



CITY OF ALBUQUERQUE

City Council

P.O. Box 1293
Albuquerque, NM 87103
Tel: (505) 768-3100
Fax: (505) 768-3227
www.cabq.gov/council

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November 22, 2016

Mrs. Jessica Hernandez
City Attorney
1 Civic Plaza
Albuquerque, NM

RE: Investigation into allegations of police video tampering

Mrs. Hernandez,

Thank you for addressing questions from me and other Councilors tonight at the City Council meeting regarding allegations first reported last week in the *New Mexico In Depth* regarding the integrity of officer-worn video in the Albuquerque Police Department.

The allegations, provided under oath and by affidavit, that sworn police officers and civilian staff, to include senior members of the command staff, deleted, altered or destroyed video evidence in any case are serious on their own. Cases involving officer involved shootings and high-profile crimes are even more so because they implicate personnel actions, civil litigation and even criminal prosecutions of officers based, at least in part, on video evidence now alleged to have been manipulated by command staff of the department. Those command staff members are also designed to lead the department's reform efforts underway with the US Department of Justice.

As I mentioned tonight in our discussion at the Council meeting, I appreciate the quick attention your department and the police department have already given to this matter. However, the special nature of these allegations requires that there be no opportunity for the outcome of the investigation to be questioned.

I am writing to formally request that your office designate an independent, outside counsel to conduct this investigation going forward.

Given the serious implications for these cases identified, and all other cases involving APD video evidence which have already been prosecuted and new cases which accumulate daily, establishing public trust in the outcome of this investigation is critical and that must be accomplished without delay.

An independent investigator provides the public with the greatest possible trust in the outcome, free from allegations of conflicts of interest from either the city attorney's office responsible for defending civil litigation in these cases or the police department whose own evidence staff will, by default, be required to assist in this investigation.

November 22, 2016

Page 2

Further, I am requesting that my office and the City Council at large be kept apprised of the developments in this investigation so that we can accurately assess policy steps necessary to protect the integrity of police investigations citywide and so that we can assess the need for additional resources to aid in the rapid inquiry into this matter.

I know we all share a need to address these allegations quickly and with the greatest public trust in the outcome.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pat Davis', written over a horizontal line.

Pat Davis
City Councilor, District 6

Cc:

Gordon Eden, Chief of Police
Dan Lewis, City Council President
RJ Berry, Mayor