

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-195 **ENACTMENT NO.**

SPONSORED BY: Cynthia D. Borrego and Lan Sena

1 **RESOLUTION**

2 DIRECTING THAT THE CIVILIAN POLICE OVERSIGHT AGENCY PROVIDE A
3 TRAINING COMPLIANCE REPORT FOR MEMBERS OF THE CIVILIAN POLICE
4 OVERSIGHT AGENCY BOARD WITH RESPECT TO THE TRAINING
5 REQUIREMENTS UNDER THE COURT APPROVED SETTLEMENT AGREEMENT
6 WITH THE UNITED STATES DEPARTMENT OF JUSTICE, AND THE CIVILIAN
7 POLICE OVERSIGHT ORDINANCE.

8 WHEREAS, The Council understands that a properly conceived and
9 functioning police oversight system is necessary to promote accountability of
10 police officers and protect the rights of civilians; and

11 WHEREAS, In 2014, the city received findings of an investigation by the
12 United States Department of Justice that in part concluded that the city's
13 external oversight system contributed to overall systemic problems with the
14 Police Department's use of force in encounters with civilians: and

15 WHEREAS, In 2014, the Council recognized that the City of Albuquerque
16 deserves a highly professional well trained Police Department; however, an
17 effective oversight function had not yet evolved to the satisfaction of the
18 community's needs; and

19 WHEREAS, In 2014, the Council abolished the Police Oversight
20 Commission and replaced it with a Civilian Police Oversight Agency pursuant
21 to Ordinance 9-4-1-1, known as the Civilian Police Oversight Ordinance; and

22 WHEREAS, In 2014, the City also entered into a Court Approved Settlement
23 Agreement (CASA) with the United States Department of Justice and the CASA
24 remains in effect; and

25 WHEREAS, The CASA has numerous requirements that the parties,
26 including the City of Albuquerque, have agreed to enforce including twenty-

1 paragraphs dedicated solely to the Civilian Police Oversight Agency (CPOA);
2 and

3 WHEREAS, Three paragraphs of the CASA, paragraphs 274-276, deal with
4 the specific training requirements and timeframes for completion of training
5 for individuals appointed to serve on the agency; and

6 WHEREAS, Section 9-4-1-5 of the Civilian Police Oversight Ordinance
7 created the Police Oversight Board of the Civilian Police Oversight Agency
8 and establishes processes for appointments of new members by the Council,
9 qualifications for members, and training requirements for members of the
10 Board; and

11 WHEREAS, The most recent report of the Independent Monitor (IMR-13)
12 released in May 2021 found the Civilian Police Oversight Agency out of
13 operational compliance with the training requirements of paragraphs 274 and
14 275 of the CASA; and

15 WHEREAS, Internal City records suggest that as of the drafting of this
16 Resolution, none of the Civilian Police Oversight Board members, except for
17 members Johnson and Ralph who were recently appointed to the Board, are in
18 full compliance with the training requirements of the CASA; and

19 WHEREAS, Section 9-4-1-5 (E) of the Civilian Police Oversight Agency
20 allows for the removal of members for cause by a two thirds majority vote of
21 the Board itself or of the Council.

22 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
23 **ALBUQUERQUE:**

24 **Section 1.** The Civilian Police Oversight Agency provided a report
25 documenting the training status of each Board member. The City Legal
26 Department shall evaluate this submittal and report back to the City Council
27 with a written analysis of training compliance for Board members by the
28 October 18, 2021 meeting of the City Council.

29 **Section 2.** The members of the Civilian Police Oversight Agency are invited
30 to comment on and discuss training at the time that the report called for in
31 Section 1, above, is considered to address any non-compliances outlined in the
32 report and to discuss timelines and pathways toward achieving compliance as
33 soon as possible.