



Legislation Text

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CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

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

SPONSORED BY: Cynthia D. Borrego and Lan Sena

RESOLUTION

Directing That The Civilian Police Oversight Agency Provide A Training Compliance Report For Members Of The Civilian Police Oversight Agency Board With Respect To The Training Requirements Under The Court Approved Settlement Agreement With The United States Department Of Justice, And The Civilian Police Oversight Ordinance (Borrego, Sena)

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

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

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

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

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

WHEREAS, The CASA has numerous requirements that the parties, including the City of Albuquerque, have agreed to enforce including twenty-paragraphs dedicated solely to the Civilian Police Oversight Agency (CPOA); and

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

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

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

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

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

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

Section 1. The Director of the Civilian Police Oversight Agency is directed to provide a report documenting the training status of each Board member as compliant or deficient, and outlining the specific deficiencies with respect to each member. The Director shall submit this report to the Clerk of the Council by no later than September 28, 2021 in anticipation that the report will be considered as an Other Communication at the October 4, 2021 meeting of the City Council.

Section 2. The members of the Civilian Police Oversight Agency are invited to appear before the City Council at the time that the report called for in Section 1, above, is considered to address any non-compliances outlined in the report and to discuss timelines and pathways toward achieving compliance as soon as possible.

