



CITY OF ALBUQUERQUE

City Council

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January 11, 2017

Senator Tom Udall
Senator Martin Heinrich
Hart Senate Office Building
Washington, DC

Senators Udall and Heinrich,

We write today to express grave concerns over the nomination of Senator Jeff Sessions of Alabama to serve as United States Attorney General.

While we share the well-expressed and widely spoken concerns of many of our nation's leading civil advocacy groups, we want to add our specific concerns with regard to Senator Sessions' positions on important police oversight policies within the Department of Justice and the impacts Senator Sessions' administration as attorney general could have on our ongoing work in Albuquerque.

In 2008, Senator Sessions wrote in the forward to a report from the Alabama Policy Institute that "one of the most dangerous, and rarely discussed, exercises of raw power is the issuance of expansive court decrees." These decrees, available to the Justice Department's Civil Rights Division since 1992, have aided the DOJ and cities in avoiding costly litigation and implementing important constitutional policing and public policy reforms. As you are aware, the City of Albuquerque is currently in the early stages of a stipulated agreement implementing constitutional policing reforms in the Albuquerque Police Department with the oversight of a court-appointed monitor.

We do not exaggerate when we say that these reforms would not have occurred without the direct intervention of the US Department of Justice's Civil Rights Division and their investigative findings leading to the stipulated agreement. After years of resistance from police department and city administrative leadership, in 2011 City Council passed Resolution R-11-247 formally inviting the US Department of Justice to investigate police shootings. The councilors fully recognized the gravity of that request, but were aware that a DOJ investigation could force constitutional policing reforms on the department that were needed but resisted internally.

Albuquerque's process has led to a redesign of the Albuquerque Police Department's use-of-force policies and training, and we are proud to report that these initial reforms have led to significant progress. Our SWAT team now deploys behavioral health experts to each call (resulting in no deadly force incidents involving SWAT call-outs last year) and officer-worn body cameras record each police interaction. Since

Page 2

these and other reforms were put into place, the number of officer-involved shootings has drastically decreased.

However, other reform components, including community policing councils and an independent civilian oversight agency, have only been in place a short time. Any attempt by the Department of Justice to withdraw from these actions or “lower the bar” for compliance with the stipulated agreement would be devastating for these initiatives, which will create lasting improvements and restore confidence in our local policing efforts.

Contrary to Senator Sessions’ assertion that these decrees are “dangerous,” they are an absolutely indispensable tool to protect civil rights and restore accountability and have been used effectively around the country to achieve those goals. Our own experience, no doubt shared by many other local elected officials around the country, shows that consent decrees are contemplated only when all other efforts – local, state and federal – have been exhausted. It is the duty of our Department of Justice to step in to protect those rights where other efforts fail.

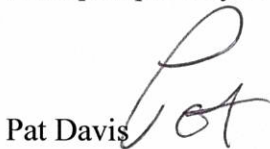
In considering your vote to confirm Senator Sessions, we hope that you will question him regarding his position on the use of such Civil Rights Division programs to mandate constitutional policing reforms when they are clearly necessary.

We appreciate your ongoing support for the often tough but important work to build the police department Albuquerque requires and demands, and for your work as strong federal partners for so many local programs and projects in Albuquerque.

Respectfully,



Isaac Benton, President
Albuquerque City Councilor, District 2



Pat Davis
Albuquerque City Councilor, District 6



Diane Gibson
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