



CREATING POSITIVE CHANGE

Southeast Area Command Community Policing Council

Minutes

Thursday, June 15, 2017: 6:00pm – 7:50 pm

Cesar Chavez Community Center – 7505 Kathryn SE, Albuquerque, NM

- 1. The Council meeting convened at 6:06 p.m. Those present introduced themselves:**
 - a. Nine (9) SEACPC voting members were present: Ron Halbgewachs (Chair), Tom O’Connell (Vice Chair), Mike Kruchoski (Secretary), Amir Chapel, Paula Metzner, Caroline Monie, Jeffrey Archuleta, Gary Peterson, and Todd Kersting.**
 - b. Eight (8) APD officers were present: Sgt. J. Yara, Officer Arnold Romero, Officer Lawrence Casias, Officer Johnny R. Garcia, Officer Joseph Grider, Officer Jeffrey Bludworth, Celina Espinoza, and Nicole Chavez.**
 - c. Twenty nine (29) community members attended: Paul Haidle (APD Forward-ACLU-NM-), Robby Heckman, Steve Allen (APD Forward-ACLU-NM), Rev. Susan Allison-Hatch (APD Forward-Episcopal Diocese), Nancy Koenigsberg (APD Forward-Disability Rights NM), Adriann Barboa (APD Forward-Strong Families NM), Steven Ryals, Kathy Isquibel-Baca, Torild Kristiansen (LWVCNM), Kathy Wright, Sara Aragon, Gina Dennis (District 6 Coalition), Rose Marie Baca (APD Forward), Ali Moore, Mindy Grossberg, Rachel Smith, Joseph Vaiza (CABQ), Landra Wiggins (COA), D. Hopper (CABQ), Carl Schenk, Paul Lopez (US DOJ), Steve Rickman (US DOJ), Elizabeth Martinez (US DOJ), Malcom Cooper, Dan Matthews, Erin Engelbrecht, James Montalbano, Lawrence Bustos, Maggie Sandoval (APD Forward-ACLU-NM), Amanda Bustos (CPOA). One community member (from above) also represented Albuquerque Health Care for the Homeless (AHCH).**
- 2. Ron Halbgewachs (Chair) called the Council meeting to order at 6:10 p.m.**
- 3. A quorum was present: Nine (9) of ten (10) voting members (see above) were in attendance. Frank Ernst was unable to attend, with an approved absence due to attendance at the Citizen Police Academy.**

4. The Council reviewed the proposed agenda. Paula Metzner moved that the agenda be approved; Tom O’Connell seconded. Council members approved the motion unanimously by acclamation.
5. Ron Halbgewachs introduced Tom O’Connell as Vice Chair, who was elected unanimously in executive session on April 20, 2017.
6. The Council agreed to postpone review of the April 2017 and May 2017 minutes until next month’s meeting. Mike Kruchoski proposed that future meeting minutes include hyperlinks to annotated presentations (to be posted on the CABQ website and the SE CPC public folder), in the interest of streamlining minutes while providing better documentation of the presentations. The SE public folder is currently available at <https://www.dropbox.com/sh/gyuh8h22t44hgyt/AAClIPncHqG6FDSIL5rGKquya?dl=0>
7. Presentation (part 1): Paul Haidle (ACLU of NM) and the APD Forward Coalition discussed their independent review and findings, focusing on the 5th DOJ Monitor’s report. The independent review information was presented by Nancy Koenigsberg, Senior Attorney Disability Rights New Mexico; Rev. Susan Allison Hatch, Episcopal Diocese of the Rio Grande; and Adriann Barboa, Director Strong Families New Mexico. The report is nearly 300 pages long, so the Coalition’s analysts condense Dr. Ginger’s report to facilitate community dialogue, questions, and feedback. They noted that CABQ self-reports its perspective in advance of the monitor’s report, but that Dr. Ginger’s report is the only official source for the Federal judge overseeing APD compliance with the CASA. The APD Forward Coalition includes members across a broad spectrum of the ABQ community. Its website is www.apdforward.org, where the community can find a variety of tools and reports to stay well informed.
 - a. Goal #1: Foster community involvement, because we are all part of the solution for creating, implementing, and sustaining better APD policies in pursuit of “best practices” that will become recognized as the best in the U.S.
 - b. Goal #2: Hold APD accountable, while *also* holding neighbors and the community accountable.
 - c. Goal #3: Cultivate collaboration in a variety of forums and across diverse demographics, because no none party can do it alone.
 - d. Goal #4: Make reforms permanent. (It was noted elsewhere that policies and procedures must evolve to accommodate changing/diverse community needs, as well as changing legal standards.)
 - e. Goal #5: Fund the reforms in order to create “the policing we need and want.”
8. Presentation (part 2) – “The Good, the Bad, and the Ugly” (as assessed by APDF Coalition):
 - a. Good: There has been a decrease in the number of police shootings
 - b. Good: The policies, procedures, and supervision of Electronic Control Weapons (ECWs) have improved, and officers have been trained in their use.

- c. **Good:** Policies, training, and oversight of specialized units (e.g., SWAT, K-9, bomb squads, etc.) have dramatically improved.
- d. **Good:** The Civilian Police Oversight Board (CPOB) “continues to do its work in full compliance with the settlement agreement,” pushing reforms in policy, training, and supervision. However, CPOB “meets frustration in its work.”
- e. **Good:** APD’s overall compliance has reached nearly 50 percent – encompassing policies, training, supervision, and sustained efforts – after several years of work.
- f. **Bad:** An excessive number of Use of Force victims were mentally ill.
- g. **Bad:** APD leadership appears to be “cherry picking the easiest challenges.” There are three levels of compliance. Primary compliance is achieved when policies have been reviewed and approved. Secondary compliance is when training on those policies has been conducted and supervisors work to ensure that they are followed; APD has achieved secondary compliance. Operational compliance will be reached when those policies and training have been institutionalized and sustained at 95 percent for two years, allowing disengagement from DOJ monitoring. However, APD leadership is only at ten percent compliance, indicating that the desired “cultural” shift in policing, particularly at the executive/system level (i.e., the “Chain of Command”), has not happened yet.
- h. **Ugly:** The monitor feels that APD is beginning to “exhibit real resistance to reforms at the leadership level.” There is a tension between folks on the ground and leadership.
- i. **Ugly:** Dr. Ginger identified some instances of “direct refusal to comply,” in not following the agreed-upon process for policy reviews. For example, APD Special Order 16-75 (regarding the number of monthly required lapel camera reviews) was unilaterally put into effect without going through the policy review process.
- j. **Ugly:** Use of Force is down, but there are other kinds of force (e.g., taser) that must be reported, rather than using common terms such as “distraction strikes.” Use of Force is permissible, but all types must be clearly identified, reported, reviewed, and evaluated; in some cases retaining might be required.
- k. **The CASA expressly prohibits Use of Force against handcuffed prisoners. The monitoring team has reviewed videos from transport vehicles that indicated that it still happened, and “it appears that APD supervisors are inured to this process and failed, more times than not, to note and correct it.”**

9. Public Comments, Questions, and Responses:

- a. **Q:** What does it mean that overall compliance is assessed at only 50 percent?
A: With approximately 300 paragraphs in the CASA, Dr. Ginger makes a subjective assessment of the progress toward revising policies, conducting training to ensure tactics and operations are consistent, and institutionalizing

overall supervision to enforce those policies. The initial goal was to achieve 97 percent compliance within two years, then sustain that level of compliance for an additional two years.

- b. **Q:** Are “distraction strikes” reported? **A:** APD is supposed to call distraction strikes a use of force, report all uses of force, evaluate whether they were appropriate under the circumstances, then fix the training and supervision issues where deemed inappropriate. Dr. Rickman strives for establishing objective criteria based on data.
- c. **Comment:** One community member said that more people need to appreciate our police for what they do, because law enforcement is a hard job. (A later comment added, “None of us should be ‘against’ the police.)
- d. **Q:** The report focuses on APD supervision and leadership shortcomings. What is the CPC’s role regarding leadership issues? **A:** The CPC mission includes support of both the community and police by soliciting community inputs, evaluating reform efforts, and making recommendations to the Chief. (Ron Halbegewachs cited one such recommendation: to investigate technology that would automatically turn on officers’ body cameras when their weapon is drawn.) The CPC’s role is to advise APD, not to enforce the CASA. The CPCs strive to foster detailed, meaningful, and constructive discussions about policing solutions that are suited to their respective communities (i.e., Area Commands). The Federal judge oversees enforcement; he conducts public hearings, and the CPCs can submit letters with their recommendations directly to him. Revised criteria for “qualifying” background checks is an example of one such issue previously submitted to the judge.
- e. **Discussion continuing from above:** APD needs to articulate all examples of “Use of Force” so that the term “distraction technique” is no longer used, clarifying the rationale and basis for the appropriate use of various techniques. First-line supervisors must review each reported use of force, determine whether additional training is required, and explain why reform is necessary; these findings are then passed up the command chain for additional review.
- f. **Q:** How does the community get “recipients” or victims of the use of force to the CPC for feedback? **A:** Look for other, less intimidating venues for discussions. For example, talk with visitors at community centers. Or have direct one-on-one discussions on the street. AFD Forward Coalition members could possibly host meetings at other locations to reach a broader demographic.
- g. **Q (directed to Celina Espinosa):** Operational compliance for staffing management and supervision is assessed at 10 percent. Why do you think that is, and what can the community and CPC do to help with that? **A:** One of the major stumbling blocks for Albuquerque is the requirement for 16 college credit requirements. New Mexico has a limited pool of candidates/applicants, and only about three percent of applicants are currently from out of state; there is an effort to attract more applicants from out of state by highlighting the quality of life in Albuquerque. The

qualification exam is being revamped and restructured to make sure there are no trick questions, and to make it more understandable. We need a word-of-mouth campaign to change perceptions about law enforcement as a career among potential candidates.

10. **SE CPC Guidelines:** Ron Halbgewachs postponed this discussion until the July meeting in order to incorporate proposed modifications to our draft guidelines. It's important that the community understand we are not required to adopt bylaws, as previously thought; guidelines are sufficient and provide greater flexibility.
11. **New proposed recommendation to APD:** The SE CPC has drafted a recommendation that APD consider establishing remedial programs to assist both applicants and cadets who are "close" failures for admission to the Police Academy or commissioning as APD officers. Ron Halbgewachs will present the recommendation at the July meeting.
12. **CPC Strategic Plan Proposal:** This presentation by Gary Peterson was deferred to a future meeting.
13. **Ride-Along Reports:** None.
14. **Sgt. Johnny Yara presented the Monthly Crime Statistics Report:**
 - a. **There were more than 2,000 incidents reported for the period (May 18 through June 14), including:**
 - i. 196 auto burglaries,
 - ii. 115 larcenies,
 - iii. 157 auto thefts,
 - iv. 130 vandalism calls,
 - v. 88 residential burglaries,
 - vi. 34 commercial burglaries,
 - vii. 73 aggravated assaults,
 - viii. 43 robberies,
 - ix. 57 simple assaults,
 - x. One (1) homicide, and
 - xi. 13 criminal sexual penetration.
 - b. **Officer Aragon discussed some key results of recent Tactical Operations Plans:**
 - i. **Officers patrolled a local park to investigate and deter public drinking and drug use.**
 - ii. **While investigating auto thefts in the vicinity of Hannett Street, officers patrolled the area and performed several welfare checks.**

- iii. **Bike patrols along alleyways because of numerous discarded needles. Officers issued 14 citations over four days for various offenses.**
- iv. **The primary goal for these efforts is to establish proactive, not reactive, policing. The SE Area Command attended numerous community meetings to solicit suggestions and tips. They are interested in and open to questions and feedback, and they invite community members to join officers on Ride-Alongs.**

15. Agenda Items for Next Meeting:

- a. **Review and approval of April and May minutes**
- b. **SE CPC Guidelines**
- c. **Recommendation on Remedial Training**
- d. **Discussion of SOP 2.52, Use of Force, Part 1, is deferred until a future meeting (TBD)**

16. Other Business: None

17. Chair Ron Halbgewachs adjourned the public meeting at 7:50 p.m.

Upcoming meetings: July 20, August 17, September 21, October 19