



Timothy M. Keller
Mayor

City of Albuquerque

Civilian Police Oversight Agency

OC-24-24



Diane McDermott
Executive Director

Interoffice Memorandum

09/25/2024

To: Dan Lewis, City Council President
From: Diane McDermott, Executive Director
Subject: CPOAB Job Description Approval

This memorandum informs the Council that the job description for the Board is enclosed, as required by Section § 9-4-1-5-L of the oversight ordinance. The Director is required to draft a job description for the Board to inform members of their roles, responsibilities, and expectations: *"The Director shall draft a job description that informs Board members of their roles, responsibilities, and specific expectations of a Board member. The Director shall present the proposed job description to the City Council for final approval."*

The job description was provided to the Contract Compliance Officer and the Associate Independent Monitor for Board CASA paragraphs for their input and consultation.

I appreciate your consideration of this document and look forward to the Council's final approval.

APPROVED: Diane McDermott
DIANE MCDERMOTT, EXECUTIVE DIRECTOR

cc: Chris Sylvan, Neighborhood Liaison, Council Services

Job Description: Police Oversight Advisory Board Member

Position Title: Police Oversight Advisory Board Member

Reports To: Police Oversight Advisory Board Chair

Position Summary:

The Police Oversight Advisory Board provides policy guidance and civilian oversight of the Albuquerque Police Department (APD), providing a voice to the community. It consists of five (5) members who broadly represent the diversity and demographics of the City of Albuquerque. With the Chair's approval, board members will work collaboratively with the CPOA Executive Director or designee to ensure thorough and independent investigations of civilian complaints filed against APD personnel. Board members shall not independently investigate matters but will rely on the CPOA professional staff. The role is responsible for reviewing APD standard operating procedures (SOP), providing recommendations, conducting regular audits, evaluating APD's serious use of force cases and officer-involved shootings, and engaging with the community to enhance police accountability and practices.

Key Responsibilities:

Policy Review/Development and Community Engagement:

- Serve on APD policy development committees, providing oversight and contributing to policy formation
- Provide policy guidance for APD, ensuring accountability and transparency in police operations
- Review and consider community input and policy proposals from APD and Community Policing Councils (CPCs) in making policy recommendations
- Work with the Executive Director or designee and designated Board members to report on committee outcomes and decisions
- Engage with CPCs to gather community feedback and incorporate it into policy recommendations

Legal and Procedural Compliance:

- Ensure all activities and decisions comply with legal and procedural guidelines
- Work with the CPOA's independent legal counsel for advice and representation
- Present policies and procedures governing the Board to the City Council for final approval, ensuring effective accomplishments of duties listed in the oversight ordinance
- Regularly review and update Board policies and procedures to ensure effectiveness in oversight

Orientation and Training:

- Complete an initial orientation and training program provided by the CPOA staff or legal counsel
- Attend at least one Board meeting as an observer before participating in Board activities
- Participate in **comprehensive** training programs within the **first six months** of appointment, covering topics such as the 2014 DOJ settlement agreement with the City of Albuquerque, state and local laws, civil rights, and APD policies related to the use of force

- Complete the APD civilian police academy training within **one year** of appointment to include recruiting, basic training, field training and evaluation, field services, response to resistance, crisis intervention, community policing, impact investigations, active listening and de-escalation, SWAT, less lethal options, reality-based training (**minimum 26 hours**). It also includes participation in at least two APD ride-along and completion of Internal Affairs and professionalism training.

On-Going Training:

- Receive eight hours of annual training on changes in law, policy, training, and developments in the DOJ settlement agreement
- Participate in at least two police ride along every six months
- Attend conferences focused on police oversight to fulfill part of ongoing training requirements (**maximum 4 hours**)
- Engage in other recommended training opportunities such as annual firearms simulation and equity and cultural sensitivity training

Auditing and Investigation Review:

- Conduct semi-annual audits on 10% of civilian police complaints alleging the use of force
- Initiate additional audits on civilian police complaint investigations with a two-thirds majority vote of Board members
- Access and review investigation files and documents necessary for audit functions

Appeal and Hearings:

- Address requests for hearings from individuals dissatisfied with the Executive Director's or APD's findings, ensuring timely and fair processing of such requests
- Adopt and follow the rules for appeals to ensure impartiality during reviews
- Maintain fairness in deliberations and decisions, avoiding any independent investigation or ex-parte communication related to cases under consideration
- Ensure the confidentiality of Garrity-protected information in compliance with legal requirements

Special Meetings:

- Hold special meetings in response to petitions from 1000 or more Albuquerque residents, addressing and inquiring into concerns raised

Qualifications and Compensation:

Residency. Must reside within the City of Albuquerque

Employment History. Must not have been employed by APD for at least three years before the appointment or by any law enforcement agency for at least one year before the appointment

Background Check. Must successfully pass a background check

Complaint History. Must have a personal history lacking any pattern of unsubstantiated complaints against APD or law enforcement

Decision Making. Must demonstrate an ability to engage in mature, impartial decision-making

Training. Must complete all required orientation and training programs within set time limits established in the CPOA ordinance

Compensation. Receive a \$500 honorarium upon completion of initial orientation and training. Earn \$250 upon completion of annual required ongoing training. Receive a stipend of \$100 per regular Board meeting, not to exceed \$200 per month.

Terms of Service, Ethical Consideration and Removal of Members:

Term Length. Shall serve a maximum of two three-year staggered terms.

Unexpired Term. If appointed to fill an unexpired term of another member, that term will not count towards the term limit if the time remaining is one year or less.

Confidentiality. Maintain the confidentiality of all sensitive information while complying with all legal requirements.

Conflict of Interest. Recuse from any hearing or decision where a direct or indirect personal conflict of interest exists or where participation would create the appearance of impropriety or partiality.

Professional Conduct. Demonstrate professionalism when interacting with Agency staff, City employees, members of the public, and fellow Board members.

Cause of Removal. Board members may be removed for cause by a two-thirds majority vote of the City Council. Causes include conduct inconsistent with the requirements listed in the oversight ordinance or due to the inability to adjudicate civilian police complaints objectively. Regular unexcused absences from the meetings and failure to uphold the conduct requirement listed in policies and procedures could also cause removal.

Additional Guidance:

For additional details on duties, compliance with internal standards, and other responsibilities, Board members should refer to the Board's Policies and Procedures document. The document provides comprehensive guidelines and standards that must be adhered to ensure effective oversight and governance.

Application Process:

Interested candidates should submit a resume, cover letter, and references to Chris Sylvan at csylvan@cabq.gov. The selection process will involve a review of qualifications, an interview, and a vote of confirmation from the City Council.