

## **LWVCNM Panel Discussion on Criminal Justice Reform 11/9/21**

### **Background Information regarding Policing in Albuquerque**

The 10/31/14 Court Approved Settlement Agreement (CASA, aka Consent Decree) between the US Department of Justice and City of Albuquerque regarding APD Excessive Use of Force (UOF) prompted appointment of an Independent Monitor, Dr. James Ginger, spring 2015 (Dr. Ginger addressed LWVCNM July 2021). LWVCNM joined the APD Forward Coalition November 2014 with 14 other community organizations (APD Forward is 1 of 3 AMICI, with the McClendon Subclass, and Community Coalition led by former UNM Law School Dean Alfred Matthewson). DOJ/US Attorney arranges regularly scheduled meetings with AMICI to discuss aspects of the CASA progress – these meetings frequently include APD officials, CABQ Attorneys, and the Independent Monitor.

The Independent Monitoring Team has issued 13 Quarterly Reports evaluating APD progress against each of the >250 CASA measurable paragraphs. APD files Progress reports – the 14<sup>th</sup> report was available September 2021. Following issuance of each IM report the Federal Judge supervising the IM convenes a Federal Hearing offering the parties to the agreement and AMICI opportunity to comment. Following the 11<sup>th</sup> IM Report December 2020, the US DOJ issued a Stipulated Order due to the backlog in APD Internal Affairs UOF case investigations and inadequacy of APD training. Failure to apply discipline before the 90-day limit after excessive UOF incident violates Albuquerque Police Officers Association Collective Bargaining agreement (APOA CBA, Union) with CABQ. The Stipulated Order required increase to APD Internal Affairs Investigator staffing to 25; APD met that requirement August 2021 with 16 sworn PO requiring 6–8-week training and 9 civilians requiring 12-16 week training. The CABQ and DOJ agreed to changes in the APD disciplinary process July 2021. The Stipulated Order also required hire of an External Force Investigation Team (EFIT, civilians with prior law enforcement experience) including an Administrator and 3 teams. The EFIT met with AMICI September 2021 and had previously met with the 6 APD Commanders. APD filed a remedial action plan in Federal Court October 2021 approved by DOJ, IM Ginger, and EFIT.

Violent crime increases and lack of APD staffing have moved to the forefront in recent Albuquerque news coverage. Albuquerque Homicides YTD2021 are more than 2020 totals. During the pandemic homicide rates have increased in most major metropolitan areas across the US. APD efforts to increase staffing include retention of retirement-eligible officers (APD has lost 135 sworn police officers YTD2021). ~370 APD officers currently are available for field/street assignments. Incentives are also being offered which include \$10K signing bonus for APD Academy cadets and \$15K for lateral transfers from other police departments. APD is not currently mandating vaccines for officers. Increased staffing of Police Service Aides, who require less training and may respond to non-violent situations including traffic incidents, also increases sworn police officer response to more critical calls for service.

[Documents Related to APD's Settlement Agreement — City of Albuquerque \(cabq.gov\)](https://cabq.gov)

**Other organizations involved with the APD CASA include:**

**6 Community Policing Councils**, 1 associated with each of the 6 APD Commands and staffed by resident volunteers. CPC management was reassigned from APD to the CPOA Executive Director. Monthly CPC meetings encourage public participation and CPC meeting minutes are available:

[Community Policing Councils — City of Albuquerque \(cabq.gov\)](http://cabq.gov)

**Civilian Police Oversight Agency**, staffed by 9 City Council appointees and an Executive Director (Director Ed Harness recently resigned to accept a position in KY) who evaluate APD Internal Affairs Investigation evidence and accept public complaints of excessive UOF. CPOA recommends APD officer discipline to the Chief of Police. Recent vacancies to the CPOA resulted in backlog of cases and discipline recommendations after the 90-day limit. CPOA meetings may also be viewed by the public although personal details of cases with excessive UOF charges are proprietary.

[Civilian Police Oversight Agency \(CPOA\) — City of Albuquerque \(cabq.gov\)](http://cabq.gov)

**Mental Health Response Advisory Committee (MHRAC)** evaluating and recommending appropriate measures when mental health concerns result in police presence. LWVCNM Director and MHRAC Observer, Dr. Lani Desaulniers, MD, regularly contributes Observer reports to the LWVCNM monthly Voter. MHRAC meeting schedule is available:

[Mental Health Response Advisory Committee — City of Albuquerque \(cabq.gov\)](http://cabq.gov)