



CITY OF ALBUQUERQUE

City Council

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District 7

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District 8

November 1, 2023

Dear Mayor Keller,

I have received and shared with other councilors your letter of October 27th describing progress in the Court-Approved Settlement Agreement (CASA) and recommendations to amend oversight responsibilities.

The City Council agrees that achieving compliance with the CASA to implement constitutional policing in APD is among the City's highest priorities – and a personal priority for me. I appreciate the willingness of the Administration to work with the Council to address these matters.

As you know, in January 2023 the City Council concluded a year-long evaluation of the CPOA's structure, authority, and effectiveness with the unanimous passage of O-22-67 sponsored by Councilors Bassan, Benton, Grout, and myself. That legislation took effect in February 2023 without action from the Mayor.

Our process, including input from city stakeholders and the public, concluded that the original structure, as amended along the way, was not effective in achieving the goals of the Agency or the requirements of the CASA relating to civilian oversight. The Council's subsequent changes clarified and narrowed the scope of authority for the Board to align with the CASA. It also created new oversight authority within the City Council for CPOA compliance, and a new hiring process for a permanent director, among other things. Those changes necessitated a wholesale reset of the entire organization including a solicitation for board members and key hires responsible for implementing this new structure which we anticipated could take a year to fully implement. We are on track to meet that goal.

I want to provide you with an update on progress to reconstitute this board:

- The City Council created a new application and screening process for board members and opened applications for new board members. Our staff has actively engaged with community organizations and stakeholders, including CPCs, to recruit qualified applicants.
- To date, we have received and screened 14 applicants.
- As of last month, the City Council has confirmed three new members to the CPOA Board, although one resigned.
- Changes to key leadership positions in the City Council and the Administration this summer slowed down the review process. To fill the remainder of the board positions, I recently directed Council staff to prioritize the review and qualification process for both board members and the new Contract Compliance Officer to ensure that additional board members, at least providing for a

quorum, are confirmed before this current Council concludes at the end of this year. We are on track to meet that goal.

- As of last month, Council staff had completed interviews for 5 additional applicants who were deemed qualified and referred to final interviews with Councilors between today and November 15th. This puts us on track to introduce legislation for confirmation of qualified applicants on the November 20th President's Letter of Introduction for holdover and final action at the Council's December 4th meeting.

The Council's reform legislation also called for the appointment of a Contract Compliance Officer (CCO) with overall responsibility for monitoring CPOA compliance and progress with applicable CASA provisions and the ordinance. Regarding this appointment:

- A request for letters of interest (RFLI) was dispatched to CPOA Director Diane McDermott on October 30 and submitted to the State Bar of New Mexico Bar Bulletin on November 1st. Additionally, our staff is collaborating with the University of New Mexico to promote the RFLI among the relevant faculty members. Staff is continuing to investigate additional means of advertising the RFLI.
- We anticipate identifying a well-qualified candidate no later than December 1, to be introduced at the following Council meeting on December 4th.

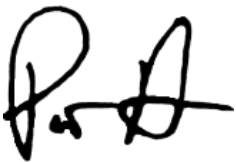
The highest priority for the CCO, once appointed, will be to identify three candidates for the position of CPOA Executive Director, whose nominations will then be submitted to the Council for approval. We anticipate that this process will begin in January 2024.

Lastly, we confirm that the test materials were transmitted to the CPOA on October 30th. We remain confident that with the progress we have achieved and our ongoing commitment to prioritizing the CPOA, effective oversight will be delivered in the near future.

This wholesale restructuring of the CPOA and its role in oversight, while long, has been necessary to avoid replicating the structural challenges that led the previous iteration of this important agency to lose effectiveness and public confidence. I am personally committed to ensuring that this restructuring process is complete before the end of this current Council term so that the next Council can begin in an oversight role instead of a rebuilding role. I am confident that my colleagues and our staff agree.

The Council will continue to monitor and address these matters diligently, ensuring that they are resolved to the satisfaction of the Court, the Department of Justice, and the public.

Respectfully,



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