overuse:). Sue, I figured I would split the difference on the complain/compliment placement. Since the happy (compliment) emoticon is in the forefront, I think keeping the term complaint first in the text addresses the community solidarity issue you mentioned. Let me know what you think.

This is a work in progress, we can make additional changes at the meeting. Thanks for your interest and support.

Have a wonderful day,  
Jeannette

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Police Oversight Board

**From:** [Jeannette Baca](#)  
**To:** [Leonard Waites](#)  
**Cc:** [cabq.pob.mohr@gmail.com](#); [dzt3@juno.com](#); [loannefine413@gmail.com](#); [amadomccoy.pob@gmail.com](#); [jswilsonpob@outlook.com](#); [susanne.brown37@gmail.com](#); Hammer, Robin; Eric H. Cruz  
**Subject:** Re: June POB meeting  
**Date:** Wednesday, June 10, 2015 10:42:35 PM  
**Attachments:** [POB Sample BC Rev 2.pptx](#)

---

Greetings,

There has been additional input regarding the business cards. While I've received some "likes" regarding the emoticons on the back of the card, there are some "dislikes" as well. As such, I have attached another version for your consideration, sans emoticons. I also added "City of Albuquerque" on the front of the card. Again, thanks for your feedback.

Jeannette

On Wed, Jun 10, 2015 at 8:29 AM, Jeannette Baca <[jvbaca.pob@gmail.com](mailto:jvbaca.pob@gmail.com)> wrote:  
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--

Leonard Waites Chairman  
Police Oversight Board



# POLICE OVERSIGHT BOARD

600 2<sup>ND</sup> Street NW, Room 813  
Albuquerque, New Mexico 87103

***Jeannette Baca, Ed.D., LPC***

POB Board Member

*The City of Albuquerque*

Civilian Police Oversight Agency

Cell Phone: 505-573-1439  
jvbaca.pob@gmail.com

Contact the CPOA for more information  
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CPOA Website: [www.cabq.gov/cpoa](http://www.cabq.gov/cpoa)



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Albuquerque, NM 87103
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- Verbal statements: CPOA or APD employees
- TTY: 800-659-8331
- Ask for an APD supervisor or visit an APD sub-station

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(505) 924-3770 or APD Internal Affairs at (505) 768-2880*

**From:** [Maira Amado-McCoy](#)  
**To:** [Jeannette Baca](#)  
**Cc:** [Leonard Waites](#); [cabq.pob.mohr@gmail.com](#); [dzt3@juno.com](#); [joannefine413@gmail.com](#); [iswilsonpob@outlook.com](#); [susanne.brown37@gmail.com](#); [Hammer, Robin](#); [Eric H. Cruz](#); [Mark Baker](#)  
**Subject:** Re: June POB meeting  
**Date:** Thursday, June 11, 2015 7:08:28 AM

---

Thanks, Jeannette and Beth.

And, thanks especially Jeannette for all the work. I know these things aren't easy. One question: I wonder, as we go, if it's possible for a member to choose to not have a printed back at all?

The reason I ask is that I, personally, believe that the simpler the business card, the better. Printing the back of business cards is a big controversy among folks that spend their time analyzing the curvature of font and determining nanomovement in kerning (I don't, but I know people that do!). I come down on the side of not printing backs, primarily because I don't think one should try to get double duty out of business cards. It's a reminder, an affiliation, and a "brand," and the most that should happen on the back is that people jot down an additional reminder -- where they met the person who gave them the card or when their next appointment is.

But, primarily, in this sensitive and complex work, I think it could be troubling to present ourselves as members of this board with the message that what we do is encourage complaints, and I think the message on the back could too easily be interpreted that way.

The agency has devised ways to make the complaint process available, visible, and seamless, and if we want to improve that to make it more accessible or more visible, we might do that in those spaces? But leading with: "Hi, I'm with the Board, would you like to make a complaint?" could easily be understood as unbalanced as, "I'm with the Board, and we're here to spend 600 hours hearing and saying nice things about the police department" (one of the issues I raised in April RE the goals of the CPA for our training). I think we must put in a real effort to remain neutral and third-party, and to carefully maintain our profile as \_oversight\_.

I know we can talk about this tonight, but I wanted to raise the question so that we can think about it a little before meeting. Please don't allow this difference of opinion to signal any minimizing of my admiration for Dr. Baca's work. When anyone takes on something big for us, my appreciation and admiration is through the roof; this is a purely philosophical and technical difference that I think is important enough to raise.

Looking forward to seeing you all tonight.

Best,

Maira

On Wed, Jun 10, 2015 at 10:42 PM, Jeannette Baca <jvbaca.pob@gmail.com> wrote:

Greetings,

There has been additional input regarding the business cards. While I've received some "likes" regarding the emoticons on the back of the card, there are some "dislikes" as well. As such, I have attached another version for your consideration, sans emoticons. I also added "City of Albuquerque" on the front of the card. Again, thanks for your feedback.

Jeannette

On Wed, Jun 10, 2015 at 8:29 AM, Jeannette Baca <jvbaca.pob@gmail.com> wrote:

Good morning,

Thanks to all who provided feedback on the business card! I will bring a copy of the card with your suggestions to the meeting tomorrow. Beth, thanks for tending to details (font); I sort of figured the professionals would take care of this, good point. Yes, the exclamation point will go (can you tell I like exclamation points? I also like semicolon's, which I tend to overuse:). Sue, I figured I would split the difference on the complain/compliment placement. Since the happy (compliment) emoticon is in the forefront, I think keeping the term complaint first in the text addresses the community solidarity issue you mentioned. Let me know what you think.

This is a work in progress, we can make additional changes at the meeting. Thanks for your interest and support.

Have a wonderful day,  
Jeannette

On Mon, Jun 8, 2015 at 11:49 AM, Jeannette Baca <jvbaca.pob@gmail.com> wrote:

Greetings!

I hope you all had a nice weekend.

As you know, I have suggested creating business cards for POB members; this item will be discussed again during our meeting this week. As such, I have attached a draft for your review; the back of the card (optional) would contain [complaint] information. I used the current CPOA logo which we were introduced to during our first training. The 15 stars indicate 9 Board members and the 6 area commands. The writing translates to "Justice and Equality Under the Law".

I look forward to seeing you on Thursday.

Regards,  
Jeannette

On Thu, Jun 4, 2015 at 12:58 PM, Leonard Waites

<phamason.lw@gmail.com> wrote:

All,

I have asked Beth Mohr to chair our June meeting while I continue to recover. thanks Beth.

--

Leonard Waites Chairman  
Police Oversight Board

**From:** Adonis Encinias  
**To:** [rschroeder@cabq.gov](mailto:rschroeder@cabq.gov); [POB@cabq.gov](mailto:POB@cabq.gov); [geden7@cabq.gov](mailto:geden7@cabq.gov); [RHuntsman@cabq.gov](mailto:RHuntsman@cabq.gov); [ericgarcia@cabq.gov](mailto:ericgarcia@cabq.gov); [mayorberry@cabq.gov](mailto:mayorberry@cabq.gov)  
**Subject:** Fwd: Misconduct, Harassment, and Unnecessary Investigation from APD and it's responsible Parties.  
**Date:** Thursday, June 11, 2015 7:48:08 AM

---

6/11/2015

Good Morning,

Hello my name is Adonus Encinias. Today's email is in reference to my families civil rights being violated from the City of Albuquerque's Police Department, Narcotics/Special Investigations Department.

There is issues our family is having with a neighbor, in our SW Albuquerque Neighborhood.

These issues are being ignored and avoided from our side.

The person responsible for that residence is "Anonymously" causing a great amount of false reports to the Albuquerque Police Department, due to her guilt with ongoing drug trafficking, human trafficking, possession of firearms, and gang related activity.

Our family does have a history of being accused of these alleged crimes, but we are Law abiding citizen of Albuquerque, New Mexico.

Our family does not think the open Investigations within APD's Investigations Department are substantial, nor are we breaking any City/State Law.

Please take into consideration that our family is a very good family.

So therefore, on behalf of the Encinias family, we are requesting that action be taken and a thorough investigation from the Mayors office be conducted within the Albuquerque Police department and it's responsible parties.

If the office thinks it is unnecessary to conduct an investigation and consider our request's, we will then take legal action by filing litigation against, The City Of Albuquerque, The Albuquerque Police Department and it's responsible parties.

Thank you,

Adonus Encinias

----- Forwarded message -----

From: "Adonis Encinias" <[encinias.adonus@gmail.com](mailto:encinias.adonus@gmail.com)>

Date: Jun 11, 2015 7:34 AM

Subject: Misconduct, Harassment, and Unnecessary Investigation from APD and it's responsible Parties.

To: <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)>, <[mayorberry@cabq.gov](mailto:mayorberry@cabq.gov)>, <[GAlvarez@cabq.gov](mailto:GAlvarez@cabq.gov)>, <[gamontano@cabq.gov](mailto:gamontano@cabq.gov)>

Cc:

Good Morning,

Hello my name is Adonus Encinias. Today's email is in reference to my families civil rights being violated from the City of Albuquerque's Police Department, Narcotics/Special Investigations Department.

M002913

There is issues our family is having with a neighbor, in our SW Albuquerque Neighborhood.

These issues are being ignored and avoided from our side.

The person responsible for that residence is "Anonymously" causing a great amount of false reports to the Albuquerque Police Department, due to her guilt with ongoing drug trafficking, human trafficking, possession of firearms, and gang related activity.

Our family does have a history of being accused of these alleged crimes, but we are Law abiding citizen of Albuquerque, New Mexico.

Our family does not think the open Investigations within APD's Investigations Department are substantial, nor are we breaking any City/State Law.

Please take into consideration that our family is a very good family.

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If the office thinks it is unnecessary to conduct an investigation and consider our request's, we will then take legal action by filing litigation against, The City Of Albuquerque, The Albuquerque Police Department and it's responsible parties.

Thanks,

Mr. Adonus & Ms.Trini Encinias

Contact Information

Home Number:

(505)836-1501

Cell:

(505)448-9604

E-mail Address:

encinias.adonus@gmail.com

**From:** Hammer, Robin  
**To:** "Adonis Encinias"; Mayor Berry; Alvarez, Giselle M.; Montano, Gilbert A.  
**Cc:** Schroeder, Rhiannon L.; POB; Eden, Gordon; Huntsman, Robert Y.; Garcia, Eric  
**Subject:** RE: Misconduct, Harassment, and Unnecessary Investigation from APD and it's responsible Parties.  
**Date:** Thursday, June 11, 2015 8:30:44 AM

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Dear Mr. and Ms. Encinias:

The Civilian Police Oversight Agency (CPOA) has received your complaint against the Albuquerque Police Department. I will assign a CPOA investigator to investigate your complaint. The investigator will gather the evidence, including interviewing witnesses. After the investigation has been completed, the investigator will write a report. Once the investigator has completed the report, I, will review the investigation and draft a letter of findings, explaining the results of the investigation and her conclusions addressing whether the officer(s) involved complied with Standard Operating Procedures in their conduct.

After the investigation is complete, the Police Oversight Board will accept, reject, or modify these findings. Our office will send you her letter of findings by certified mail or email, if we do not have a mailing address. The Chief of Police will also send you a letter once he makes his findings on your Complaint.

Please remember that complaints involving APD personnel are administrative investigations to determine whether any Standard Operating Procedures have been violated. If there is a finding of a SOP violation, the officer(s) may receive discipline. If you desire other relief, please seek additional information on how to proceed.

If you have questions, please contact our office. Thank you for your cooperation in the civilian oversight of the Albuquerque Police Department.

Sincerely,  
Robin Hammer

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

**From:** Adonis Encinias [mailto:[encinias.adonus@gmail.com](mailto:encinias.adonus@gmail.com)]  
**Sent:** Thursday, June 11, 2015 7:34 AM  
**To:** Hammer, Robin; Mayor Berry; Alvarez, Giselle M.; Montano, Gilbert A.  
**Subject:** Misconduct, Harassment, and Unnecessary Investigation from APD and it's responsible Parties.

M002915

Good Morning,

Hello my name is Adonus Encinias. Today's email is in reference to my families civil rights being violated from the City of Albuquerque's Police Department, Narcotics/Special Investigations Department.

There is issues our family is having with a neighbor, in our SW Albuquerque Neighborhood. These issues are being ignored and avoided from our side.

The person responsible for that residence is "Anonymously" causing a great amount of false reports to the Albuquerque Police Department, due to her guilt with ongoing drug trafficking, human trafficking, possession of firearms, and gang related activity.

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Please take into consideration that our family is a very good family.

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If the office thinks it is unnecessary to conduct an investigation and consider our request's, we will then take legal action by filing litigation against, The City Of Albuquerque, The Albuquerque Police Department and it's responsible parties.

Thanks,

Mr. Adonus & Ms.Trini Encinias

#### Contact Information

Home Number:

(505)836-1501

Cell:

(505)448-9604

E-mail Address:

[encinias.adonus@gmail.com](mailto:encinias.adonus@gmail.com)



**From:** Hammer, Robin  
**To:** Leonard Waites  
**Subject:** Phone call  
**Date:** Thursday, June 11, 2015 10:08:51 AM

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Please call me

Robin S. Hammer, Esq.  
Acting Executive Director  
Civilian Police Oversight Agency

Sent from my iPhone

**From:** [Beth Mohr](#)  
**To:** [phamason.lw@gmail.com](mailto:phamason.lw@gmail.com)  
**Subject:** Thank-you for your email Re: Thank-you for your email Re: Fwd: Misconduct, Harassment, and Unnecessary Investigation from APD and it's responsible Parties.  
**Date:** Thursday, June 11, 2015 12:23:04 PM

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Thank-you for your email. I am a Police Oversight Board member; this is a volunteer position for which I have limited availability. If your email requires a response from me, I will endeavor to do so within 72 hours. Thank-you for your patience.

--

Beth A. Mohr, Acting Chair  
Albuquerque Police Oversight Board

***Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart***

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

**From:** Hammer, Robin  
**To:** Davila, Natalie Z.; Eunes, Ana R.; Garcia, Jennifer; Gonzalez, Arturo E.; Bullock, Nicholas; Cash, Paul; Contreras, Michelle; Davidson, Christopher; Hammer, Robin; McDermott, Diane L.; O'Neill, Erin; Skotchdopole, Paul A.; Beth Mohr; David Ring; Eric H. Cruz; Jeannette V. Baca; Joanne Fine; Leonard Waites; Moira Amado-McCoy; Scott S. Wilson; Susanne Brown  
**Cc:** "Mark T. Baker"; Perry, Robert J.  
**Subject:** FW: Albuquerque CVB - NACOLE 2016 Annual Conference Site Inspection  
**Date:** Thursday, June 11, 2015 12:34:46 PM

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POB Members:

As you may be aware, I have been an active member of National Association of Civilian Oversight of Law Enforcement (NACOLE)'s Training, Education, and Standards Committee for three years. I have gotten to know well NACOLE staff and several NACOLE Board Members through this committee work.

On Monday this week, I met with NACOLE's Director of Training, Cameron McElhiney, during her site visit to Albuquerque. NACOLE's Board met yesterday, June 10, 2015. Based upon the application I submitted to NACOLE, in conjunction with Albuquerque's Convention and Visitor's Bureau, NACOLE's Board has selected Albuquerque as the host city for next year's NACOLE Conference in September 2016.

At its next meeting, the POB should consider forming a NACOLE Conference Subcommittee to assist in preparing to host next year's NACOLE's conference.

Please let me know if you have any questions.

All the best,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

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**From:** Jacob Quintana [mailto:[quintana@visitabq.org](mailto:quintana@visitabq.org)]  
**Sent:** Thursday, June 11, 2015 12:10 PM  
**To:** Hammer, Robin  
**Subject:** Re: Albuquerque CVB - NACOLE 2016 Annual Conference Site Inspection

Hi Robin,

M002919

Yes, I meant to let you know earlier, but got side tracked. They have selected ABQ for 2016 and will go to Detroit in 2017.

I spoke with Cameron this morning and that's when Cameron told me. She has not decided on which hotel (Hyatt or DoubleTree) but should have a selection within the next few days. She recognises that she needs to be downtown.

I truly appreciate everything you have done and expressed your support to help make this happen for Albuquerque.

As I learn more, I'll be sure to keep you updated.

Thanks again  
Jacob

*Jacob B. Quintana  
National Sales Manager  
Albuquerque Conv & Visitors Bureau*

*Sent from my Verizon Wireless 4G LTE DROID*

"Hammer, Robin" <[rhammer@cabq.gov](mailto:rhammer@cabq.gov)> wrote:

Jacob,

Have you heard anything from Cameron re: the NACOLE Board's decision?

We have our public meeting tonight and I'd like to up our Board, if possible.

Thanks,  
Robin

**Robin S. Hammer, Esq.**  
Acting Executive Director  
Civilian Police Oversight Agency  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  
(505) 924-3770  
Fax: (505) 924-3775  
<http://www.cabq.gov/cpoa>

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**From:** Jacob Quintana [<mailto:jquintana@visitabq.org>]  
**Sent:** Tuesday, June 02, 2015 3:06 PM  
**To:** Hammer, Robin

M002920

**Subject:** RE: Albuquerque CVB - NACOLE 2016 Annual Conference Site Inspection

Thank you Robin!

See you then.

Jacob

**JACOB QUINTANA**

*National Sales Manager*

ALBUQUERQUE CONVENTION AND VISITORS BUREAU

20 First Plaza NW, Suite 601 Albuquerque, New Mexico 87102

[quintana@VisitABQ.org](mailto:quintana@VisitABQ.org) | 505-222-4327 | 800.733.9918 x3327

[www.VisitABQ.org](http://www.VisitABQ.org) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Pinterest](#)

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**From:** Hammer, Robin [<mailto:rhammer@cabq.gov>]

**Sent:** Tuesday, June 02, 2015 1:00 PM

**To:** Jacob Quintana

**Subject:** RE: Albuquerque CVB - NACOLE 2016 Annual Conference Site Inspection

Jacob,

I will be available on Monday, June 8 at 11:30 am.

Thanks,

Robin

**Robin S. Hammer, Esq.**

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

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**From:** Jacob Quintana [<mailto:quintana@visitabq.org>]

**Sent:** Tuesday, June 02, 2015 8:34 AM

**To:** [benjamin.hogge@hyatt.com](mailto:benjamin.hogge@hyatt.com); Stu Arledge; Misty Jester ([misty.jester@cpabq.com](mailto:misty.jester@cpabq.com)); Shana Walker ([shana.walker@jgh.com](mailto:shana.walker@jgh.com)); Esther Lovato ([elovato@thehotelcascada.com](mailto:elovato@thehotelcascada.com)); [Daniel.Cisneros@Hilton.com](mailto:Daniel.Cisneros@Hilton.com)

**Cc:** Maureen Chavez; Hammer, Robin

**Subject:** Albuquerque CVB - NACOLE 2016 Annual Conference Site Inspection

**Importance:** High

Hello everyone,

Attached is the site inspection form for the *National Association for Civilian Oversight of Law Enforcement (NACOLE)* – 2016 Annual Conference; scheduled for **Sunday, June 7<sup>th</sup> – Tuesday, June 9<sup>th</sup>**

M002921

9 , 2015. I will provide the meeting planner profile for Cameron once it is available.

As you are all aware, Cameron's main concern is that her attendance numbers may increase to 350 or more, and is wanting to see how your property can accommodate their meeting. We are competing with Detroit; VT has been eliminated.

I will do my best to stay on time with this schedule. If I see that we will be late or early for our scheduled appointment, I will call you to inform you an estimated time when we will arrive at your property. **Please confirm with me that you have received this itinerary and are able to accommodate your agreed upon time.**

Thank you for your partnership and let's win this business together!  
Jacob

JACOB QUINTANA  
*National Sales Manager*  
ALBUQUERQUE CONVENTION AND VISITORS BUREAU  
20 First Plaza NW, Suite 601 Albuquerque, New Mexico 87102  
[quintana@VisitABQ.org](mailto:quintana@VisitABQ.org) | 505-222-4327 | 800.733.9918 x3327  
[www.VisitABQ.org](http://www.VisitABQ.org) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Pinterest](#)

