Chapter 50
ARTICLE V. – Bernalillo County Sheriff’s Department Advisory and Review Board

Sec. 50-79. - Short title.
This article shall be known and may be cited as the "Sheriff’s Department Advisory and Review Ordinance."

Sec. 50-80. - Purpose and intent.
(a) It is the purpose of this article to improve public transparency and accountability with respect to the Bernalillo County Sheriff's Department, by providing robust opportunities for community engagement, analysis and review of the Department's policies, practices, procedures, and provide advice to the Board of Bernalillo County Commissioners, the Sheriff's Department, and the public.

(b) This article is promulgated pursuant to the county's authority under the New Mexico Constitution and statutes. The board of county commissioners’ authority includes those powers necessary and proper to provide for the safety, preserve the health, and improve the morals, order, comfort and convenience of its inhabitants.

(c) Any approvals granted under this article do not authorize or legalize any conduct, activity, or business that is illegal under city, county, state or federal law.

Sec. 50-81. – Advisory.
(a) Advisory board.

(1) Creation of advisory board. An advisory board is hereby created, in compliance with section 2-432 of the Bernalillo County Ordinances, and is designed to provide ongoing analysis and review of the Sheriff Department's policies, practices, procedures, and provide advice to the Board of Bernalillo County Commissioners, the Sheriff's Department, and the public.

(2) Advisory function. This board shall serve in an advisory capacity to the Board of County Commissioners and the Sheriff’s Department.

(3) Members. The board shall be made up of nine members. Each Commissioner shall appoint one member and four shall be elected by the commission from the pool of all applicants. The terms of the members shall be four years with the
elected members’ terms being staggered, starting with two year terms and the five
appointed members starting with four year terms. Annually, at the first meeting of
the calendar year, the board shall elect its chair and vice-chair.

(4) Process for selection of members. A notice of vacant advisory board positions will
be posted in the appropriate place on the county’s webpage, inviting interested
persons to apply and submit a resume to the county manager’s office. Applications
and resumes shall be forwarded to all commissioners. The Commission will strive
for equity in demographics and geography across the county.

(5) Staff. The County Manager will consult with the Board to determine staff support
needed to facilitate their work.

(6) Participation by the Sheriff. The Sheriff, or a senior ranking member of the
Sheriff’s Department, selected by the Sheriff, shall be invited to attend and
participate in all the meetings of the board, and shall have the privilege of the
floor, without voting rights.

(7) Meeting frequency. The advisory board shall meet at least once per quarter.

(8) Open Meetings Act. The board shall comply with the requirements of the New
Mexico Open Meetings Act, NMSA 1978, § 10-15-1 et seq.

(9) Duties of the board
On its own initiative, or at the request of the Board County Commissioners or the
Sheriff, without interfering with the Sheriff’s investigative function the Board
shall:

a. complete its own investigation of the Sheriff’s department’s operational
   policies, practices, processes and procedures.

b. hold public meetings to solicit public input regarding the Sheriff’s
   Department’s, policies, procedures, services and programs. Establish rules
   and procedures to ensure that its meetings provide for public comment
   and when necessary, include meetings focused solely on public comment.

c. communicate with and request information from the Sheriff, including but
   not limited to, completed disciplinary actions, finalized internal affairs
   investigations, and operating policies, to complete its review, analysis and
   investigations.

d. determine whether an independent expert audit or review of the Sheriff’s
   department’s operational policies, process and procedures is required.
   (i) If a majority of the board determines that an expert audit or
   review of the Sheriff Department’s operational process, policies or
   procedures is required, they may authorize audits or reviews to be
   conducted by independent experts to analyze, solicit input and
make recommendations to the Board of County Commissioners and the Sheriff.

(ii) Consult with the county manager about the availability of funding, within her scope authorization, or from the Commission, and the procurement process for any audits or reviews to be conducted by independent experts.

(iii) Hire experts through a competitive procurement process.

e. review, analyze, and where appropriate solicit additional input, and make advisory recommendations to the Board of County Commissioners and the Sheriff on the Sheriff's Department's operational policies and procedures that affect the community or make recommendations to create additional operational policies and procedures affecting the community.

(i) Seek the input of the Sheriff prior to completing any of its recommendations made pursuant to the duties defined in this section.

(ii) Request the advice and assistance of the Bernalillo county attorney about the process and requirements for making referrals or reports to other governmental enforcement bodies.

f. prepare and distribute an annual report to the Board of Commissioners and Sheriff at the Board’s last meeting in January, summing its activities of the prior year and its plans for the coming year.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY, NEW MEXICO this ___ day of ___________, 2020.

APPROVED AS TO FORM

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<tr>
<th>W. Ken Martinez, County Attorney</th>
<th>Lonnie C. Talbert, Chair</th>
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<td>Charlene E. Pyskoty, Vice Chair</td>
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<td>Debbie O’Malley, Member</td>
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ATTEST:

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<th>Steven Michael Quezada, Member</th>
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Linda Stover, County Clerk

James M. Collie, Member