



Legislation Details (With Text)

**File #:** O-14-15  
**Type:** Ordinance      **Status:** Enacted  
**File created:** 4/21/2014      **In control:** City Council  
**Final action:** 8/18/2014  
**Enactment date:** 8/29/2014      **Enactment #:** O-2014-017  
**Effective date:** 9/5/2014  
**Title:** F/S Immediately Suspending The Operation Of The Police Oversight Commission Pending The Establishment Of A New Oversight System (Benton, Sanchez)  
**Sponsors:** Isaac Benton

**Indexes:**

**Code sections:**

**Attachments:** 1. O-15, 2. O-15 Approved Floor Substitute, 3. FS O-15Enacted, 4. O-15fsfinal

Date	Ver.	Action By	Action	Result
8/29/2014	2	Mayor	Not Signed by the Mayor	
8/29/2014	2	City Clerk	Published	
8/22/2014	2	City Council	Sent to Mayor for Signature	
8/18/2014	1	City Council	Passed as Substituted	Pass
8/18/2014	1	City Council	Substituted	Pass
8/4/2014	1	City Council	Postponed	Pass
6/9/2014	1	City Council	Postponed	Pass
5/19/2014	1	City Council	Postponed as Amended	Pass
5/19/2014	1	City Council	Amended	Pass
4/21/2014	1	President	To be heard at the Council Meeting	
4/21/2014	1	City Council	Introduced	

**CITY of ALBUQUERQUE**  
**TWENTY FIRST COUNCIL**

COUNCIL BILL NO. F/S O-14-15      ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton & Ken Sanchez

ORDINANCE

F/S Immediately Suspending The Operation Of The Police Oversight Commission Pending The

Establishment Of A New Oversight System (Benton, Sanchez)

IMMEDIATELY SUSPENDING THE OPERATION OF THE POLICE OVERSIGHT COMMISSION  
PENDING THE ESTABLISHMENT OF A NEW OVERSIGHT SYSTEM.

BE IT ORDAINED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF  
ALBUQUERQUE:

Section 1. LEGISLATIVE FINDINGS.

(A) Effective oversight of the police force is critical to public safety and confidence and, therefore, the City Council has enacted a Police Oversight Ordinance to provide oversight of the police force and process citizen complaints.

(B) The City of Albuquerque deserves a highly professional well trained Police Department; however, the Police Oversight Commission (the "POC") has not proven to be an effective oversight entity as documented by the report from the United States Department of Justice dated April 10, 2014.

Section 2. SUSPENSION OF THE POLICE OVERSIGHT COMMISSION. All functions, powers, and duties of the Police Oversight Commission established by Sections 9-4-1-4 and 9-4-1-5 of the Revised Ordinances of Albuquerque are hereby suspended until such time as the City Council determines those functions should begin again or enacts a different or altered oversight process. During the suspension, the Independent Review Officer (IRO) shall continue to receive, investigate and evaluate citizen complaints and officer involved shootings without oversight by or the involvement of the existing Police Oversight Commission.

Section 3. The determinations of the IRO shall, if requested, be reviewed by the City pursuant to the Police Oversight Ordinance. The City shall assign the review to a contract hearing officer qualified pursuant to the terms of the Administrative Hearings Ordinance to conduct a whole record review of the determinations of the IRO.

Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 5. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

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