

**BERNALILLO COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**

**ORDINANCE NO. 2020-21**

1 Chapter 50

2 ARTICLE V. – BERNALILLO COUNTY SHERIFF’S OFFICE ADVISORY AND REVIEW  
3 BOARD

4  
5 Sec. 50-79. - Short title.

6 This article shall be known and may be cited as the "Sheriff’s Office Advisory and Review  
7 Ordinance."

8 Sec. 50-80. - Purpose and intent.

9 (a) It is the purpose of this article to improve public transparency and accountability with  
10 respect to the Bernalillo County Sheriff’s Office, by providing robust opportunities for  
11 community engagement, analysis and review of the Office’s policies, practices, procedures,  
12 and provide advice to the Board of Bernalillo County Commissioners, the Sheriff’s Office,  
13 and the public.

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

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

20 Sec. 50-81. – Advisory.

21 (a) *Advisory board.*

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

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

29 (3) *Members.* The board shall be made up of nine members. Each Commissioner  
30 shall appoint one member from their district and four shall be at-large members  
31 selected by the commission from the pool of all applicants. The terms of all  
32 members shall be four years. Preferably, the four at-large members will have  
33 experience, knowledge, or skill in at least one of the following areas: community  
34 service, military service, public safety service, criminal law, civil rights, or law  
35 enforcement research. Annually, at the first meeting of the calendar year, the  
36 board shall elect its chair and vice-chair.

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1 (4) *Process for selection of members.* A notice of vacant advisory board positions  
2 will be posted in the appropriate place on the county's webpage, inviting  
3 interested persons to apply and submit a resume to the county manager's office.  
4 Additionally, the County shall prepare and distribute this notice for posting at all  
5 county recreation facilities and other facilities it owns and operates. Applications  
6 and resumes shall be forwarded to all commissioners. The Commission will strive  
7 for equity in demographics and geography across the county.

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

10 (6) *Participation by the Sheriff.* The Sheriff, or a senior ranking member of the  
11 Sheriff's Office, selected by the Sheriff, shall be invited to attend and participate  
12 in all the meetings of the board, and shall have the privilege of the floor, without  
13 voting rights.

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

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

17 (9) *Duties of the board*

18 On its own initiative, or at the request of the Board County Commissioners or the  
19 Sheriff, without interfering with the Sheriff's investigative function the Board  
20 shall:

21 a. complete its own investigation of the Sheriff's Office's operational  
22 policies, practices, processes and procedures.

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

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

31 d. determine whether an independent expert audit or review of the Sheriff's  
32 Office's operational policies, process and procedures is required.

33 (i) If a majority of the board determines that an expert audit or  
34 review of the Sheriff Office's operational process, policies or  
35 procedures is required, they may authorize audits or reviews to be  
36 conducted by independent experts to analyze, solicit input and  
37 make recommendations to the Board of County Commissioners  
38 and the Sheriff.

39 (ii) Consult with the county manager about the availability of  
40 funding. within her scope authorization, or from the Commission,

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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 Office'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.

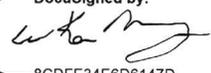
(ii) Request the advice and assistance of the Bernalillo county attorney about the process and requirements for making referrals or reports to other governmental enforcement bodies.

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 22<sup>nd</sup> day of September, 2020.

**APPROVED AS TO FORM**

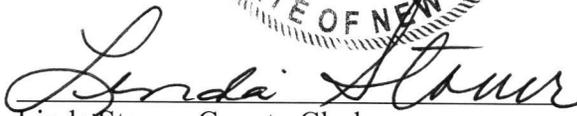
**BOARD OF COUNTY COMMISSIONERS**

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W. Ken Martinez, County Attorney

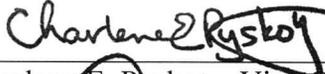


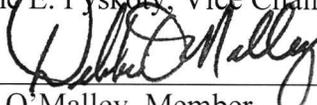
**ATTEST:**

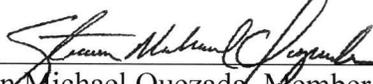
  
Linda Stover, County Clerk

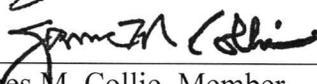
**VOTED 'NO'**

Lonnie C. Talbert, Chair

  
Charlene E. Pyskoty, Vice Chair

  
Debbie O'Malley, Member

  
Steven Michael Quezada, Member

  
James M. Collie, Member