

City of Santa Fe, New Mexico

Citizen's

Police

Incident

Review

Board

City of Santa Fe, New Mexico

January 30,
2001



Agenda

CITIZEN'S POLICE INCIDENT REVIEW BOARD

Tuesday, January 30, 2001
7:00 P.M.- 9:00 P.M.
Santa Fe Police Department
Conference Room
2515 Camino Entrada

- | | | |
|-------|--|---|
| I. | ROLL CALL | CITY CLERK'S OFFICE |
| II. | APPROVAL OF AGENDA | DATE <u>1-25-01</u> TIME <u>8:40</u> |
| III. | APPROVAL OF August 15, 2000 | SERVED BY <u>Cheri Ortega</u> |
| IV. | NEW BUSINESS: | RECEIVED BY <u>Yolanda Green</u> |
| V. | OLD BUSINESS: | |
| | A. | Discuss direction of Board |
| | B. | Familiarization of Citizen's Police Incident Review Board ordinance |
| | C. | Discuss planning a meeting with community organizations, neighborhood associations and youth groups |
| | D. | Discuss ground rules, speakers, lists and invitations |
| VI. | EXECUTIVE SESSION | |
| VII. | MATTERS FROM THE FLOOR | |
| VIII. | MATTERS FROM THE BOARD | |
| IX. | MATTERS FROM POLICE DEPARTMENT LIAISON NIGEL BRIDGER | |
| X. | PLAN NEXT AGENDA MEETING | |

Interpreter for the hearing impaired is available through the City Clerk's Office upon five days notice.

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CITIZENS' POLICE INCIDENT REVIEW BOARD

January 30, 2001

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<u>NEW BUSINESS</u> Discuss Meeting Dates	Meet quarterly in Jan, April July and October	2-3
<u>OLD BUSINESS</u> Discuss Direction of Board	Informational	4
Familiarization of CPIRB Ordinance	Informational	4
Discuss Planning Meeting w/ Community Orgs, etc.	Informational	4
Discuss Ground Rules, Speakers, List and Invitations	Informational	4
<u>EXECUTIVE SESSION</u> None.		
<u>MATTERS FROM FLOOR</u> None.		
<u>MATTERS FROM BOARD</u> None.		
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MINUTES OF THE
CITY OF SANTA FE
CITIZENS POLICE INCIDENT REVIEW BOARD

Santa Fe, New Mexico

January 30, 2001

A meeting of the City of Santa Fe Citizens Police Incident Review Board was called to order on this date at approximately 7:15 p.m. in the Conference Room of the Santa Fe Police Department, 2515 Camino Entrada, Santa Fe. A quorum was present.

Members Present:

Mr. Harvey Van Sickle, Chair
Ms. Agnes Moses, Vice Chair
Mr. Fernando Rivera

Members Excused:

Mr. Gil Sanchez
Vacancy

Staff Present:

Lt. Nigel Bridger, Santa Fe Police Department, Liaison
Ms. Judith Beatty, Recorder

APPROVAL OF AGENDA

Discussion of Meeting Dates was added to New Business.

Item III was amended to state on the agenda:

APPROVAL OF MINUTES: August 15, 2000

Item X was amended to state on the agenda:

PLAN NEXT AGENDA MEETING AGENDA

Upon motion by Mr. Rivera, seconded by Ms. Moses, the agenda, as amended, was approved by unanimous voice vote.

APPROVAL OF MINUTES: August 15, 2000

Upon motion by Ms. Moses, seconded by Mr. Rivera, the minutes of the August 15 meeting were unanimously approved by voice vote, as submitted.

NEW BUSINESS

Discuss Meeting Dates

Ms. Moses suggested that the Board consider meeting quarterly instead of monthly.

Chair Van Sickle stated that, as he understood it, the ordinance states that the Board must meet once a month and then as necessary.

Mr. Rivera noted the following language in the ordinance:

The Review Board shall meet at least once a month or on an as-needed basis. Any deliberations of the Review Board which do not address alleged improper conduct or performance of duties of a specific police officer and which are therefore accepted under the Open Meetings Act pursuant to New Mexico Statute shall be open to the public and conducted pursuant to the Open Meetings Act and the City's open meeting policy.

Chair Van Sickle agreed that the language seemed to state that the Board only needed to meet as needed, if it chose.

Ms. Moses said she felt the language was meant to state that the Board should meet at least once a month *and* as needed. Mr. Rivera concurred.

Chair Van Sickle proposed that the Board meet on February 20 (third Tuesday of February), since Gil Sanchez had indicated that he could make this meeting, and then quarterly after that.

Mr. Rivera stated that he would not object to meeting quarterly and as needed.

Discussion turned to whether the Board could hold an "as needed" meeting to hear concerns from the public following a major incident involving the police and citizens. Ms. Moses said she thought the Board might be able to serve as a venue for people to let off steam in a potentially volatile situation.

Chair Van Sickle said the Board would be able to inform citizens under those circumstances that an internal affairs investigation was going on and the Board would review any complaint filed after the conclusion of the investigation. He commented that this might not mollify a roomful of angry people, but the role of the Board is limited in this respect.

Mr. Rivera pointed out that the Board is not permitted to review ongoing investigations, and the public needs to understand that. He said he did not want to see a group of people converge on this Board and try to discuss their version of the details of a particular incident, since that is outside the purview of this Board and could taint the investigation process.

Ms. Moses expressed reservations that, if this Board cannot act as a forum to allow citizens to let off steam about a major incident, then what other board or committee is available to them.

It was pointed out that citizens regularly appear before the City Council under Petitions From the Floor to express their concerns about a wide variety of issues.

Following discussion, Board members agreed that it is the role of the Board to act as a forum for concerns from the community, but those forums must be conducted strictly within the confines of the ordinance governing the policies and procedures of this Board.

Chairman Van Sickle stated that, if someone begins to tell the Board that they have witnessed something, the Board should give them a form and ask them to fill it out. He said the form can then be passed on to Internal Affairs. Under no circumstances, he said, can the Board hear the testimony of the witness.

Ms. Moses moved that the Board meet quarterly. Mr. Rivera seconded the motion and it passed unanimously by voice vote.

Ms. Moses moved that the quarterly meetings take place in January, April, July and October. Mr. Rivera seconded the motion and it passed unanimously by voice vote.

Board members agreed that the Chair would decide on the exact date of each meeting after calling the members and determining what was convenient.

Board members agreed to hold their next meeting on February 20.

On another matter, Chairman Van Sickle said he wrote a letter to Mayor Delgado and the two Councilors from District IV, asking them to select a replacement for Jim Wheeler.

OLD BUSINESS

Discuss Direction of Board

Familiarization of Citizens Police Incident Review Board Ordinance

Chairman Van Sickle said he has submitted Gil Sanchez' resume to the City Attorney's Office to see if he needs any training.

Chairman Van Sickle asked Board members to spend time within the next month or so reviewing some recent IA files, to select files where they have questions, and then the Board will meet to review one of the cases that Board members have previously reviewed individually and make findings. He suggested that the review be restricted to files where the Board has had complaints. He stated that this would be an important exercise for the Board in seeing how the system works.

Mr. Rivera stressed the importance of becoming very familiar with the ordinance.

**Discuss Planning a Meeting With Community Organizations,
Neighborhood Associations and Youth Groups**

Discuss Ground Rules, Speakers, List and Invitations

Chair Van Sickle said he hoped the Board would have all of its homework done within the next six months, and then the meeting with these groups could be held to educate the community about the role and process of the Board.

EXECUTIVE SESSION

Chairman Van Sickle stated that no executive session would be held at this meeting, but pointed out that this will be an item on every agenda.

Following discussion, Mr. Van Sickle stated that he would consult with Assistant City Attorney Mark Allen on whether the Board can legally go into executive session without stating the reason for it on the agenda, but simply adding the reason for it under Approval of the Agenda at the beginning of the meeting.

MATTERS FROM THE FLOOR

None.

MATTERS FROM THE BOARD

None.

MATTERS FROM POLICE DEPARTMENT LIAISON NIGEL BRIDGER

Lt. Bridger acknowledged receipt of the complaint dropped off at his office last Friday by Chairman Van Sickle, File No. 01-23-01-A, complainant Cecilia Garcia. He said he has done some preliminary report gathering and the matter is under review.

On the case involving Ms. Montoya and the issue of reviewing her medical file, Mr. Rivera said what came to the Board's attention was that, after the incident, Ms. Montoya decided to walk to the hospital because she was bruised and hurt after receiving medical attention from the paramedics, who stated that she had no injury. He said that, somewhere along the way, she was given a ride to the hospital and examined by the doctor. He stated that the Board was trying to determine the extent of Ms. Montoya's injuries.

Lt. Bridger said the Board had asked him to locate Ms. Montoya, but he has been unable to find her. He stated that the advocacy program in Albuquerque that referred this case no longer exists — he visited the address and the building is empty and the phone is disconnected. He said part of the problem may be that the case was already two years old by the time it was referred.

Mr. Rivera said Los Vecinos United representative Andres Valdez had called him and asked what the status was. Mr. Rivera said he told Mr. Valdez that Lt. Bridger has been unable to find Ms. Montoya, and that he should try conducting a search as well.

On the matter of the proposed public meeting to be held by this Board, and the apparent unwillingness of the City Attorney and Police Chief to assist in arranging it, Chairman Van Sickle asked if Lt. Bridger had further information on the reason for that.

Lt. Bridger stated that, after seeking further clarification, he has learned that the Police Chief, City Manager and City Attorney do not believe it is within the purview of the Board to have the Police organize the meeting. He said that, if the Board chooses, it can go to the City Manager and arrange it outside his (Lt. Bridger's) offices.

Chairman Sickle said he assumed that still means the Board can invite the City Attorney, City Manager, Police Chief, Assistant Police Chief or Mayor to participate, and Lt. Bridger said he could not answer that question. He said whether or not they attend is up to them.

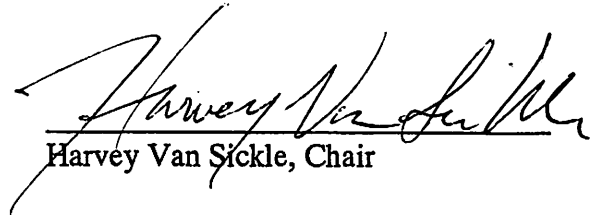
PLAN NEXT MEETING AGENDA

The Board agreed to meet on February 20.

ADJOURN

Their business completed, the Board adjourned the meeting at approximately 9:00 p.
m.

Approved by:


Harvey Van Sickle, Chair

Submitted by:


Judith S. Beatty, Recorder