

# **CITY of ALBUQUERQUE**

## **TWENTY FOURTH COUNCIL**

**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 Director of the Civilian Police Oversight Agency is directed  
25        to provide a report documenting the training status of each Board member as  
26        compliant or deficient, and outlining the specific deficiencies with respect to  
27        each member. The Director shall submit this report to the Clerk of the Council  
28        by no later than September 28, 2021 in anticipation that the report will be  
29        considered as an Other Communication at the October 4, 2021 meeting of the  
30        City Council.

31            Section 2. The members of the Civilian Police Oversight Agency are  
32        invited to appear before the City Council at the time that the report called for in  
33        Section 1, above, is considered to address any non-compliances outlined in the

1 report and to discuss timelines and pathways toward achieving compliance as  
2 soon as possible.

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