

CITY of ALBUQUERQUE

TWENTY FIRST COUNCIL

COUNCIL BILL NO. R-14-10 ENACTMENT NO. _____

SPONSORED BY: Rey Garduño

1 RESOLUTION

2 ENDORSING THE DR. MARTIN LUTHER KING JR. MEMORIAL CENTER'S
3 TASK FORCE FOR PUBLIC SAFETY RECOMMENDATIONS REGARDING THE
4 SELECTION OF THE NEW CHIEF OF POLICE FOR THE CITY OF
5 ALBUQUERQUE.

6 WHEREAS, The Dr. Martin Luther King Jr. Memorial Center is a non-profit
7 organization with the mission to promote, appreciate, and practice an
8 awareness of cultural diversity and human rights through celebration of the
9 values by which Dr. Martin Luther King Jr. lived; and

10 WHEREAS, The Dr. Martin Luther King Jr. Memorial Center's Task Force for
11 Public Safety put together a document that compiles desired qualifications
12 and characteristics that are needed from the next APD Chief of Police; and

13 WHEREAS, this document and recommendations were presented to City
14 Council on December 2, 2013; and

15 WHEREAS, the next Chief of Police must be a compassionate professional
16 and a leader who is engaged; and

17 WHEREAS, the City of Albuquerque and our Police Department must have
18 leadership that is engaged at many levels, most importantly, at the community
19 level with abilities to be proactive in addressing the entire community's needs;
20 and

21 WHEREAS, the document states that the Chief of Police must have the
22 following abilities and characteristics:

- 23 1. The understanding of affected communities and their deep-seated
24 concerns.

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- 1 2. An empathetic social perspective and an understanding of the
- 2 experiences of being poor, of being a person of color, of those who are
- 3 homeless, and those that struggle with addiction.
- 4 3. Be trained in non-violent conflict resolution.
- 5 4. The ability to hear another person's concerns and act to calm
- 6 everyone's fears.
- 7 5. Have the aptitude to embody the Police Department's commitment to
- 8 the entire community and impart that commitment to the rank and file
- 9 public safety officers.

10 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
11 **ALBUQUERQUE:**

12 Section 1. The Council endorses the attached document from the Dr. Martin
13 Luther King, Jr. Memorial Center Task Force for Public Safety regarding
14 recommendations for qualifications and characteristics of the next Police
15 Chief.

16 Section 2. The Council urges the Administration to follow these
17 recommendations when selecting the new Police Chief.

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Dr. Martin Luther King, Jr. Memorial Center
Task Force for Public Safety

Mr. Robert J. Burg
Executive Vice President
Ralph Andersen & Associates
5800 Stanford Ranch Road
Suite 410
Rocklin, CA 95765
805-264-2663

Dear Mr. Burg:

The members of the Dr. Martin Luther King, Jr. Memorial Center Task Force for Public Safety appreciate the opportunity to be able to present to you our thoughts and concerns regarding the selection of our new Chief of Police.

The following recommendations are a compilation of suggestions from members of the Task Force and other community leaders. It is our sincere hope that the enclosed materials will assist in selecting a chief who will take charge and lead the department and the community to a new level of mutual trust, confidence and understanding which has been lacking for much too long.

We really appreciate your invaluable help and cooperation as well as the amount of "conversation time" you spent with me on Monday, November 4, 2013 at 1:00 PM.

Thank you for your professional efforts in helping us select our next Chief of Police.

Best,



Jewel L. Hall, President
Dr. Martin Luther King, Jr. Memorial Center

The Task Force: Dr. Martin Luther King Jr. Memorial Center • ACLU • Answer Coalition •
Albuquerque Center for Peace and Justice • NAMI • Cop Watch •
In cooperation with LULAC and the Hispanic Round Table
P. O. Box 40306 • Albuquerque, NM 87196 • jcyrus1@aol.com

BASIC QUALIFICATIONS FOR THE NEXT CITY OF ALBUQUERQUE CHIEF OF POLICE

- Bachelor's Degree but preference for applicants with a Master's Degree.
- Degree in a field such as criminology with emphasizes in management.
- Ten years of experience working as a mid- to upper-level management professional or as an assistant police chief.
- Demonstrated experience essential in a position as a police chief. The chief of police is similar to the CEO of a corporation or even an executive officer in government.
- Certification of police officers through a training academy.
- Have a clean criminal record.
- Required to take a polygraph examination and psychological examination required.
- Have proven leadership experience, dynamic leaders must insist on collective decision making.

- **Required to commit to developing policies that will build trust between police and economic disadvantages (people of color) communities.** Most police interaction will be with poor youth and youth of color. So the Chief of Police must be committed to establish community trust and ensure that cops behave professionally as they do their work.
 - ❖ The economic disadvantaged community and the people of color community don't want less policing. They want more, but they want it to be without racial bias.
 - ❖ Good management, Albuquerque Police Department should be assigning the most cops to higher crime areas which are often among the economic disadvantage/people of color neighborhoods.
 - ❖ They require more policing, not less.
 - ❖ Make it mandatory for beat officers and their superiors to attend and participate in neighborhood meetings.
 - ❖ The local residents also began to see officers as dedicated and caring- not as members of an occupying army.
 - ❖ Increase public participation will create a partnership supporting police actions, which will help make Albuquerque one of the safest cities in the United States.
 - ❖ Practice inclusion in policy making and changes.
 - ❖ Organize town hall community conversations- aimed at developing "bottom up" solutions for struggling communities.
 - ❖ To convince communities, especially communities of color that the system is serious, it means that the system can no longer defend policemen who are disrespectful of the communities and families in the communities that they serve.
 - ❖ Leaders and visionary enthusiasts must eliminate the many exclusionary acts sustained by insensitive power holders. Work with community groups to define a good system and make sure it is available to all.

- **Be committed to work with other agencies to develop programs that put aside the rhetoric of the Drug War,** it causes more harm to lock up a drug user than to use alternatives, like drug treatment or community service work for minor offenses.
 - ❖ The federal government declared a war on drugs in 1914 by passing the Harrison Act, which first made drug possession and use of crime.
 - ❖ More than a century later, prohibition of drugs use enriches drug cartels and corrupt officials.
 - ❖ There have been unprecedented levels of drug use and drug gang violence, while minor, non-violent drug offenders were given severe mandatory sentences.
 - ❖ It would be better to have agencies unite and work to repeal unworkable drug sentencing laws.
 - ❖ It is well past time to stop making drug cartels rich and turning minor users into career criminals (especially our youth).
- **Some Questions for the future,** Albuquerque Chief of Police to address during the interview:
 - ❖ The instances of excess in the exercise of Albuquerque Police authority have raised some grave concerns among some citizens.
 - ❖ Some citizens believe the possibility that racial bias causes unequal treatment in Albuquerque criminal justice system.
 - ❖ Is it racial bias that explains the police officer's very different use of force in dealing with people of color/minorities, especially poor economically disadvantage young males?
 - ❖ Under what circumstances might race influence police officers' decision making?
 - ❖ And how do we prevent racial discrimination in the exercise of police authority?
 - ❖ Get rid of the system and its power holders that have demonstrated a top-down approach in running the Albuquerque Police Department.
 - ❖ Build a network of community-based leaders and ensure that people of color are encouraged to place leadership roles.

"Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of social progress."

~ Martin Luther King, Jr.

THE QUALITIES, CHARACTERISTICS AND ESSENTIALS OF A CHIEF OF POLICE

- ***Honest and Integrity***

- ❖ These two characteristics must be well-ingrained in any police chief, as they are often responsible to make bottom-line decisions. Often times these characteristics are so important to a community, that they have a candidate's background and character traits investigated. While these are important traits for anyone in law enforcement, it is especially important that a police chief display these qualities.

- ***Open-Minded and Accessible***

- ❖ Because a police chief ~~is often~~ the liaison to the police for the entire police department, it is important that this individual be open-minded and accessible. Police chiefs are often on hand at public meetings, and members of the public should feel comfortable approaching the police chief with any issues or concerns they may have about the safety of their community.

- ***Commitment and Diversity***

- ❖ In this day of age, it is important that any public official be open and committed to diversity, as each community is such a melting pot. A police chief should be willing to work with officers of all ages, races, religions, and ethnicities and also be committed to improving the diversity of the police department. In addition, a police chief should be open to the many diversities of the community and not hold prejudiced or biased beliefs. A police chief should display a solid track record of treating people with racial, ethnic, and socioeconomic differences with fairness.

- ***Ability to Lead***

- ❖ As the head of the police department and also a liaison to the public, a police chief should be a proven leader. It is important that candidates for the police chief position can develop alternatives, solve problems and manage employees effectively.
- ❖ A police chief should also lead its force of police officers by example, by being not only a responsible member of law enforcement but a moral, ethical person in the community.

- ***Must Be Familiar with the Area***

- ❖ Ex. A person not familiar to the area because he hasn't lived there will then have to depend on people who he doesn't know to advise him what the citizens want to see most in their police department. These people may give bad advice for their own personal needs. The problems could be blight, racial tension, and a police department not reflecting the makeup of the community, etc. If the person is not familiar with the area a learning curve must be given to the applicant (time) which may take too long and cause dissention.

- ***Must Not Work Under the "Ivory Tower Syndrome"***

- ❖ Ex. A police chief sometimes never associates with patrolman or lower command unless a problem exists. In the scenario the only time you see the chief is if someone is in trouble. Another example of the syndrome is a chief that only appears on the news, newspaper, TV, or photo opportunity. The type of chief portrays that he has good communications with his staff when in reality he doesn't. They never see him. The chief must be able and willing to interact regularly with the patrolman on his beat and with the general public.

- ***Must Be a Good Communicator***

- ❖ Ex. The chief must be able to interact with his staff and public in a way that doesn't make him sound like a politician. The chief must establish a good relationship with all unions in his department. He must abide by contractual guidelines and established standard operating procedures (SOP's). These same SOP's must be readily available and provided to the community.

- ***Must Understand that the Chief Position is Not a Dictatorship***

- ❖ Ex. Some police chiefs have the theory of "do it my way" and disregard established policies and procedures causes confusion and creates loopholes from which the unions and individuals officers can use to create problems for the department.

- ***Must Command By Example***

- ❖ Ex. The chief should work in all areas of his department. The chief should on occasion work patrol, traffic investigations, and criminal investigations. This will let the department know that they chief is one of them. This will also instill confidence in the public that the Chief is well versed in all aspect of the Department.

- ***Must Have Good History of Relations with the Public Unions, and Council***

- ❖ Ex. Many chiefs that leave one department and gain employment in another had negative history with past unions, public and council. In some scenarios this is the reason that they left the prior department. This also applies to first time chief applicants.

- ***Must Be Able to Monitor and Supervise Union Activities***

- ❖ Ex. The chief must be cognizant of what the union is doing. Perfect example, the current bounties given to police officers who filled citizens.

- ***Must Be***

- ❖ Compassionate
- ❖ Have Empathy
- ❖ Require All Officers To Take A Course On Restorative Justice*
- ❖ Belief In Less Militarization* Of The Force. The Function Of The Police Department Should Be To "Serve And Protect" Not To "Attack And Destroy"
- ❖ A Person Who Is Naturally Compassionate, Outgoing, And Even Gregarious
- ❖ A Person Well Versed In NVC(Nonviolent Communication) And Skills Who Mentors And Teaches
- ❖ A Person Who Is Familiar With New Mexico, And Knowledge Of And High Intuition For Cultural Harmony

- ***Standards***, Two constructive standards to which the Chief should be held accountable

- ❖ After the existing "Chart of Sanctions" is created and thoroughly reviews regarding discipline, the chief should have little, if any, discretion from that chart in how discipline is metted out.
- ❖ Regarding Authority of Discipline; the chief have first opportunity to issue out appropriate discipline. If the parties involved are not satisfied with his decision, then an appeal process to a POC (hopefully that it is not corrupt) can take place. The POC having final authority. Now the Mayor's CAO has final authority. This should not be so because since the CAO works for the Mayor who appoints the Police Chief, the CAO is naturally partial, favoring police.

"The ultimate tragedy is not the oppression and cruelty by the bad people but the silence over that by the good people."

~ Martin Luther King, Jr.

* Restorative Justice – A system of criminal justice which focuses on the rehabilitation of offenders through reconciliation with victims and the community at large.

* Militarization- Mobilization; act of assembling and putting into readiness for war or other national emergency.

Community Members Input and Concerns Regarding the Selection of our Next Chief Police

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- Compassionate
- having empathy
- require all officers to take a course on Restorative Justice
- Who believes in less militarization of the force

##

- A person who is a master of martial arts, i.e., the spiritual and mental aspects as well as the physical
- a person who is naturally compassionate, outgoing, and even gregarious
- a person well versed in NVC (nonviolent communication) skills and who mentors and teaches
- a person with longtime experience in New Mexico, and high intuition for cultural harmony.

##

"The only thing I can think of is that the officers not be military. Because they are trained to kill ... That is the job of a soldier. As it is they are killing mentally challenged (veterans) soldiers... Suppose they have the same mind set. Psychiatric evaluations . "

##

A good Chief should be prepared to eliminate the blue code of silence and also grant officers their Constitutional first amendment rights to speak publicly either to the media or on blog sites to expose corruption within the department.

He should believe that take home vehicles should only be given to officers who are on call 24/7 and these vehicles should not be viewed as an entitlement-a perk for those who are not on call. It is a waste of tax dollars.

He/she must be willing to reveal the identity of officers who are the subject of citizen police complaints (CPC) to the oversight process and believe citizens appointed to provide oversight should also be told the history of

officers with numerous complaints filed against them and all punishments proposed to be given by the Chief and be able to weigh in whether they think the punishment is proper/adequate..

The chief should demand zero tolerance for officers who can't provide SOP required recordings of contacts that may result in CPCs or shootings-like the Rialto PD. Officers who commit offenses that a normal citizen is charged with should also be charged and if egregious, terminated. No double standard.

##

Our Police Chief should be a compassionate professional and a leader who is engaged.

Our City and our Police Department must have leadership that is engaged at many different levels: Most importantly, the community level with abilities to be proactive in addressing the entire community's needs.

Our Police Chief must have the following abilities and characteristics:

- The understanding of affected communities and their deep-seated concerns.
- An empathetic social perspective and an understanding of the experiences of being poor, of being a person of color, those who are homeless and struggle with addictions.
- Be trained in non-violent conflict resolution.
- The ability to hear another person's concerns and act to calm everyone's fears.
- Have the aptitude to embody the Police Department's commitment to the entire community and impart that commitment to the rank and file public safety officers

##

Two constructive standards the Chief should be held accountable.

(1.) After an existing "Chart of Sanctions" is thoroughly reviewed and fixed regarding discipline, the Chief should have little if any discretion from that Chart as to how discipline is meted out.

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##

I live in a neighborhood of heavy policing. I am saddened by the ongoing SWAT mentality-Albuquerque is a city of the paramilitary-not police/peace officers. I have seen police in my neighborhood draw their guns more than have a conversation!

No more shoot to kill/no more high speed chases!!!

For me, in terms of organizing, this needs to be an interruption of the school to prison pipeline: the youth of this city are much too vulnerable to these police.

No tolerance for officers with multiple reports of excessive force or racialized/ sexualized anti-gay language or abuses (hate speech).

Recognize rights of onlookers to record and observe police interactions.

Let me be clearer-I and many of my friends WOULD NOT CALL the APD due to the potential of being subject to physical violence by those police.

SUMMARY

Our Police Chief should be a compassionate professional and a leader who is engaged.

Our City and our Police Department must have leadership that is engaged at many different levels: Most importantly, the community level with abilities to be proactive in addressing the entire community's needs.

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