



Minutes of the Northwest Area Community Policing Council

Regular Meeting

Tuesday, May 16, 2017

Northwest Area Command

10401 Cibola Loop NW

Albuquerque, NM 87120

1. Call to Order

Chairperson, Eric Jackson, called the meeting to order at 6:00 p.m. (MST) on Tuesday, May 16, 2017.

BOARD MEMBERS PRESENT:

Chair Eric Jackson

Eric Nixon

Thomas Borst

Yolanda Sanchez

Commander Michael Runyan

Pete Gelabert

Sandy Pino

STAFF PRESENT:

Celina Espinoza, APD

Nicole Lucero Chavez, APD

David Gold, Facilitator, Office of Diversity and Human Rights

CITIZENS PRESENT:

15+ Citizens attended.

2. Agenda

Eric Jackson's motion to approve the May 16, 2017 agenda, seconded by Thomas Borst, passed unanimously.

3. Minutes

Eric Jackson's motion to approve the April 18, 2017 minutes, seconded by Thomas Borst, passed unanimously.

4. Area Command Update

Commander Runyan spoke. Traffic officers are needed, but the command lost two officers. He is putting together a new bid for upcoming year, in August. APD was going to knock the numbers down, based on call for service. This would have lost 11 officers. After negotiation, the number was increased to 54. Currently there are 56.

There is a new mall officer. This frees up other officers.

There is a major impact from Lt. Scott Norris. He jumps on problems immediately.

Q: Are you asking the City for more money? No, staffing allocation is based on calls for service.

Q: How do we stand? SW and NE will be the same. We are at 11%. Some are in the upper 20% and 30%. There are only 6 area commands. 30% is higher than anticipated.

The last bid was 12 hour shifts across the board. This didn't provide hoped for coverage. We're trying to accommodate quality of life for officers. Implementing 8, 10, 12 hour shifts, citywide. Graveyard is 10/12. Other shifts are 8/10/12 hours.

Q: Allocated any of the new 32 cadets to NW? Not yet. Not sure if we'll get any because we are at bid. We lost 1 and might see 1.

5. CPOA/POB Update

None.

6. Presentation: APD Forward

These notes were accompanied by a slide presentation.

APD Forward is a part a broad coalition of advocacy, community. They follow reform and monitor. Speakers were Adrienne ???, Steve Allen policy director of ACLU.

2014 was DOJ finding letter. Showed a culture of aggression. Use of force. Violations of 4th amendment rights. In 2015, the Monitor was put in place for the reform process. We're coming up on two year mark in June. APD did presentations before the Monitor's report came out. We feel we should respond to the Monitor. The Monitor is only official source of information. They accesse and analyze the 300 requirements of the settlement agreement. It analyzes the progress of reform. It is the official source for determining compliance.

We are APD forward. Community, legal, and other organizations. We want the best police force. Now the 5th report has been released. We'll talk about the good, and bad.

We have five objectives:

- 1) How do we have community involvement in process. We want community aware and informed.
- 2) Holding APD accountable to settlement and reform. Calls to mayor and councilors.
- 3) Cultivate collaboration. All interested parties should work together. Citizens, police, council, CPOA
- 4) Make reforms permanent. Sustainable long-term, even when DOJ is gone.
- 5) Fund reforms. Officer involved shootings are costly. Let's invest up front.

Steve:

We have great data folks who go through the report and make it digestible. We release our report every time.

The reports that APD puts out are useful. The Monitor report is the most important. We condensed the 400 page report into a 4 page analysis.

Good news:

Police shootings dramatically down, since the DOJ investigated. How do we put systems in place for accountability for excessive use of force?

Electronic control weapons (TASER's) show a dramatic improvement.

There are specialized units including SWAT teams. It was noted for several reports that there were improvements in supervision and managed. They were tightly supervised and highly professional.

Civilian oversight was not working. Now it is. CPOA is directed by Ed Harness. CPOA is in essentially full operation compliance. There is some strain in the relationship with APD.

Overall operation compliance has improved dramatically. Primary, secondary, operational. Operation matters. Policy in place, training. 47% operation compliance over 300 points. We are 2 years into the effort. It took a while to get the monitoring team hired and ready to go.

Once there is a 100% compliance, APD needs to comply for 2 years. The original idea was 95% operational compliance in 2 years.

Less good:

The Monitor says 47% operational compliance, is a lot of low hanging fruit. There are still core areas to work on. It will not be easy. Not all 300 points are weighted evenly.

Operating compliance for use of force is 25%. This is core of the agreement. APD has a way to go to get to the 95% mark.

Staffing, management, supervision: The Monitor focused on systemic supervisory issues. It is at the 10% mark.

Who is the monitor? Dr. James Ginger. A former police officer oversaw agreements for Pittsburgh and the NJ State Police Dept. It is an official appendage. Judge Robert Brack oversees compliance. He cannot dig into operations. Dr. Ginger and the team does that. They came up with methodology, and was agreed to by APD and City. Does the Monitor show them what to do? No. He says it's up to the department.

The Monitor was doing the reports every 4 months. Now it's every 6 months followed by a status conference hearing with the judge. APD Forward is friend of court. A status update goes to the judge and public.

Q: Does this team have access to historical data that shows if APD has ever complied? Dr. Ginger is essentially looking forward. Anything APD has, the monitor has access to. We are now tracking Show of Force. Prior to the recommendation we didn't have data.

Lots of the settlement agreement is around better data collection.

We visited other police departments. The Chief and other police have met with other departments. Best practices are found throughout country.

Moving forward there will be a data trail to do comparisons. We will create a baseline. The consent decree admits, yes we did these things.

APD Representative: The reports are not current. The cover August-January. We give them an enormous amount of data. It takes time to gather data. We had technological difficulties sending things to the monitor. Over time gets easier to supply data.

One disconnect is that all the officers have gone through use of force (UOF) and cultural sensitivity training. Supervisors just received supervisory UOF training.

We are not forbidden from using force on handcuffed citizens. We are prohibited from UOF when not objectively reasonable. Where I was before tried to come up with items left up to interpretation. For example, serious UOF in handcuffs: neck holds, strike blow, kick or ECW application in handcuffs. We just finished that work in March.

Ugly:

The underlying issue: in some instances, with certain APD leaders, the monitor has seen resistance. One example: Office of Policy Analysis. Our experience they are a good body. ACLU was allowed to provide input. In the minutes, a special order released lowered number of body cam videos to be reviewed monthly. Since this was a new policy, the Monitor was supposed to be informed. The Monitor was told that it didn't exist. It was found. This was in direct noncompliance with agreement.

The term "distraction strikes" masks UOF. It could be a blow to head.

When monitor saw problem in UOF investigation, they saw in 0 instances, that the supervisor stepped in.

APD forward works with the Mayor and police. We have a great relationship. They are friendly nice people. We need sustained leadership to promote reform. There needs to be a more direct leadership.

Shootings by APD officers are down. We need accountability to be built in. From 2014 2/3 of shooting cases were not justified by federal law. There needs to be a fundamental culture shift to get to constitutional policing. We believe APD can be in compliance, maybe not in timely manner.

Q: Concern about leadership of mayor and chief? They are nice. Has there been a slowdown in reaction since they are leaving? We haven't noticed any slow down. We want to keep moving forward. It hasn't gone fast enough.

Q: CPCs never see Chief or Mayor? They say they don't want to influence CPCs? The Chief has been in NE and Foothills.

Q: Everything is tied to money. How will this be tied to City budget? It's an expensive process. The faster we're in compliance, the more money we will save.

Q: Given the new federal justice department what guarantee is there that this will continue? We have those concerns. The judge is really dedicated to this process. The Monitor is staying on top of this. I don't think the judge will pull out.

Q: Could DOJ void the agreement? Undoing is very complex and could take a lot of time.

Q: I had a horrible incident with APD. I won the settlement. They offered me more not to speak about it. I left the state after this horror. I came back this year. It's been five years since my incident. APD is willfully obstructing. They are blaming it on judges and media. If you saw it from the outside, it is a blatant disagreement with law. If you complied, everyone would be a winner.

Q: The report says example after example of resistance to reform process? There are 6 other deliberate non-compliance and resistance incidents cited.

APD Response:

We don't fully agree with APD forward. Judge Brack will decide if APD is in compliance. The Monitor does reports. APD does reports. APD Forward does reports. DOJ also gives their opinion. At Federal hearing Judge was concerned about deliberate non-compliance. He asked DOJ, "as a whole not seeing non-compliance. Just specific issues".

Dr. Ginger asked for wrong special order. When it was clarified, he got the order in a timely manner. The special order was not in the CASA. The # of videos randomly reviewed.

Now all special orders will go to monitor. To be able to manage, we cannot give all special orders. We want to move quickly.

The issue is the term “related to”. That is bone of contention.

The CASA clearly outlines neck strikes. What does community consider a “neck hold”?

Q and officer response: Are you reviewing camera footage? UOF goes to the chain of command. Serious UOF goes to UOF board. Random videos are also reviewed. The problem was the process. That process takes 6 months or 2 years.

Q and officer response: The whole process lacks holistic approach. Looking at body cams at the end is reactive. Need good policies and training? Officers have revisited all their training. It is a holistic approach. Supervisors must ask are problems deficiency in training, or the officer.

Sometimes the Monitor reviews quickly, sometimes slowly. The Monitor was concerned with ambiguity in UOF. We have weekly meetings. Sometime we agree. Sometimes not. As community members you can go these meetings.

APD Forward:

One takeaway. There are all different perspectives. We must understand Monitor’s roles is central. If we don’t understand that, could take 12 years.

Overall operational compliance has increased dramatically over last six months. If the next one increases dramatically, then we’re doing good. Hopefully in next six months we’ll see great increases in compliance.

Q: Officers killed by felonies were up 66%. In Albuquerque officers involved in assaults was highest since 2007. It doubled from 2015 to 2016. People killing officers is bad. Are we being to light with criminals. What does that say about community? My community is not respecting police officers.

7. Old Recommendations

Rescue Tools

We’re waiting on pricing and the RFP.

Car Protection

Waiting for pricing.

NARCAN

Officers carry two doses. In the city, paramedics usually arrive first. In county, officers arrive first.

Safe Zones

Working on process for specifying a time. APD wants a new contact number. Better not to use 242-COPS.

Mail Boxes

When people call 242-COPS, they are referred to federal postal inspectors. We want a call generated. APD is considering a process to track crime. The Feds do nothing. There is no way for APD to correlate multiple hits on mailboxes. We want the numbers so we can get officers out there. HOAs have been adding poles with solar lights on top. We've had 9 mailboxes broken into in the last 20 days.

8. New Recommendations

I would like to bring in APD officers. What incentives would keep them here and entice other officers? Some officers want to go to school. Maybe we could provide a survey and make it anonymous. We have officers here. Members agreed to build this discussion into next meeting on recruitment.

9. Matters from public

None.

10. Adjournment

There being no further business to be brought before the Board, Chairperson Eric Jackson reminded everyone of the next Regular Meeting of the Council on Tuesday, June 20, 2017 at 6:00 p.m. at the Northwest Area Substation. The meeting adjourned at 8:00 p.m.

SUBMITTED:

READ AND APPROVED:

Mr. David Gold
Secretary to the Board

Mr. Eric Jackson
Chairperson of the Board