

jswilsonPOB@outlook.com

From: "Joanne Fine" <joannefine413@gmail.com>
Date: Wednesday, April 22, 2015 10:25 AM
To: "Moir Amado-McCoy" <amadamccoy.pob@gmail.com>; "Hammer, Robin" <rhammer@cabq.gov>; "Cash, Paul" <pcash@cabq.gov>; <cabq.pob.mohr@gmail.com>; <christopherdavidson@cabq.gov>; <dmcdermott@cabq.gov>; <d3r3@juno.com>; <eoneil@cabq.gov>; "Eric Cruz" <eric.huizar.cruz@gmail.com>; "Scott Wilson" <jswilsonpob@outlook.com>; <julianmoya@cabq.gov>; <jvbaca.pob@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; <nbullock@cabq.gov>; <pskotchdopole@cabq.gov>; <mcontreras@cabq.gov>
Subject: RE: Organizing first meeting of the Complaint Review Committee

I have prepared a draft for the Personnel Committee of a report that will give us the kind of running info we will require. The draft will be done today and will be reviewed by the Personnel Committee for suggestions and then forwarded to the full POB for their suggestions. Staff will also have input. More later today.
 Joanne

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Moira Amado-McCoy
Date: 04/22/2015 10:05 AM (GMT-07:00)
To: "Hammer, Robin", "Cash, Paul", <cabq.pob.mohr@gmail.com>, <christopherdavidson@cabq.gov>, <dmcdermott@cabq.gov>, <d3r3@juno.com>, <eric.huizar.cruz@gmail.com>, "Eric Cruz", "Joanne Fine", "Scott Wilson", <jswilsonpob@outlook.com>, "Julian Moya", <julianmoya@cabq.gov>, "Jvaca", <jvbaca.pob@gmail.com>, "Leonard Waites", <phamason.lw@gmail.com>, "Nbullock", <nbullock@cabq.gov>, "Pskotchdopole", <pskotchdopole@cabq.gov>, "Mcontreras", <mcontreras@cabq.gov>, "Moir Amado-McCoy"
Subject: Organizing first meeting of the Complaint Review Committee

Good Morning, Robin and Paul.

Scott, Leonard, and I are organizing our first Complaint Review Committee meeting. As I mentioned in my email at the end of last week, we'd like the two of you be available to provide information for us as we require it during this meeting. We would like to schedule as soon as possible after 1 May. How does the week of 1 May look for the two of you?

In order to have easy access to data and other staff member's knowledge base as the need arises, and to assure that anyone we do call to serve as a resource for us as we begin to understand the history and processes of the CPOA will have minimal time away from their desks during our meeting, we would like to meet in a conference space in your offices. I don't know how the renovation/remodel is going, but with any luck, there might be at least a small meeting space available in your suite now?

We will need to be able to understand the scope of the current workload in the agency office, the backlog of cases, the current situation regarding cases that are over 90 days old, the status of cases currently under review, the methods you've used in the past to bring cases to the Board, and any number of other benchmarks that will help us to determine which cases will come before the full Board in May, those that should have been presented in April, and to devise systematic, conscientious, and reasoned methods for the future.

Since we are starting from scratch here, and we now understand this education to be a critical aspect of

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our duty as a board, I'm sure you'll understand why it's important for us to have as many resources on hand as possible.

Incidentally, after having spoken with the Councilors and their staff, it seems to me that it is precisely this sort of "training," that might be considered most necessary for the POB at this juncture: training that will help us as a Board and as individuals enter the system/economy of review already underway and as expediently as possible.

In fact, I'll consider proposing that the sort of work we are doing on Committees be considered cumulative training for the Board, so it's important on many different levels that we learn as much as possible during our meeting time, and that we're able to report that new knowledge back to our colleagues accurately. This is one reasonable way that we can educate ourselves as as a board without favoring one stakeholder particularly, assure that our education is both appropriate and immediately applicable to the tasks at hand, and facilitate the dissemination of new knowledge to the Board without undue burden on each individual board member.

The first meeting of the Complaint Review Committee will focus on gathering information and educating ourselves about processes. We know we can expect your full support and cooperation as we begin to engage this work in earnest.

Please let me know as soon as possible a few dates that would be convenient for you--post 1 May--and the CPOA office as a whole.

Regards,

Moirá

jswilsonPOB@outlook.com

From: "Silvio Dell'Angela" <Dellansi@comcast.net>
Date: Wednesday, April 22, 2015 12:06 PM
To: <stop_police_violence_in_abq@lists.riseup.net>; "Susan Schuurman" <susanjschuurman@gmail.com>
Cc: <PMRinc@mac.com>; <KBrandenburg@da2nd.state.nm.us>; <Damon.Martinez@usdoj.gov>;
 <Vanita.Gupta@usdoj.gov>; <Luis.E.Saucedo@usdoj.gov>
Subject: RE: your e-mail City Council didn't approve Monitor's contract; Ginger didn't appear before Council to answer any questions

Larry

Cc and Bcc others

Monahan asked the same question-who is going to really monitor the monitor? Certainly NOT Judge Brack. There is no incentive for PMR Inc to finish before four years. They really haven't told the councilors/we taxpayers specifically what they plan to do except interpret the toothless City/DOJ agreement that Judge Brack irresponsibly approved along with PMR Inc.

The comments in Journal today by Perry was yet more of his insulting doubletalk/B.S. like his bogus interpretation of the agreement that he claims justified keeping the March 20 APD beating of a citizen a secret (until it was leaked) and claiming the DOJ and FBI and Eden's former State Police buddies instead should investigate it.

Before the councilors approve \$4.5 million for former cop James Ginger and his mostly former cop staff-likely good guys-but clearly with a protect the police mindset, the legislation has to spell out in detail just what he is expected to do and have his brief the Council.

Judge Brack really won't provide any guidance to the folks at PMR Inc. as Perry knows. The flawed agreement also makes PMR Inc. toothless-they can only recommend.

APD's defiance with the IPRA for recordings of shootings and other excessive force acts not even mentioned while the emphasis is solely on training.

This whole \$4.5 million expenditure for four years is a joke/insult to citizens as Perry, Berry, Eden and others know full well. Not surprising Berry's willing stooges Jones and Winter opposed deferral.

Silvio

From: stop_police_violence_in_abq-request@lists.riseup.net [mailto:stop_police_violence_in_abq-request@lists.riseup.net] **On Behalf Of** Larry Kronen
Sent: Wednesday, April 22, 2015 11:39 AM
To: stop_police_violence_in_abq@lists.riseup.net; 'Susan Schuurman'
Subject: RE: [stop] City Council didn't approve Monitor's contract; Ginger didn't appear before Council to answer any questions

Re: Councilor Ken Sanchez put it this way: "Who is going to monitor the monitor? I think we need to watch very carefully the expenses made by this monitor."

In Federal court that question came up and the judge said he would be monitoring the monitor.

M002644

From: stop_police_violence_in_abq-request@lists.riseup.net [mailto:stop_police_violence_in_abq-request@lists.riseup.net] **On Behalf Of** S Namaste

Sent: Wednesday, April 22, 2015 9:32 AM

To: stop_police_violence_in_abq@lists.riseup.net; Susan Schuurman

Subject: [stop] City Council didn't approve Monitor's contract; Ginger didn't appear before Council to answer any questions

<http://www.abqjournal.com/573179/news/city-council-not-ready-to-approve-contract-for-police-monitor.html>

City Council this week refused immediate approval of a four-year, \$4.5 million contract with James Ginger and his firm, Public Management Resources Inc. of Pamplico, S.C., voting 7-2 to postpone a decision for two weeks.

Councilors expressed irritation that Ginger wasn't present to answer questions, and some had concerns that the city would be locked into a four-year contract.

They want to ask U.S. District Judge Robert C. Brack whether they can shorten the term to two years, with perhaps an option for an extension. Councilors also want Ginger present to answer questions.

"It sounds like someone who's getting a four-year term ... without a whole lot of accountability along the way," Councilor Dan Lewis said.

Councilor Ken Sanchez put it this way: "Who is going to monitor the monitor? I think we need to watch very carefully the expenses made by this monitor."

(I wish they had examined Greenwood/Streicher's contract as closely as they are Ginger's!)

jswilsonPOB@outlook.com

From: "Joanne Fine" <joannefine413@gmail.com>
Date: Wednesday, April 22, 2015 4:11 PM
To: "Hammer, Robin" <rhammer@cabq.gov>; "Beth Mohr" <cabq.pob.mohr@gmail.com>; "David Ring" <dzt3@juno.com>; "Eric H. Cruz" <eric.huizar.cruz@gmail.com>; "Jeannette V. Baca" <jvbaca.pob@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; "Maira Amado-McCoy" <amadamccoy.pob@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>
Subject: RE: Training

The FOG training is Wed April 29th, not the 27th.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Hammer, Robin"
Date: 04/22/2015 4:07 PM (GMT-07:00)
To: Beth Mohr ,David Ring , "Eric H. Cruz" , "Hammer, Robin" , "Jeannette V. Baca" ,Joanne Fine ,Leonard Waites ,Maira Amado-McCoy , "Scott S. Wilson"
Subject: Training

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Robin S. Hammer, Esq.

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3774

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

jswilsonPOB@outlook.com

From: "Silvio Dell'Angela" <Dellansi@comcast.net>
Date: Wednesday, April 22, 2015 7:52 PM
To: <reygarduno@cabq.gov>; <dharris@cabq.gov>; <kpena@cabq.gov>; <trudyjones@cabq.gov>; <dgibson@cabq.gov>; <kensanchez@cabq.gov>; <ibenton@cabq.gov>; <bwinter@cabq.gov>; <danlewis@cabq.gov>
Cc: <PMRinc@mac.com>; <KBrandenburg@da2nd.state.nm.us>; <Damon.Martinez@usdoj.gov>; <Vanita.Gupta@usdoj.gov>; <Luis.E.Saucedo@usdoj.gov>; <elizabeth.martinez@usdoj.gov>; <jzaman@cabq.gov>
Attach: CartoonDOJ.pdf; 4-21-15NYT-Holder.doc
Subject: Really our heroes Mr. Holder? You and your DOJ minions allow the bad cops to never be held accountable

TO: City Councilors

Info to all shown and others sent this Bcc

The following April 22, 2014 NY Times article should tell all why our US attorney Damon Martinez who Tony Pirard properly blasted at Monday's Council meeting.

Bowing to the City's arrogant threat of a lawsuit against them, Damon and other DOJ officials betrayed us when they negotiated a toothless agreement with the City making sure there would be no real APD reform here.

See again the cartoon that appeared a year ago in the Albuquerque Journal. I was critical of it when it first appeared but now it seems to have hit the nail on the head. As a former NYC police chief warned citizens, don't count on the DOJ to reform your police departments. They have a vested interest in maintaining the status quo here and elsewhere and having us continue to fear rather respect police officers. It's up to state legislators but so far, they don't care here.

To the DOJ, a police badge is a license to kill without any fear of ever being held accountable. It's been over a year since Sandy and Perez murdered James Boyd, a murder that for only the first and only time was captured on a video and one Sandy's intent/premeditation captured on an audio recorder.

Like the disgraceful BCSO Sheriff Manny Gonzalez Damon Martinez unlike his California counterpart, refuses to equip his US Marshals or other DOJ police officers with body cameras.

This is because court chosen monitor James Ginger will be limited to merely recommending changes to APD and not requiring them. Even Albuquerque is mentioned by the NY Times.

<http://www.nytimes.com/2015/04/22/us/at-supreme-court-holders-justice-dept-routinely-backs-officers-use-of-force.html?smprod=nytcore-iphone&smid=nytcore-iphone-share>

Most of the APD cops are good people who are disgusted with the inept Chief Eden, Bob Huntsman and other APD senior leadership here and only want to be viewed as public servants. They are not afraid of recording their contacts with citizens and don't want to be viewed as heroes for merely putting on the APD uniform.

They must be as angry as we combat vets who saw real danger in overseas war zones, did not receive APD officers' great pay, had to be away from our families for long periods of time and did not have perks like a take home car to use as they please after duty hours or a generous retirement plan.

A good APD cop was honored as a hero recently after he had a heart attack attending a non-stressful training session. He was treated as if he was a Congressional Medal of Honor recipient who died doing a heroic deed. At the Governor's direction, flags were flown at half mast throughout the State for him.

Other police officers were afforded similar honors befitting a hero after they managed to kill themselves driving recklessly in their vehicle or on a motorcycle.

The corrupt leadership of APD that begins in the Mayor's office supports the bad officers-as does the DOJ, as the toothless agreement confirms.

Now the Mayor and his DOJ allies want we taxpayers to pay former police officer Dr. James Ginger and his company PMR Inc. \$4.5+ million over the next four years to do what? Just to create the illusion of reform?

James didn't even come to the Council meeting Monday to explain just what specifically he will do besides recommending/overseeing more training for officers as if that was the solution. It is NOT!

Nowhere in the legislation deferred on Monday giving Ginger's company's \$4.5 million are the specific tasks required of PMR Inc. even mentioned or whether there will be real oversight over his work. Certainly oversight will not be provided by federal Judge Brack as the double talking/B.S expert Rob Perry would have us believe.

Nor will Perry and the others tell us just why Schultz's buddies from Cincinnati Scott Greenwood and Tom Streicher, ABQ's NAACP's Harold Bailey and others are still on the payroll as APD's Reynaldo Chavez and Eden refuses to tell me this in response to my NM IPRA request

As occurred with the six week secrecy of APD's brutal beating of a citizen on March 20 where after an APD whistleblower (cadet or officer) exposed it, only then did both Eden and Perry fabricate a lie claiming their interpretation of the agreement with the DOJ justified never telling us and turning the case over to the DOJ and FBI.

While I'm sure James Ginger and his folks are good people, it's time that the Councilors hold his feet to the fire and force him to explain in writing in the hopefully the amended legislation as well as in person just what he will do to earn the \$4.5 million of our tax dollars the Mayor wants to give him.

Will he attempt to demand APD's compliance with the NM IPRA or really bring about reform in the new police oversight process or force changes to give the POB some power? Doubtful.

Will Governor Martinez's selection to be Berry's (not the City's) new Attorney do so? Doubtful. If

she has any integrity, Berry will force her to lose it quickly to keep the job.

It's sad.

Silvio

For WE THE PEOPLE

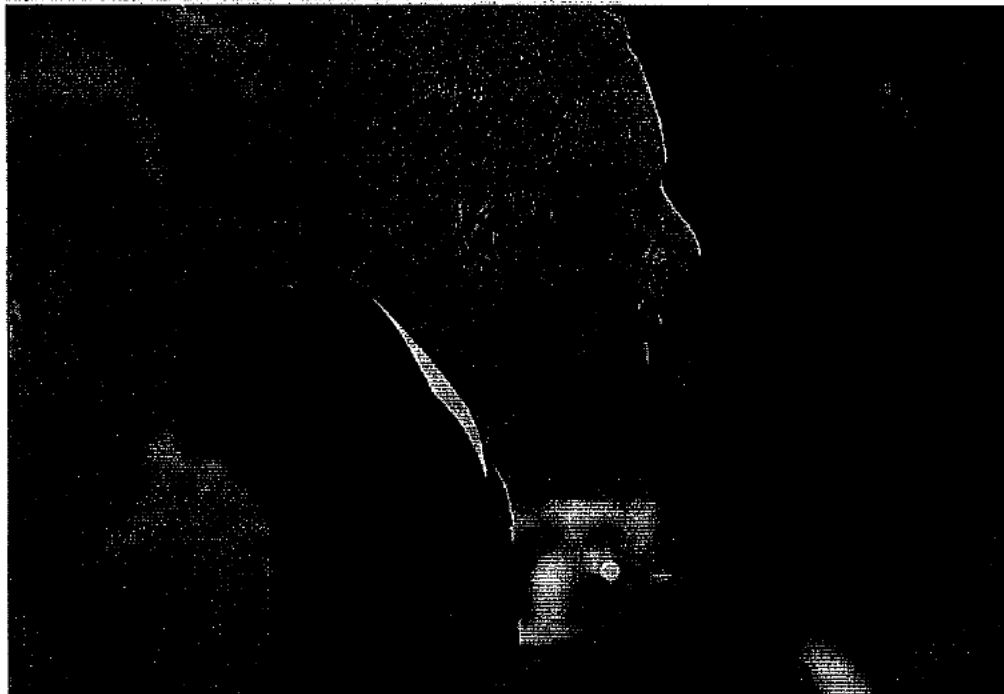
Living in the land of hopelessness and apathy-not enchantment

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At Supreme Court, Eric Holder's Justice Dept. Routinely Backs Officers' Use of Force

By MATT APUZZO and ADAM LIPTAK APRIL 21, 2015



Attorney General Eric H. Holder Jr. in Washington in February. Mr. Holder has criticized the police for violent confrontations. Credit Stephen Crowley/The New York Times

WASHINGTON — Teresa Sheehan was alone in her apartment at a mental health center, clutching what her lawyers said was a small bread knife and demanding to be left alone.

San Francisco police officers, responding to a call from a social worker, forced open the door, blinded her with pepper spray and shot her.

It was the kind of violent police confrontation that Attorney General Eric H. Holder Jr. has frequently criticized in Cleveland; Albuquerque; Ferguson, Mo.; and beyond. But last month, when Ms. Sheehan's civil rights lawsuit reached the Supreme Court, the Justice Department backed the police, saying that a lower court should have given more weight to the risks that the officers faced.

At the Supreme Court, where the limits of police power are established, Mr. Holder's Justice Department has supported police officers every time an excessive-force case has made its way to arguments. Even as it has opened more than 20 civil rights investigations into local law enforcement practices, the Justice Department has staked out positions that make it harder for people to sue the police and that give officers more discretion about when to fire their guns.

Teresa Sheehan sued after she was shot by San Francisco officers in 2008. The Justice Department backed the police.

Police groups see Mr. Holder as an ally in that regard, and that pattern has rankled civil rights lawyers, who say the government can have a far greater effect on policing by interpreting law at the Supreme Court than through investigations of individual departments.

"There is an inherent conflict between people at the Justice Department trying to stop police abuses and other people at the Justice Department convincing the Supreme Court that police abuses should be excused," said Ronald L. Kuby, a Manhattan civil rights lawyer.

To some extent, conflict is built into the system. The Justice Department's core mission is law enforcement. It oversees the Federal Bureau of Investigation, the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms and Explosives, among others.

In every administration, it is in the government's interest for federal agents to have as much leeway, and as little liability, as possible.

"It's natural that the instinctive reaction of the department is to support law enforcement interests, even when a particular case may have compelling facts for the individual defendant," said Neal K. Katyal, a former acting solicitor general in the Obama administration. He said the Justice Department had a duty to tell the court what effect a ruling could have for federal law enforcement agencies.

When police abuse cases make it to the Supreme Court, even if they have nothing to do with federal agents, the Justice Department often weighs in.

Last year, the department sided with police officers in West Memphis, Ark., who shot a driver and passenger 15 times, killing them at the end of a chase.

John F. Bash, a Justice Department lawyer in that case, told the justices that "there is some level of reckless driving in response to a police pursuit that authorizes the use of deadly force." What was certain, he added, was that the officers were entitled to qualified immunity, which shields them from civil rights lawsuits. The Supreme Court unanimously agreed.

Every such victory makes it harder for citizens to prevail when they believe they have been mistreated by police officers. It also adds obstacles for the Justice Department's own civil rights investigators when alleging police misconduct.

That has led to some tense debates inside the department, current and former officials say, as the government's civil rights and appellate lawyers discussed when the department should weigh in, and on which side. Those debates have led the Justice Department to take more nuanced positions than government lawyers might have otherwise, the officials said.

"Law enforcement officers are routinely called upon to face grave dangers and to make often-unheralded sacrifices, and the law must give them the room to make real-time judgments to protect public safety," said Emily Pierce, a Justice Department spokeswoman. ?????

"At the same time, building trust between law enforcement and the communities they serve and protecting human life and human dignity requires accountability for law enforcement officers. The department recognizes — and is committed to striking — that balance."

Mr. Holder has called the civil rights division the crown jewel of the department, and it has rarely had such a high profile. Even before it garnered national attention with a scathing rebuke of the Ferguson Police Department after the fatal shooting of an unarmed black teenager by a white officer last summer, the division issued similar reports on other departments, including those in Seattle, Albuquerque, Newark and New Orleans.

Those efforts, along with deeply personal remarks from Mr. Holder about racial profiling, have drawn criticism from police officers who say he has not supported them. But Darrel W. Stephens, the executive director of the Major Cities Chiefs Association, said many officers probably did not know how often Mr. Holder's Justice Department stood with them at the Supreme Court. "He's sincere," Mr. Stephens said. "He is supportive of the police."

Private civil rights lawyers, though, have been frustrated that the Justice Department's aggressive stance in civil rights reports does not extend to its positions before the Supreme Court. "A report can have an impact on a department for a time," said Gary Smith, the lawyer for the driver in the Arkansas case. "But case law touches every officer in every department in the country."

jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Thursday, April 23, 2015 11:11 AM
To: "Leonard Waites" <phamason.lw@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; "Maira Amado-McCoy" <amadamccoy.pob@gmail.com>
Subject: Citizen Police Complaints Subcommittee

Leonard, Scott and Maira,

The Citizen Police Complaints Subcommittee is required to comply with New Mexico Open's Meeting Act and be open to the public. The CPOA Office does not have space in our office suite to conduct an open meeting. The hearing room in the basement of Plaza del Sol accommodates an open meeting, and does so for meetings for various Boards and Commissions each day throughout the week. During the week of May 4, the Plaza del Sol hearing room is available from 8:00 am to 1 pm on Thursday, May 7. I have reserved the room for that day and time.

When would you like the Subcommittee meeting to begin on May 7?

I will post notice of the meeting on our website once we have agreed upon a time.

Thanks,
Robin

Robin S. Hammer, Esq.
Acting Executive Director
Civilian Police Oversight Agency
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103
(505) 924-3770
Fax: (505) 924-3775
<http://www.cabq.gov/cpoa>

jswilsonPOB@outlook.com

From: "Silvio Dell'Angela" <Dellansi@comcast.net>
Date: Friday, April 24, 2015 2:27 PM
To: <PMRinc@mac.com>
Attach: ABQFreePress-on reform.pdf; Warning.doc; Scan_Doc0111.pdf
Subject: YOU OWE US SPECIFICS FOR THE \$4.5 MILLION WE WILL PAY YOU

TO PMR Inc-Dr. James Ginger

Info to many not shown

While all would like to believe that you have a genuine interest in bringing about real reform of our grossly mismanaged police force by an often proven to be incompetent APD police chief and a corrupt Mayor and CAO who wants to perpetuate the police state we have here, I have sent you copies of all of my e-mails critical of all of this as a personal courtesy.

This City and our police force under its corrupt leadership have become the disgrace of the nation since 2009 when the Mayor took office. Even those perceived backward, often criticized Southern states are saying to themselves-thank God for New Mexico knowing that we will always be at the bottom of every good list.

We are well known nationwide for our historical culture of corruption that his administration has embraced..

I would be less than honest if I didn't say that because you and your team are all former police officers, we have to question just where your real allegiance lies. I respect the fact that you have a PhD (as does my daughter), but we also have an educator with a PhD on the City Council who is only beholden his political party and his mayor rather than we-the people. So much for his PhD/education!

If they could give out PhDs for integrity, he would not receive one. I'm an educated person having an undergraduate and also an MBA degree from two fine universities so PhDs don't impress me. It's always what the person stands for-particularly his/her integrity-or lack thereof.

You know that you will come here powerless to do nothing but suggest changes to APD. This is because under duress-the threat of a City lawsuit against them, the DOJ-particularly US Attorney for NM Damon Martinez sold his soul to the devil and willingly betrayed us by negotiating a toothless agreement with the City.

APD Chief Eden wasn't even allowed to participate in nor were our elected representatives on the City Council or us.

The federal judge who approved this agreement and your appointment as monitor ignored all of that. Also ignored by the judge was the Amicus Curiae of APD Forward regarding Court approval of the settlement Agreement between the City of Albuquerque and US DOJ-page 1 of it is attached/scan 111.

The problem we have is that this city now has only one daily newspaper that is only independently owned and clearly NOT independent as it portrays itself to be. The editor is in the Mayor's pocket and never blames him in the paper's editorials. We readers are continually subjected to continue the status quo and never blame the Mayor propaganda that would make Hitler's propaganda minister Joseph Goebbels proud

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This is why I have referred you and others to blog sites like the Eye on Albuquerque, one written by Joe Monahan, another by La Jicarita and the bi-monthly free ABQ Free Press. The latter carried a recent interview with DA Brandenburg who now rightly fears for her safety from APD retaliation for charging the two killers of James Boyd. I sent the article to you yesterday.

See AFP's 11/5/2014 article attached "Reforming culture at APD could take years" and the reasons for this. The most meaningful statements in it were:

"Making the actual changes and making them stick could be more difficult "The hardest part does come next," Rice said. Galvin illustrated the difficulty of changing police department culture with an observation from his current job. Police officers are often hired to provide security at Friday night high school football games in his area, he said. "What do they do? They usually congregate together at one end of the field and talk BS rather than engage with the crowd," Galvin said. "It's a perfect opportunity to engage. Most cops are good Police in riot gear prepare to confront protesters gathering near City Hall last March 30 to protest the shooting of a homeless man in the Sandia Foothills. Baca, who served as mayor from 1997-2001, said he and Galvin tried to steer APD's training regimen away from military tactics. "We changed the curriculum. Instead of trying to turn out U.S. Marines, we were trying to turn out public servants, and these guys really resisted," Baca recalled, Wynnycky said APD will face many barriers to permanently changing its culture. "The old culture does not want to die; it served a purpose in its time and if it has been around for 10 years, it is not going to change in a year or two," Wynnycky said. "Some employees will say, 'We can wait it out' The general name of it is called resistance." Any change will have to start at the top, APD Chief Gorden Eden and his managers

One could portray kindly what the Journal prints and what Berry, Perry and the others downtown say as mere "taking liberties with the truth" or "misspeaking" or other less descriptive/courteous terms. But if a person lies, they are liars. If someone insults your intelligence with doubletalk, then it should be properly described as "bullshit."

This is something former APD Sergeant and mayoral candidate Paul Heh portrayed what Berry said at a business sponsored mayoral debate years ago. Berry, Perry, Eden and their attorneys as well those on the Journal's Editorial Board insult us with lies and B.S. every day thinking we are stupid.

Those on the Journal's Board who wrote (or had the Mayor write) yet another intelligence insulting editorial today shown below would have passed with honors CAO Perry and Mayor Berry's school of lying and doubletalk/B.S. Those on the Board are a disgraceful lot and yet the many naïve of this City believe what is written.

They seem to ignore the fact that this city is not ruled by a monarchy or Fascist dictator but instead is a republic/a democratic form of government where our Councilors are supposed to provide some checks and balances and represent our interests.

See the outrageous statements in today's editorial below with my comments interspersed in red.

Editorial: Council off to rough start in hiring of APD monitor

By Albuquerque Journal Editorial Board PUBLISHED: Friday, April 24, 2015 at 12:02 am

The Albuquerque City Council may be a bit misguided about its power to dictate what happens here regarding a court-appointed monitor who will oversee the reform of the police department under a settlement agreement between the city and the U.S. Department of Justice.

A federal judge, the DOJ and Mayor Richard Berry's administration have agreed on the court-appointed monitor who emerged from a competitive process, so the "who" is not a question. Note-the Council was never involved in this negotiation-as if they were irrelevant. Still, the council this week, on a 7-2 vote, declined to approve a four-year, \$4.5 million contract with the monitor, James Ginger, and his firm, Public Management Resources Inc. of Pamplico, S.C. Rightly so

Instead, a decision was put off for a couple of weeks until some councilors can consider things they likely have no control over or that have no real bearing on the reform effort. Only Brad Winter and Trudy Jones voted against the deferral. Business special interests first-Trudy Jones and former poor school superintendent Dr. Brad Winter are the worst of the worst on the Council

Councilor Ken Sanchez asked: "Who is going to monitor the monitor? I think we need to watch very carefully the expenses made by this monitor." He is right

While Sanchez' question is a good one, the answer is one everyone should know: A federal judge will monitor the monitor. More Perry B.S. The Judge will NOT really monitor you as he even refuses to acknowledge that the agreement is a disgrace and seemingly has no clue what should have been included in it as recommended by APD Forward and other citizens-including me. The police oversight process is still a joke.

Some councilors who voted for deferral were upset that Ginger didn't attend the meeting to answer questions. You should have been there to explain specifically just what you will do besides recommending more training. That's not the real solution! The Council legislation should also specify just what areas you will look at for the \$4.5+ million given you and just why it will take four years.

Will you address the City's and APD's open defiance of our State sunshine law-the NM IPRA and also of FOIA requests to the DOJ?

But it's unclear whether he was asked to be there. Irrelevant Or if they realize the city would likely have to pay his travel expenses from South Carolina. Irrelevant If they believe that is a good use of taxpayer money, then they should summon him. For \$4.5 million of our tax dollars, you shouldn't have to be summoned.. But some already have complained about travel expenses being paid to Cincinnati-based attorney Scott Greenwood, the city's lead negotiator with the DOJ. It didn't bother Berry or Perry who are used to their sole-source/hand-picked contractors like Greenwood and Streicher ripping off us taxpayers.

Some councilors also were concerned about the length of the contract. But Jones said the city's Legal Department had already reported the city won't have to keep paying Ginger if the court concludes his work is finished before the four-year term is up. B.S. There is no incentive for you to be finished here before the four

years are up..

City Chief Administrative Officer Rob Perry said the council's concerns could be taken to the judge. But he didn't sound optimistic: "At the end of the day, I think we have the responsibility to pay for a monitor on a long-term basis. ... (The judge is) very convincing ... as far as meeting those obligations, and that's probably what we're going to find." More B.S.

To which Council President Rey Garduño responded: "I think we're convinced we're going to defer this." It might be easy to express such bravado it's not bravado at the beginning of a federal reform process, however unwise. Really. It was both fiscally and ethically responsible as we expect of them?

But city councilors might try asking some long-timers at Bernalillo County about how easy it is to sway a federal judge, even when you have what you think is a rock solid case, with statistics and other evidence, to show you are right. Who cares what BERNCO cares? Irrelevant. One problem is our judicial system with most federal judges seemingly used to/satisfied with maintaining the status quo. This includes this Federal judge who really won't monitor you as Berry's corrupt CAO claims. Some-not all federal judges are part of the problem as this one likely is. Too many killers in APD are still on the force and never were charged.

Many times since the McClendon lawsuit of 1995 led to a federal consent decree, the county has tried to show compliance with that case's mandates regarding jail overcrowding and other issues, and many times the county has walked away disappointed with yet another hefty legal bill. Irrelevant and an unjustified comparison. So they had a bad judge. What about huge legal bills we taxpayers are paying for lawsuits against APD>

Fixing a serious problem, like overcrowding at the Metropolitan Detention Center or the unconstitutional use of force at the Albuquerque Police Department, will take time. And, unfortunately, it will take taxpayer dollars. It will take time only if the same people are in charge-as is the case with APD. Real change to APD won't come until this Mayor and his corrupt minions leave office..

And while it is right for the City Council to make its concerns known, the serious work of reforming the police department might go better if done in a spirit of cooperation and good will. This mayor and his CAO and staff are not interested in cooperation. Unlike other Cities, this Mayor won't even attend Council meeting to hear from we- the people. The city has moved a long way down this path in a positive fashion.

This is not the time for hand-wringing or buyer's remorse. The Council was never given by Berry a role as a buyer of you or the toothless agreement, so there was no buyer's remorse

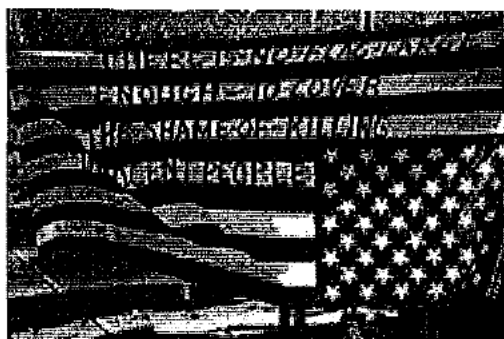
Or, the reluctant councilors – some of whom were vigorous critics of APD and who pushed for changes – can simply tell the federal judge they are not going to approve the contract without some changes and see how that works out. Another stupid statement

This editorial first appeared in the Albuquerque Journal. It was written by members of the editorial board and is unsigned as it represents the opinion of the newspaper. Just who is the "newspaper"- the Editor, the company, the building if not the writers.

Hopefully, I'll meet you if you come.

Silvio

505 296 3241 For "WE THE PEOPLE"



XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Reforming Culture at APD Could Take Years

BY DENNIS DOMRZALSKI

Jim Baca remembers when, as mayor of Albuquerque in the late 1990s, he was walking Downtown one night with then-Police Chief Jerry Galvin when they encountered two Albuquerque Police Department sergeants who had formerly been instructors at the city's police academy.

Earlier in his term, Baca had hired Galvin to head APD in a bid to reduce police shootings and bring community policing to the city. In the process, the two men revised the curriculum at the academy to make it less militaristic. The change involved the reassignments of many personnel, including the two sergeants.

Baca tried to shake the sergeants' hands, but both refused, he said.

Baca's recollection of the encounter shows how difficult it likely will be for APD to change its culture and reduce the department's use of deadly force that has resulted in 26 fatal police shootings since 2010.

Galvin, a longtime proponent of community policing, along with corporate change experts, said it could take as long as a decade to permanently change the culture at APD.

"Change takes time. Organizations can take five to 10 years to change," said Paula Wynnyckyj, an Albuquerque-based corporate change expert and president of Wynn Consulting Solutions.

"People don't change easily and systems don't change easily," she said.

Galvin, now the police chief in Mendota, Calif., said it generally takes seven to 10 years to fully implement community policing.

"A lot of cops don't like it; they would rather chase guys with guns and wear tactical vests," Galvin said. "It's a difficult thing to do. Talking about community policing is talking about a philosophy."

Eden will have to determine who embraces the proposed changes and who tries to derail them

—corporate change consultant

Karen Collins Rice, an organizational consultant in Seattle, Wash., said the easiest part for APD leadership and Mayor Richard Berry was agreeing to reach a legal settlement with the U.S. Department of Justice regarding excessive use of force by police officers. Making the actual changes and making them stick could be more difficult.

"The hardest part does come next," Rice said.

Galvin illustrated the difficulty of changing police department culture with an observation from his current job. Police officers are often hired to provide security at Friday night high school football games in his area, he said.

"What do they do? They usually congregate together at one end of the field and talk BS rather than engage with the crowd," Galvin said. "It's a perfect opportunity to engage. Most cops are good



Police in riot gear prepare to confront protesters gathering near City Hall last March 30 to protest the shooting of a homeless man in the Sancia Foothills.

Baca, who served as mayor from 1997-2001, said he and Galvin tried to steer APD's training regimen away from military tactics.

"We changed the curriculum. Instead of trying to turn out U.S. Marines, we were trying to turn out public servants, and these guys really resisted," Baca recalled.

Wynnyckyj said APD will face many barriers to permanently changing its culture.

"The old culture does not want to die; it served a purpose in its time and if it has been around for 10 years, it is not going to change in a year or two," Wynnyckyj said. "Some employees will say, 'We can wait it out.' The general name of it is called resistance."

Any change will have to start at the top.

APD Chief Gorden Eden and his managers will have to fully buy into the cultural change before they can begin preaching it to the rank-and-file, Wynnyckyj said. And then, Eden will have to determine who embraces the proposed changes and who tries to derail them. Resisters might have to go.

"It does mean that people have to leave, both voluntarily and forcefully. That's another reason there has to be strong leadership at the top," Wynnyckyj said.

Galvin said APD has to build trust with the community. But, he added, "You don't do that with the shootings you've had in Albuquerque."

Some of the Changes APD Must Make

The goal of the agreement between the City of Albuquerque and the U.S. Department of Justice is to prevent the use of excessive force by Albuquerque Police Department officers and to provide constitutional policing to city residents.

The two parties "share a mutual interest in officer safety and accountability, constitutional, effective police and high-quality police service," the document says.

The settlement focuses on police training in a number of areas: accountability and community involvement.

The heart of the settlement is the use of force policy that it outlines. Here are some of those principles:

- Officers "shall use advisements, warnings, and verbal persuasion when possible, before resorting to force."
- Officers have to give people time to submit to arrest before using force.
- APD must prohibit the schoolbag sweeps and arm-bar takedowns, and officers can't use force against people in handcuffs.
- Shooting at or from moving vehicles is prohibited unless the occupant of the fleeing vehicle is using lethal force, and officers can only carry APD-approved firearms and ammunition while on duty.
- Tasers and other electronic control weapons can only be used to protect an officer, the subject, or another person from physical harm.

Warning to Residents of New Mexico: Your Police Are Being Taught to Use More Deadly Force

Posted on February 23, 2014 by [Lily Dane](#)



The New Mexico State Police and the Albuquerque Police Department have come under fire in recent years for unjustified use of excessive force and for police-involved shootings. Incidents have occurred with enough frequency in the state to trigger a Department of Justice investigation that launched in 2012 and is still ongoing.

The state's police forces have become infamous for shooting at minivans full of kids and for their penchant for Roswellian anal-probing of suspects. Yet, the man who designs the training programs for the state's police departments doesn't see a problem. In fact, he has instituted a curriculum that puts LESS restraint on officers in deciding when to use deadly force.

Jack Jones is the director of the Law Enforcement Academy. *The New Mexican* reports that he has been granted full control over the design of the basic training program: *In September, the state's eight-member Law Enforcement Academy Board, which is appointed by the governor and chaired by the attorney general, voted unanimously to change the New Mexico Administrative Code to give complete control over the curriculum to Jones. Greg Williams, an Albuquerque attorney and president-elect of the New Mexico Foundation for Open Government, said before the board voted on the change, it had a process that included public involvement. "What they did was to change the process so that the public could not be involved," he said.*

Some retired police officers and criminologists are questioning that change. They say having one person in charge of the curriculum isn't a good idea. They also have concerns about some of the tactics Jones is teaching: *"It would be out of the ordinary for one person to write [the curriculum] without other people having input," said Thomas J. Aveni, director of the Police Policy Studies Council, a New Hampshire-based group that studies use of force by law enforcement. And Phillip Gallegos, a former academy instructor, called the rule change a "dangerous precedent." "Now you have one person that is making the selection, and who is to say that person knows what a curriculum is supposed to be like," Gallegos said.* Last July, Gallegos was fired for insubordination after he refused to teach new cadets some of the firearms training Jones wanted to implement:

"The statement that he made to us [instructors] in a [January 2013] meeting was, 'No, I want you guys teaching these guys how to make a car stop with a bullet.'" Gallegos said, "This is the thing — why are you shooting at a car? You should be shooting at the individual that is shooting at you." Jones tried to justify that part of the training like this: *"We want them to see that if there's a threat that's inside a vehicle and they need to shoot at it, what happens to that round. They're wearing a gun and a badge protecting you [the public] against the violence. Don't you think they should be prepared for the most violent encounter that they can come up against?"* Say what? Way to skirt around the question, Jones! Williams said that because of the high number of police shootings, the public deserves to know how officers are being trained. He added that the training documents can't be lawfully withheld unless there is an ongoing criminal investigation or some other exception.

The New Mexican filed a request under the Inspection of Public Records Act for a copy of the academy's new curriculum. Jones wasn't having it. He said he doesn't plan to release it because criminals could use the tactics taught to cadets against them. *"I'll burn them before you get them," he told The New Mexican.* Jones says officers need to be prepared for violence and justifies training officers to use more force because there are so many bad guys out there:

"Evil has come to the state of New Mexico, evil has come to the Southwest, evil has come to the United States." I agree with Jones' opinion that evil has arrived in New Mexico, but I doubt we agree on the source.

Contributed by Lily Dane of The Daily Sheeple.

Lily Dane is a staff writer for The Daily Sheeple. Her goal is to help people to "Wake the Flock Up!"

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

1:14-CV-1025 RB/SMV

CITY OF ALBUQUERQUE,

Defendant.

**AMICUS CURIAE BRIEF OF APD FORWARD
REGARDING COURT APPROVAL OF THE SETTLEMENT AGREEMENT
BETWEEN THE CITY OF ALBUQUERQUE AND
THE UNITED STATES DEPARTMENT OF JUSTICE**

Frances Crockett Carpenter
Law Office of Frances Crockett
118 Wellesley Dr. SE
Albuquerque, NM 87106-1444
Phone: (505) 314-8884
Fax: (505) 265-1319
frances@francescrockettlaw.com

Phillip B. Davis
Phillip B. Davis Attorney at Law
814 Marquette Ave. NW
Albuquerque, NM 87102-1959
Phone: (505) 242-1904
Fax: (505) 242-1864
davis@swcp.com

Shannon Kennedy
Kennedy Kennedy & Ives
1000 Second St. NW
Albuquerque, NM 87102
Phone: (505) 244-1400
Fax: (505) 244-1406
slk@civilrightslawnewmexico.com

Nancy Koenigsberg, Legal Director
Disability Rights New Mexico
1720 Louisiana Blvd. NE, Suite 204
Albuquerque, NM 87110
Phone: (505) 256-3100
Fax: (505) 256-3184
nkoenigsberg@drnm.org

Randi McGinn
McGinn Carpenter Montoya & Love P.A.
201 Broadway Blvd. SE
Albuquerque, NM 87102-3424
Phone: (505) 843-6161
Fax: (505) 242-8227
randi@mcginnlaw.com

Alexandra Freedman Smith
Legal Director
ACLU of New Mexico Foundation
P.O. Box 566
Albuquerque, NM 87103-0566
Phone: (505) 266-5915 Ext. 1008
Fax: (505) 266-5916
asmith@aclu-nm.org

jswilsonPOB@outlook.com

From: "Beth Mohr" <cabq.pob.mohr@gmail.com>
Date: Sunday, April 26, 2015 2:39 PM
To: "Leonard Waites" <phamason.lw@gmail.com>
Cc: "Maira Amado-McCoy" <moiraamado@gmail.com>; "Joanne Fine" <joannefine413@gmail.com>; <jvbaca.pob@gmail.com>; "dzt3" <dzt3@juno.com>; "jswilsonpob" <jswilsonpob@outlook.com>; "Hammer, Robin" <rhammer@cabq.gov>; <eric.hulzar.cruz@gmail.com>
Subject: Re:

Mr. Waites,

Thank-you for your leadership on our Board; I appreciate your confidence in me. I will take care of the upcoming meeting, and others as you deem necessary, but will be delighted to turn the reins back over to you as soon as you are fully recovered.

Thanks much, -B

Beth A. Mohr, Co-Vice Chair
Albuquerque Police Oversight Board

Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

On Fri, Apr 24, 2015 at 12:15 PM, Leonard Waites <phamason.lw@gmail.com> wrote:

Greetings:

It was great seeing you all on Tuesday and Wednesday. I want to let everyone know that my recovery is going well but a lot slower than I personally want it to, my doctor is telling me to take it easy so that I heal. With that being said I've asked Beth Mohr to continue filling my position as chair for our May meeting. Beth please contact Robin so that the two of you can set May's agenda. If anyone needs my help please feel free to give me a call.

Leonard

jswilsonPOB@outlook.com

From: "Beth Mohr" <cabq.pob.mohr@gmail.com>
Date: Sunday, April 26, 2015 3:09 PM
To: "Hammer, Robin" <rhammer@cabq.gov>
Cc: "POB" <pob@cabq.gov>
Attach: Civilian Oversight Reading List.pdf
Subject: Re: Materials from ABA Webinar

All: Just FYI - The texts used in this training are good ones. I have a variety of titles on the subject of civilian oversight, if someone would like to borrow some titles to read, (you know, in your spare time).

I'm enclosing a reference list from my master's thesis, which was on the topic of performance measurement in civilian oversight. I either own or have access to most of these titles, although some were borrowed through inter-library loan.

If there's something that piques your interest, do let me know. Thanks, -B

Beth A. Mohr, Co-Vice Chair
Albuquerque Police Oversight Board

Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart

NOTICE: This email may be subject to disclosure under the New Mexico Inspection of Public Records Act. Please be thoughtful forwarding or replying to this email.

On Wed, Apr 15, 2015 at 8:40 AM, Hammer, Robin <rhammer@cabq.gov> wrote:

POB Members:

Below is a link to the documents which accompany the ABA Webinar, **Strategies for Success: Implementing and Improving Citizen Oversight of Law Enforcement**

<https://www.dropbox.com/s/gid3xzuy2rj5oao/ABA%20Strategies%20for%20Oversight.pdf?dl=0>

We are still researching whether we can purchase the rights to view the webinar after the fact. I will let you know once we hear back from the ABA.

Thanks,

Robin

Robin S. Hammer, Esq.

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>

REFERENCES

- Allen, W. H. (1912). Training men and women for public service. In *Efficiency in City Government*: American Academy of Political and Social Science.
- Ammons, D. N. (2001). *Municipal benchmarks: Assessing local performance and establishing community standards* (2nd ed.). Thousand Oaks, CA: Sage Publications Inc.
- Barton, P. G. (1970). Civilian review boards and the handling of complaints against the police. *The University of Toronto Law Journal*, 20(4), 448-469.
- Becker, M. C. (1914). My Story: Mrs. Charles Becker, wife of the former lieutenant on the New York Police force who has twice been convicted and sentenced to death for murder. *McClure's Magazine*, XLIII(5, Sept), 33-45.
- Behn, B. (2003). On the executive responsibility to set: Performance targets. *Public Management Report*, 1(1, September 2003).
- Behn, B. (2004a). On the many answers to the question: Why measure performance? *Public Management Report*, 1(11, July 2004).
- Behn, B. (2004b). On why public managers have to use: Multiple performance measures. *Public Management Report*, 1(12, August 2004).
- Berdan, J. M., Schultz, J. R., & Joyce, H. E. (Eds.). (1922). *Modern essays*. New York, NY: The Macmillan Company.
- Brereton, D. (2000). Evaluating the performance of external oversight bodies. In A. J. Goldsmith & C. Lewis (Eds.), *Civilian Oversight of Policing: Governance, Democracy and Human Rights* (pp. pp. 105-124). Portland, Oregon: Hart Publishing.
- Bureau of Municipal Research of New York. (1924). Report on the survey of the government and audit of finances of the City of Charleston South Carolina (pp. 284). City of Charleston, SC: Walker, Evans & Cogswell Co.
- Buren, B. A. (2006). *Evaluating citizen oversight of police*. New York, NY: LFB Scholarly Publishing LLC.
- Buren, B. A. (2007). *Evaluating Citizen Oversight of Police*. New York, NY: LFB Scholarly Publishing LLC.
- C. de Guzman, M. (2004). One for all? Philippine police officers' perceptions of civilian review. *Policing: An International Journal of Police Strategies & Management*, 27(3), pp. 358-379.
- C. de Guzman, M., & Frank, J. (2004). Using learning as a construct to measure civilian review board impact on the police: The Philippine experience. *Policing: An International Journal of Police Strategies & Management*, 27(2), pp. 166-182.
- Camp, E. W., Bruce, A. A., & Hallam, O. (1930). Report of Committee on Lawless Enforcement of Law. *The American Journal of Police Sciences*, 1(6, Nov-Dec), 575-593.
- Capeci, D. J., Jr. (1977). *The Harlem riot of 1943*. Philadelphia: Temple University Press.
- Chevigny, P. (1969). *Police power: Police abuses in New York City*. New York: Pantheon Books.
- Chevigny, P. (1995). *Edge of the knife: Police violence in the Americas*. New York, NY: The New Press.
- City of Albuquerque Police Oversight Commission Ordinance, §2-10-05 (1994).
- The City: Harlem Riots. (1935, March 24). *New York Times*, p. E2.

- Clubbing a minor offense. (1894). *New York Times*.
- Collins, A. (1998). *Shielded from justice: Police brutality and accountability in the United States*. New York: Human Rights Watch.
- Coxe, S. (1965). The Philadelphia Police Advisory Board. *Law in Transition Quarterly*, 2, 179-185.
- Cromwell, G. (1907). *Report of the President of the Borough of Richmond: 1907*. New York, NY: Bureau of Municipal Research, City of New York.
- Curran, H. H. (1918). What the ten-year sergeant of police tells us. *Yale Review*, 2, 621-688.
- Dash, M. (2007). *Satan's circus: Murder, vice, police corruption and New York's trial of the century*. New York: Crown Publishers.
- Fairlie, J. A. (1901). Police administration. *Political Science Quarterly*, XVI(1), 1-24.
- False arrests facing inquiry. (1929). *Los Angeles Times*, pp. A-3.
- Finn, P. (2000). Getting along with citizen oversight. *FBI Law Enforcement Bulletin*, 69(8), p. 22-27.
- Fletcher, R. (1992). Civilian oversight of police behavior. *Journal of Intergroup Relations*, XIX(3), 7-12.
- Fogelson, R. M. (1968). From resentment to confrontation: The police, the Negroes, and the outbreak of the nineteen-sixties riots. *Police Science Quarterly*, 83(2), 217-247.
- Frederickson, D. G., & Frederickson, H. G. (2006). *Measuring the performance of the hollow state*. Washington, D.C.: Georgetown University Press.
- Gellhorn, W. (1966). Police review boards: Hoax or hope? *Columbia University Forum*, 9(3), 5-10.
- Goldstein, H. (1977). *Policing a free society*. Cambridge, MA: Ballinger Publishing Co.
- Goldstein, M. L. (1977). Preface to the rise of Booker T. Washington: A view from New York City of the demise of independent Black politics, 1889-1902. *The Journal of Negro History*, 62(1), 81-99.
- Goode, W. J. (1957). Community within a community: The professions. *American Sociological Review*, 22(2), 194-200.
- Grimshaw, A. D. (1963). Actions of police and military in American race riots. *Phylon*, 24(3), 271-289.
- Hahn, H., & Feagan, J. R. (1970). Riot-precipitating police practices: Attitudes in urban ghettos. *Phylon*, 31(2), 183-193.
- Hatry, H. P. (1999). What types of performance information should be tracked? In D. W. Forsythe (Ed.), *Quicker, Better, Cheaper? Managing Performance in American Government* (pp. 17-34). Albany, NY: Rockefeller Institute Press.
- Hatry, H. P., Fisk, D. M., Jr., J. R. H., Schaenman, P. S., & Snyder, L. (2006). *How effective are your community services? Procedures for performance measurement* (3rd ed.). Washington, DC: The Urban Institute and The International City/County Management Association.
- Herzog, S. (2002). Police violence in Israel: Has the establishment of a Civilian Complaints Board made a difference? *Police Practice and Research*, 3(2), p. 199-133.
- Independent Commission on the Los Angeles Police Department (Christopher Commission). (1991). Report of the Independent Commission on the Los Angeles Police Department (pp. 297). Los Angeles.
- International Association of Chiefs of Police. (1966). *A survey of the Metropolitan Police Department Washington, D.C.* Washington DC: U. S. Government Printing Office.

- The International Association of Chiefs of Police. (2000). Police accountability and citizen review: A leadership opportunity for police chiefs (pp. 23): The International Association of Chiefs of Police.
- Johnson, M. (2003). *Street justice: A history of police violence in New York City*. Boston: Beacon Press.
- Kelly, J. M. (2003). The long view: Lasting (and fleeting) reforms in public budgeting in the twentieth century. *Journal of Public Budgeting, Accounting & Financial Management*, 15(2), 309-326.
- The Knapp Commission. (1983). Patterns of police corruption. In C. B. Klockars (Ed.), *Thinking about Police : Contemporary Readings*. New York, NY: McGraw-Hill.
- Landau, T. (1996). When police investigate police: A view from complainants. *Canadian Journal of Criminology*, 38(3), pp. 291-315.
- Lee, W. L. M., Capt., (1901). *A history of police in England*. London: Methuen & Co.
- Lewis, C., & Prenzler, T. (1999). Civilian oversight of police in Australia. *Australian Institute of Criminology: Trends & Issues in crime and criminal justice*, 141(December 1999), pp1-6.
- Livingston, D. (2004). The unfulfilled promise of citizen review. *Ohio State Journal of Criminal Law*, 1, 653-669.
- Manegold, C. S. (1992, Sept 27). Rally puts police under new scrutiny. *New York Times*, p. 35.
- The Mayor's Committee finds that the police were negligent, insulting, and brutal. (1902). *New York Times*, p. 1.
- Mayor La Guardia's Commission on the Harlem Riot of March 19. (1936). *The complete report of Mayor La Guardia's Commission on the Harlem riot of March 19, 1935*. New York: Arno Press.
- McDavid, J. C., & Hawthorn, L. R. L. (2006). *Program evaluation & performance measurement: An introduction to practice*. Thousand Oaks, CA: Sage Publications Inc.
- Meloney, W. B. (1912). Our police disease. *Outlook*, Oct 15, 1912, 260(268).
- Milligan, S. O., Fridell, L., & Taylor, B. (2006). *Implementing an agency-level performance measurement system: A guide for law enforcement executives*. Washington, DC: Police Executive Research Forum.
- Moore, M. H. (2004). Police performance measurement: A normative framework. *Criminal Justice Ethics*, v. 23(1), p. 3-19.
- Moss, F., & Citizens' Protective League. (1900). *Story of the riot*. New York: The Citizens' Protective League.
- Myers, G. (1917). *The history of Tammany Hall* (Second ed.). New York, NY: Boni & Liveright Inc.
- New York State Senate Committee [The Lexow Commission Report]. (1895). Report and proceedings of the Senate Committee appointed to investigate the Police Department of the City of New York (Vol. 1-5). Albany, NY: New York State, James B. Lyon, State Printer.
- NY State Legislature. (1887). Testimony taken before the Senate Committee on Cities (Vol. 1). Albany, NY: James B Lyon, State Printer.
- O'Brien, F. M. (1918). *The story of The Sun: New York, 1833-1918*. New York, NY: George H. Doran Company.
- Obserschall, A. (1968). The Los Angeles riots of August 1965. *Social Problems*, 15(3), 322-341.

- Old case to be resifted: Asserted bootlegger's charges of police brutality will be investigated by Commission. (1929). *Los Angeles Times*, pp. A-22.
- Ovington, M. W. (1911). *Half a man: The status of the Negro in New York*. New York: Longmans, Green, and Co.
- Pell, F. (1819). *A review of the administration of civil police of the State of New York, from the year 1809 to the year 1819*. New York, NY: E. Conrad, Printer.
- Perez, D. W. (1994). *Common sense about police review*. Philadelphia: Temple University Press.
- Perino, J. C. (2004). Developments in citizen oversight of law enforcement. *The Urban Lawyer*, 36(2), pp. 387-389.
- Perino, J. C. (Ed.). (2006). *Citizen oversight of law enforcement*. Chicago, IL: American Bar Association.
- Platt, A. (1971). *The politics of riot commissions 1917-1970*. New York: McMillan Company.
- Police are hissed at Harlem hearing. (1935, May 5). *New York Times*, p. 35.
- Policemen indicted in funeral riot case. (1902). *New York Times*, p. 3.
- Porter, K. H., PhD., (1922). *County and township government in the United States*. New York: The Macmillan Company.
- Prenzler, T. (2000). Civilian oversight of police: A test of capture theory. *British Journal of Criminology*, 40(4), p. 659-674.
- Prenzler, T. (2004). Stakeholder perspectives on police complaints and discipline: Towards a civilian control model. *The Australian and New Zealand Journal of Criminology*, 37(1), pp. 85-113.
- Prenzler, T., & Lewis, C. (2005). Performance indicators for police oversight agencies. *Australian Journal of Public Administration*, 64(2), p. 77-83.
- Prenzler, T., & Lewis, C. (2007). Police Oversight Agencies: Measuring Effectiveness. In B. Head, C. Connors & A. Brown (Eds.), *Promoting Integrity: Evaluating and Improving Public Integrity Institutions*. London: Ashgate.
- Prenzler, T., & Ronken, C. (2001). Models of police oversight: A critique. *Policing and Society*, 11(2), pp. 151-181.
- President's Commission on Crime in the District of Columbia. (1966). Report of the President's Commission on Crime in the District of Columbia (pp. 1041). Washington DC: U. S. Government Printing Office.
- President's Crime Commission. (1967). The police: U. S. Government Printing Office.
- Quinn, S. (2004). Varieties of civilian oversight: Similarities, differences and expectations. Retrieved April 1, 2007, from <http://www.nacole.org/>
- Rose, J. (1983). Professional regulations: The current controversy. *Law and Human Behavior*, 7(2/3), 103-116.
- Rosenthal, H. (1912). Affidavit of Herman Rosenthal, in which he accuses NYPD Lt. Charles Becker of being his partner in a gambling house. *The World, New York Daily*.
- Rudwick, E. M. (1957). The National Negro Committee Conference of 1909. *Phylon*, 18(4), 413-419.
- Skolnick, J. H. (2002). Corruption and the blue code of silence. *Police Practice and Research*, 3(1), 7-19.
- Skolnick, J. H., & Fyfe, J. J. (1993). *Above the law: Police and the excessive use of force*. New York: The Free Press, a division of Macmillan Inc.
- Special Committee of Board of Aldermen. (1912). Report of the Citizens' Committee appointed at the Cooper Union meeting, August 12, 1913. New York, NY: New York City.

- The Story of the Riot, 25 Cents [Advertisement, Citizens' Protective League]. (1900). *New York Evangelist*, Nov 29, 31.
- Strudwick, K. (2003). Is independence the only answer to complainants' satisfaction of the police complaint process: A perspective from the United Kingdom. *Police Practice and Research*, 4(1), pp. 35-46.
- Terrill, R. J. (1988). Police accountability in Philadelphia: Retrospects and prospects. *American Journal of Police*, 7(1), 79-99.
- US Commission on Civil Rights. (1966). Newark Hearings. Washington DC: U.S. Government Printing Office.
- US Commission on Civil Rights. (1979). Hearings before the US Commission on Civil Rights, Philadelphia, April 16-17, 1979 (pp. 169): US Government Printing Office.
- Van Pelt, D. (1998). *Leslie's history of the greater New York*. New York, NY: Arkell Publishing Company.
- Walker, S. (1983). *The police in America*. New York, NY: McGraw-Hill.
- Walker, S. (1997). Complaints against the police: A focus group study of citizen perceptions, goals and expectations. *Criminal Justice Review*, 22(2), pp. 207-226.
- Walker, S. (1998). Achieving Police Accountability, in Debra Livingston Ohio State Journal of Criminal Law (1) p. 653, *Research Brief 1998, Ctr. on Crime, Communities & Culture, Occasional Paper Series* (Vol. 3).
- Walker, S. (2001). *Police accountability: The role of citizen oversight*. Belmont, CA: Wadsworth Thomson Learning.
- Walker, S. (2006a). Alternative models of citizen oversight. In J. C. Perino (Ed.), *Citizen Oversight of Law Enforcement*. Chicago, IL: American Bar Association Publishing.
- Walker, S. (2006b). The history of civilian oversight. In J. C. Perino (Ed.), *Citizen Oversight of Law Enforcement*. Chicago, IL: American Bar Association Publishing.
- Walker, S., & Kriesel, B. W. (1996). Varieties of citizen review: The implications of organizational features of complaint review procedures for accountability of the police. *American Journal of Police*, 15(3), pp.65-88.
- Watt, S. (1991). The future of civilian oversight of policing. *Canadian Journal of Criminology*, 33(3-4), pp. 347-362.
- Who's to blame? (1965). *Time*, 86, 10-11.

Civilian Oversight Agency Reports Reviewed

- Center for Dispute Settlement. (2007). 2005-2006 Biennial Report (pp. 12). New York: Center for Dispute Settlement.
- Chicago Police Board. (2006). Chicago Police Board 2004-2005 Biennial Report. In D. E. Carney, President, (Ed.) (pp. 9). Chicago, IL: City of Chicago.
- Citizen Complaint Authority. (2005). Citizen Complaint Authority Annual Report 2005 (pp. 28). Cincinnati, OH: City of Cincinnati.
- Citizen Complaint Oversight Panel. (2006). Citizen Complaint Oversight Panel: FY2006 Annual Report (pp. 46). Prince George's County, Maryland: Prince George's County.
- Citizen Complaint Review Board. (2007). Executive Director's Report 2007. New York, NY: City of New York Citizen Complaint Review Board.

- City and County of San Francisco. (2007). Office of Citizen Complaints: Weak Case Management and Organization issues Degrade OCC's Performance (pp. 85). San Francisco, CA: City and County of San Francisco.
- City of Albuquerque. (2004). *The Budget as Performance Plan*. City of Albuquerque.
- City of Albuquerque. (2004). *Strategic Management Guide*: City of Albuquerque.
- City of Austin Office of the Police Monitor. (2004). 2004 Annual Report (pp. 37). Austin, TX: City of Austin.
- City of Berkley Police Review Commission. (2004). Police Review Commission Statistical Report. Berkley, CA: City of Berkley.
- City of Boise Community Ombudsman. (2006). 2005 Annual Report: Boise Community Ombudsman (pp. 32). Boise, ID: City of Boise.
- City of Colorado Springs. (2002). *Strategic Plan Goals and Objectives: 2002 Preliminary Budget*. Retrieved January 27, 2006, from <http://www.gfoa.org/services/nacslb/>.
- City of Coral Springs. (1999). *Strategic Priority: Customer Focused Government Business Plan*. Retrieved. From <http://www.gfoa.org/services/nacslb/>.
- City of Denver Office of the Independent Monitor. (2007). Annual Report 2006. Denver, CO: City of Denver.
- City of Eugene Police Commission. (2007). Annual Report 2005-2006 (pp. 7): City of Eugene.
- City of Key West Citizen Review Board. (2006). Annual Report (pp. 18): City of Key West.
- City of Long Beach Citizen Police Complaint Division. (2003). Annual Report 2003 (pp. 15). Long Beach, CA: City of Long Beach.
- City of Los Angeles Office of Independent Review. (2006). Fifth Annual Report (pp. 91). Los Angeles, CA: City of Los Angeles.
- City of Miami. (2005). Civilian Investigative Panel Annual Report.
- City of Milwaukee Board of Fire and Police Commissioners. (2005). 2005 Annual Report (pp. 20). Milwaukee, WI: City of Milwaukee.
- City of Minneapolis Department of Civil Rights. (2007). Civilian Police Review Authority: Annual Report 2006 (pp. 45). Minneapolis: City of Minneapolis.
- City of Philadelphia Police Advisory Commission. (2003). FY2003 Annual Report: Executive Summary (pp. 4). Philadelphia, PA: City of Philadelphia.
- City of Pittsburgh Citizen Police Review Board. (2005). Summary of All Allegations Filed July 15, 1998 through December 31, 2004. In M. V. Hinton (Ed.) (pp. 11). Pittsburgh, PA: City of Pittsburgh.
- City of Portland. (1999). *City of Portland, Oregon - FY 1999-00 Adopted Budget*. Retrieved. From <http://www.gfoa.org/services/nacslb/>.
- City of Riverside Community Police Review Commission. (2006). 2005 Annual Report (pp. 22). Riverside, CA: City of Riverside.
- City of San Diego. (2000). *City Operations and Services: Programs Designed to Improve City Operations*. Retrieved. From <http://www.gfoa.org/services/nacslb/>.
- City of San Diego Citizens' Review Board on Police Practices. (2005). 2004 Annual Report (pp. 27). San Diego, CA: City of San Diego.
- City of Santa Ana. (2003). *City of Santa Ana's Purpose, Vision, Values and Goals*. Retrieved January 27, 2006, from <http://www.gfoa.org/services/nacslb/>.
- City of Scottsdale. (2000). *Getting Involved: Diversity and Dialogue*. Retrieved January 24, 2006, from <http://www.ci.scottsdale.az.us/diversity/involved/community.asp>.

- City of Winnipeg. (1999). *Policy and Framework for Alternative Service Delivery in the City of Winnipeg*.
- County of San Diego Citizens Law Enforcement Review Board. (2006). 2005 Annual Report (pp. 20). San Diego, CA: San Diego County.
- County of San Diego Citizens Law Enforcement Review Board. (2007). 2006 Annual Report (pp. 39). San Diego, CA: County of San Diego.
- Executive Division of Public Safety. (2000). *Pierce County 2000 Budget*.
- Government of the District of Columbia Office of Police Complaints. (2006). Annual Report Fiscal Year 2006. In P. C. Board (Ed.) (pp. 43). Washington, DC: Government of the District of Columbia.
- Honolulu Police Commission. (2006). 2005 Annual Report (pp. 23). Honolulu, HI: Honolulu Police Commission.
- Independent Police Auditor, & Attard, B. J. (2007). 2006 IPA Year End Report, A report to the San Jose City Council (pp. 77). San Jose, CA: City of San Jose.
- Independent Review Office of the Police Oversight Commission. (2006). 2006 Annual Report of the Independent Review Officer (Vol. 2006 Annual Report, pp. 210). Albuquerque, NM: City of Albuquerque, IRO Office.
- Indianapolis Citizen Police Complaint Board. (2007). Police Complaint Brochure (pp. 2). Indianapolis: Indianapolis Police Complaint Office.
- Kansas City Board of Police Commissioners' Office of Community Complaints. (2006). 2006 Annual Report (pp. 34). Kansas City, MO: City of Kansas City.
- King County Office of Citizen Complaint. (2006). Triannual Report (pp. 16). Seattle, WA: King County.
- Long Beach Citizen Police Complaint Commission. (2005). Annual Report: 2005. Long Beach, CA: City of Long Beach.
- Miami-Dade Independent Review Panel. (2006). Annual Report 2006 (pp. 45). Miami, FL: Miami-Dade County.
- Office of Citizen Complaints City and County of San Francisco. (2005). 2005 Annual Report (pp. 48). San Francisco, CA: City and County of San Francisco.
- Office of Public Safety Accountability City of Sacramento. (2007). 2006 Annual Report (pp. 39). Sacramento, CA: City of Sacramento.
- Office of the Independent Police Auditor. (2002). Annual Report 2002 (pp. 12). Tucson, AZ: City of Tucson.
- Office of the Independent Police Auditor. (2006). 2006 Mid-Year Report (pp. 15). San Jose, CA: City of San Jose.
- Office of the Ombudsman City of Flint. (2007). Ombudsman Annual Report 2006-2007. In L. B. Purifoy, Ombudsman, (Ed.) (pp. 76). Flint, Michigan: City of Flint.
- Police Advisory and Review Committee. (2006). Executive Director's Report: January 2006 through March 31, 2006 (pp. 3). Knoxville, TN: City of Knoxville.
- Police Assessment Resource Center. (2005). *Review of National Oversight Models for the Eugene Police Commission*. Los Angeles, CA: Police Assessment Resource Center.
- Rosenthal, R. (2004). Executive Summary: Annual Report 2004. Portland, OR: Independent Police Review Division Office of the City Auditor, City of Portland.
- Salt Lake City Police Civilian Review Board. (2007). Quarterly Report: March 2007 (pp. 6). Salt Lake City: Salt Lake City Police Civilian Review Board.

- Seattle Police Department Officer of Professional Accountability. (2003). Annual Report: Fall 2003 (pp. 49). Seattle, WA: City of Seattle.
- US Commission on Civil Rights. (2007). Recommendations. In *Community Concerns about Law Enforcement in Sonoma County*. Washington, DC: US Commission on Civil Rights.
- Wainwright, T. (2000). Annual Report: Evaluating the Effectiveness of Police Oversight (pp. 51). Adelaide, South Australia: Police Complaints Authority.

jswilsonPOB@outlook.com

From: "Charles Arasim" <crarasim@gmail.com>
Date: Monday, April 27, 2015 7:59 AM
To: <pob@cabq.gov>
Subject: Videos you need to see

POB members,

These videos come from a lecture series at UNM.

https://www.youtube.com/watch?v=hiwO_cA0neE&feature=youtu.be

<https://www.youtube.com/watch?v=grHcXwyhyIO>

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Charles Arasim

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jswilsonPOB@outlook.com

From: "Beth A. Mohr" <cabq.pob.mohr@gmail.com>
Date: Monday, April 27, 2015 8:03 AM
To: "Jeffrey Scott Wilson" <jswilsonpob@outlook.com>
Subject: Mr Bullock

Scott - You had asked for Nick Bullock's email, it is nbullock@cabq.gov. The attorney we met with the other day was Samantha Hults, her email follows the same naming convention, first initial last name @cabq.gov. Call if you need anything else. Thanks, -B

Beth A. Mohr
Co-Vice Chair
Albuquerque Police Oversight Board

Never interrupt someone doing what you said couldn't be done. ~Amelia Earhart

Sent with haste from my "smart" phone.

Notice: This email may be subject to disclosure as public record. Please be thoughtful when forwarding or replying to this email.

jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Monday, April 27, 2015 9:22 AM
To: "Beth Mohr" <cabq.pob.mohr@gmail.com>; "David Ring" <dzt3@juno.com>; "Eric H. Cruz" <eric.huizar.cruz@gmail.com>; "Hammer, Robin" <rhammer@cabq.gov>; "Jeannette V. Baca" <jvbaca.pob@gmail.com>; "Joanne Fine" <joannefine413@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; "Moirra Amado-McCoy" <amadomccoy.pob@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; <susanne.brown37@gmail.com>
Cc: "Bullock, Nicholas" <nbullock@cabq.gov>; "Cash, Paul" <pcash@cabq.gov>; "Contreras, Michelle" <mcontreras@cabq.gov>; "Davidson, Christopher" <christopherdavidson@cabq.gov>; "McDermott, Diane L." <dmcdermott@cabq.gov>; "O'Neil, Erin" <eoneil@cabq.gov>; "Skotchdopole, Paul A." <pskotchdopole@cabq.gov>
Attach: Case status FOR POB 04.27.2015.doc
Subject: Case Status Report

POB Members:

Attached is the CPOA's Updated Case Status Chart with the Officers' Names removed.

Please let me know if you have any questions. I will be at the Outreach Subcommittee this morning the Personnel Subcommittee this afternoon. Therefore, I will be unavailable for most of today.

Thanks,
 Robin

Robin S. Hammer, Esq.
 Acting Executive Director
 Civilian Police Oversight Agency
 City of Albuquerque
 P.O. Box 1293
 Albuquerque, NM 87103
 (505) 924-3770
 Fax: (505) 924-3775
<http://www.cabq.gov/cpoa>

CASE STATUS CHART

Updated April 27, 2015

CHRIS'S CASES

Case #	Date of Complaint	Incident Date	Complainant	Officer(s)	Inv.	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
13-087	05/2/13	3/19/13	Benjamin Mitchell	unknown	Chris	7.21.13	26-Jul		3 May				Abuse of power; Medical response	Investigation Pending
13-091	05/6/13	4/24/13	Jason Paiz	Officer H.	Chris	7.25.13	31-Jul		12 June				Conduct; School	Needs write up
13-111	6/6/13	5/28/13	Monica Stockdale	Officer A.	Chris	8.25.13	29-Aug						Officer conduct	Investigation Pending
13-119	06/12/13	5/4/13	Ana-Alicia Gabaldon	Officer E.	Chris	8.31.13	18-Sep		17 June				Conduct	Chris says he turned in as inactivation August 2013
13-129	6/26/13	6/25/13	Tadeusz Niemyjski	Unknown officer	Chris	9.14.13	13-Sep						Homeless; Conduct	Needs write up
13-142	07/16/13	07/16/13	John Sowell	Unknown officers	Chris	10.4.13	8 Oct		9 Aug				Reporting	Investigation Pending
13-161	08/06/13	08/02/13	Elaine Branch	Officer E.	Chris	10.25.13	29 Oct						Arrests	Needs write up
13-171	08/14/13	08/14/13	Jonathan Williams	Officer J. Officer J.;	Chris	11.2.13	8 Nov						Excessive force; DWI	Needs write up
13-176	08/16/13	08/16/13	Tadeusz Niemyjski	unknown	Chris	11.4.13	8 Nov						Homeless; conduct	Needs write up
13-190	09/04/13	08/28/13	Patricia Rivers	Lt. G	Chris	11.23.13	29 Nov						Conduct/ Arrest	Investigation Pending
13-202	09/20/13	07/30/13	Ivory Lynch	Unknown officer	Chris	12.9.13	13 Dec						Excessive force	Investigation Pending
13-218	10/22/13	10/19/13	Lauren Torrez	Unknown officer	Chris	1.10.14	15 Jan						Traffic stop; Conduct	Investigation Pending
13-249	12/17/13	12/16/13	Kristie Jiron	Officer N	Chris	3.7.14	11 Mar						Conduct	Needs write up
13-253	12/23/13	09/01/13	Adonus Encinias	Unknown	Chris	3.13.14	25 Mar						Investigation/ Homicide	Investigation Pending
13-257	12/27/13	12/25/13	Mike Arellanes	Officer J	Chris	3.17.14	31 Mar						Search/ Seizure	Investigation Pending
14-009	1/13/14	1/12/14	Tyrone Foster	Officer M.	Chris	4.3.14	8 Apr						Conduct; DWI stop	Investigation Pending
14-018	01/22/14	01/21/14	Tamara Collins	Officer C.	Chris	4.12.14	18 Apr						Biased; Traffic	Investigation Pending

14-021	01/28/14	01/27/14	Jonathon Gonzales	Unknown	Chris	4.18.14	23 Apr						Accident; Conduct	Investigation Pending
14-035	02/20/14	02/19/14	Tadeusz Niemyjski	Officer C.	Chris	5.11.14	15 May						Conduct	Needs write up
14-038	02/24/14	02/23/14	Tracy Hutcherson	Officer W.	Chris	5.15.14	19 May						Conduct	Investigation Pending
*14-058	03/17/14	01/01/14	Murat Tutar		Chris	6.5.14	9 June						Conduct	
14-063	03/21/14	03/10/14	Jacob Zamora		Chris	6.9.14	13 June						Conduct	Investigation Pending
14-066	03/26/14	02/01/14	Natasha Roybal	Officer M.	Chris	6.14.14	18 June						Improper investigation, conduct	Investigation Pending
14-069	03/30/14	03/30/14	Logan Griffith		Chris	6.18.14	22 June						Use of force	Investigation Pending
14-076	04/08/14	01/09/14	Marsella Duarte	Officer H.	Chris	6.27.14	1 July						Use of force, conduct	Investigation Pending
14-081	04/14/14	04/13/14	Therese Cole		Chris	7.3.14	7 July						conduct	Investigation Pending
14-093	05/10/14	05/08/14	Felicia Whitchurch	Officer T.	Chris	7.29.14	2 August						Conduct, wrongful arrest	Needs write up
14-103	05/27/14	05/23/14	Elizabeth Barth		Chris	8.15.14	19 August						Conduct	Needs write up
14-129	06/30/14	06/27/14	David Derringer	Officer J.	Chris	9.18.14	22 Sept.						Failure to investigate	Investigation Pending
14-132	07/02/14	05/05/14	Sally Fox	Officer S.	Chris	9.20.14	24 Sept.						Conduct	Investigation Pending
14-147	07/24/14	07/23/14	Judith Millioen		Chris	10.12.14	16 Oct.						Use of force	Investigation Pending
14-162	08/25/2014	09/01/13	Diana Rodriguez	Officer M.	Chris	11.13.14	17 Nov.						Failure to show for court	Investigation Pending
15-049	04/02/15	03/18/15	Cynthia Bernier			6.21.15	25 June						Conduct	Investigation Pending
15-053	04/15/2015	04/04/15	Carmella Nodal		Chris	7.4.15							Conduct, use of force	Investigation Pending
15-057	04/22/15		Jermey Garner			7.11.15							Use of force, violation of rights	Investigation Pending

Chris's Total Cases in Progress: 35 (24 investigation pending; 11 pending write up;)

DIANE'S CASES

Case #	Date of Complaint	Incident Date	Complainant	Officer(s)	IRO Inv.	80 due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
14-215	11/30/14	11/20/14	Kristie Jiron	Officer G.	Diane	2.18.15	21 Feb.						Conduct, inaccurate reporting	Investigation Pending
14-218	12/05/14	10/15/14	Jeannine Jaramillo	Officer M.	Diane	2.23.15	27 Feb.						Conduct, inaccurate reporting	Investigation Pending
14-222	12/15/14	10/08/14	Marcellia Smith	Officer M. and Officer T.	Diane	4.4.15	9 Mar.	Y					Use of force	Investigation Pending
14-224	12/17/14	12/10/14	Samson Costales	Officer B.	Diane	4.6.15	11 Mar.	Y					Conduct, harassment, abuse of position	Investigation Pending
14-232	12/29/14	12/05/14	Phillip Benavidez	Officer W.	Diane	3.19.15	23 Mar.						Conduct, inaccurate reporting	Investigation Pending
15-004	01/14/15		Royce Vaughn	Officer C.	Diane	4.4.15	7 Apr.						Conduct, failure to investigate	Investigation Pending
15-008	01/20/15	12/31/14	Sandra Baca	Officer P.	Diane	4.10.15	13 Apr.						Conduct, failure to investigate	Investigation Pending
15-020	02/19/15	02/12/2015	David Derringer		Diane	5.10.15	10 May						Conduct, failure to investigate	Investigation Pending
15-024	02/25/15	02/24/14	Christian Schlenker	Officer E.	Diane	5.16.15	15 May						Failure to investigate, wrongful arrest, conduct	Investigation Pending
15-027	02/27/15	02/04/15	Natalie Butters	Officer P.	Diane	5.18.15	17 May						Conduct	Investigation Pending
15-028	02/27/15	02/04/15	Natalie Butters	Officer R.	Diane	5.18.15	17 May						Conduct, failure to investigate	Investigation Pending
15-029	02/27/15	02/04/15	Natalie Butters	Officer M.	Diane	5.18.15	17 May						Conduct, failure to investigate	Investigation Pending

15-036	03/11/15		Sandra Baca	Officer L.	Diane	5.30.15	29 May							Conduct	Investigation Pending
15-039	03/25/15	02/23/15	Ben Montoya	Officer G.	Diane	6.13.15	June 17							Conduct, failure to investigate	Investigation Pending
15-045	03/30/15	03/27/15	Sabina Haque		Diane	6.18.15	June 22							Conduct	Investigation Pending
15-056	04/22/15	03/31/15	Alicia Silva	Officer E.	Diane	7.11.15								Inaccurate reporting	Investigation Pending

Diane's Total Cases in Progress: 16 (16 investigation pending; 0 needs write up)

ERIN'S CASES

Case #	Date of Complaint	Incident Date	Complainant	Officer(s)	IRO Inv.	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
15-016	02/09/15	02/07/15	Maria Valero	Officer T.	Erin	4.30.15 - 5/29/15	2 May	Y					Conduct; DWI	Investigation Pending
15-023	02/24/15	02/14/15	Erick Nordine	Officer F.	Erin	5.15.15	17 May						Conduct; DWI	Investigation Pending
15-026	02/26/15	02/25/15	Megan Gonzales	Officer C.	Erin	5.17.15	19 May						Failure to arrest	Investigation Pending
15-032	03/06/15		Sandra Baca	Officer L.	Erin	5.25.15	29 May						Conduct	Investigation Pending
15-035	03/15/15	10/22/14	Domenic Patrone		Erin	6.3.15	7 June						Prelim. Investigation	Investigation Pending
15-041	03/26/15	02/13/15	Patricia Davis	Officer M.	Erin	6.14.15	18 June						Report	Investigation Pending
15-044	03/28/15	03/27/15	Derek Martinez	Officer P.	Erin	6.16.15	20 June						Investigation	Investigation Pending
15-047	04/01/15	02/26/15	Wendy McCarthy	Officer M.	Erin	6.20.15	24 June						Investigation	Investigation Pending
15-051	04/11/15	04/11/15	Roger Zion	Officer L.	Erin	6.30.15							Driving; Conduct	Investigation Pending
15-055	04/21/15	04/21/15	Michelle Evans	Officer G.	Erin	7.9.15							Conduct	Investigation Pending

Erin's Total Cases in Progress: 10 (10 investigation pending)

PAUL'S CASES

Case #	Date of Complaint	Incident Date	Complainant	Officer(s)	IRO Inv.	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
12-167	8/17/12	8/2/12	Raquel Gutierrez	Officer L.	Paul	12.4.12	12 Nov	Yes Dec 12	10 April	22 March			Search Warrant	11.15.12 Invest. Report
13-255	12/30/13	10/24/13-11/21/13	Wyoming Terrace	Officers L., W., S, N, J, G, Sgt. ??	Paul	3.20.14	25 Mar 2014		20 May				Civil Dispute	Needs write up
14-023	01/29/14	10/31/14	Monica Trujillo	Officer M.	Paul	5.19.14	24 Apr	Y	30 April				Show of Force	Needs write up
14-060	03/20/14	03/13/14	Leslie Carrillo	Officer S.	Paul	6.8.14	12 June	6/20					Search	Needs write up
14-061	03/20/14	03/13/14	Christopher Carrillo	Officer S.	Paul	6.8.14	12 June	6/20					Search	Needs write up
14-213	11/24/14	08/24/14	Don Packingham		Paul	3.11.15	19 Feb.	Y					Investigation	Investigation Pending
14-225	12/17/14	12/10/14	Michael Kristek	Officer M.	Paul	4.6.15	12 Mar.	Y					Investigation	Investigation Pending
14-228	12/23/14	07/24/14	Ariana Furst	Officer W, Officer L.	Paul	4.12.15	18 Mar.	Y					Use of Force	Investigation Pending
15-002	01/05/15	07/19/12	Korinne Matzke	Officer D.	Paul	3.26.15	31 Mar.						Failure to return property	Investigation Pending
15-005	01/20/15		Renetta Harrison		Paul	4.10.15	14 Apr.						Report writing	Investigation Pending
15-009	01/21/15		Jenise Brito	Officer J.	Paul	4.11.15	15 Apr.						ADA Compliance	Investigation Pending
15-012	01/29/15	01/29/15	Margaret Stevens	Officer D.	Paul	4.19.15	23 Apr.						Driving	Investigation Pending
15-015	02/04/15	1/30/15	Colleen Jones	Officer M.	Paul	4.25.15	30 Apr.						Conduct; Report	Investigation Pending
15-021	02/23/15	02/22/15	Sierra Montoya	Officer O	Paul	5.14.15	18 May						Custody	Investigation Pending
15-025	02/25/15	01/16/15	Evangeline McCumber	Officer W.	Paul	5.16.15	20 May						Civil Matter	Investigation Pending
15-030	02/27/15	12/03/15	Charles Arasim	Officer S	Paul	5.18.15	22 May						License Plate	Investigation Pending
15-	03/07/15	12/08/14	Charles Arasim	Officer R.	Paul	5.26.15	30 May						License	Investigation

031														Plate	Pending
15-037	03/17/15	03/17/15	Brynn Brue	Officer S.	Paul	6.5.15	9 June							Damaged Vehicle	Investigation Pending
15-043	03/27/15		Robert Donovan	Officer T.	Paul	6.15.15	19 June							Failure to enforce law	Investigation Pending
15-046	03/31/15	03/13/15	Taffy Burch	Officer A.	Paul	6.19.15	23 June							Conduct	Investigation Pending
15-050	04/03/15	01/30/15	Charles Arasim		Paul	6.23.15	27 June							License Plate	Investigation Pending
15-054	04/20/15	02/28/15	Brian O'Malley	Officer G, Officer R.	Paul	7.9.15								Mental Health	Investigation Pending

Paul's Total Cases in Progress: 22 (18 investigation pending; 4 need write up)

CASES SUBMITTED TO IA FOR INVESTIGATIONS

Case #	Date of Complaint	Incident Date	Complainant	Officer(s)	IRO Inv	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
12-240	12/10/12		Lee Padilla	Officer L.	IA	2.28.13	5 Mar						Theft	Investigation Pending
12-241	12/10/12		James Saunders	Officer B.	IA	2.28.13	5 Mar						Theft	Investigation Pending
13-095	05/10/13	05/10/13	Wendy O'Brien	Unknown	IA	7.29.13	6 Aug						APD Use of vehicle	Investigation Pending
13-122	06/10/13	06/10/13	Neal Greenbaum	Unknown	IA	8.29.13	18 Sept						ATM stolen	Investigation Pending
13-159	08/05/13	08/05/13	Roseanna Garibaldi	Unknown	IA	10.24.13	29 Oct						DV; Response time	Investigation Pending
14-107	06/03/14	05/23/14	Victoria Aragon	Officer B.	IA	8.22.14								Investigation Pending
15-040	03/26/15		Jose Hernandez		IA	6.14.15	18 June						Theft	Investigation Pending

Total Pending Investigation at IA: 7

ROBIN'S CASES and CASES SUBMITTED TO IRO FOR REVIEW

Case #	Date of Complaint	Incident Date	Complainant	Officer(s)	IRO Inv.	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
14-006	01/06/14	10/28/13	Ortega	Officer P.	Robin	3.27.14							OIS-	Pending IA Investigation completion
15-006	01/13/15		Jennifer Otte	Officer R.	Erin	5.3.15	7 Apr.	Y		4.23.15				Review Pending

Robin's Cases:2

CASES SUBMITTED TO IA APD FOR CHAIN OF COMMAND REVIEW

Case #	Date of CPC	Incident Date	Complainant	Officer(s)	IRO Inv.	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to POB	Allegations	Case Status
11-254	12/30/11	12/27/11	Jeremy Eberts	Officer M	Paul	3.19.12	6 Mar		10 April		1 July			Review Pending
14-233	12/30/14	08/10/14	Tammy Martinez	Officer S	Erin	4.19.15	25 Mar.	Y			Back to Erin 3.19.15; back to chain 3.31.15, 3.25.15 Extension Requested		NCIC	Review Pending
14-219	12/08/14	10/24/14	Quanah King	Officer V	Paul	2.26.15	2 Mar.			3.25.15	4.20.15			
14-217	12/03/2014	11/29/14	Lekya Horton	Officer E	Paul	2.21.15	25 Feb.	Y		4.2.15	4.20.15			Review Pending
14-207	11/06/14	11/04/14	Tremayne Pollard	Officer M	Paul	2.24.15	1 Feb.	Y		3.21.15	4.20.15			Review

								2.3.1 5						Pending
14-231	12/29/14	10/07/13	John Spivak	Officer H	Paul	3.19.15	24 Mar.				3.27.15	4.20.15		Review Pending
14-223	12/16/14	11/22/14	Ashley DeAgüero	Officer G, Officer L. Officer D	Paul	4.5.15	11 Mar.	Y			4.23.15			Review Pending
15-003	01/07/15		Raymond Romero	Officer V	Erin	3.28.15	1 Apr.				3.9.15			Review Pending
15-014	02/03/2015	11/27/14	Tina Jones	Officer R	Diane	4.24.15	25 Apr.				4.16.15			Review Pending
15-003	01/07/15		Raymond Romero	Officer V	Erin	3.28.15	1 Apr.				3.9.15			Review Pending
14-221	12/10/14	08/08/14	Jodi Keeton		Diane	2.28.15	4 Mar.				4.23.15			Review Pending
14-014	01/20/14	12/18/13	Juanita Lugo	unknown	Chris	4.10.14	16 April				4.17.15			Review Pending
13-132	6/27/13	6/27/13	Tadeusz Niemyjski	Unknown officer	Chris	9.15.13	19-Sep				4.17.15			Review Pending
13-182	08/23/13	08/16/13	Renell Hull	Officer F	Chris	11.5.13	21 Nov				3.10.15			Review Pending
14-176	09/15/2014	08/22/14	Mildred Begay	Officer J	Diane	12.4.14	7 Dec.				4.3.15			Pending Review
14-204	10/29/14	10/25/14	Antonio Garcia	Officer B Officer C	Paul	1.17.15	24 Jan				3.6.15			Pending Review
14-210	11/17/14	11/17/14	Marie Bradford	Officer S	Paul	2.5.15	12 Feb.				3.21.15			Pending Review
14-216	12/03/2014	10/05/12	Jerome Montoya	Officer H	Paul	2.21.15	25 Feb.				3.23.15			Pending Review
14-229	12/23/14	09/29/14	Darisha Sims	Officer H	Diane	3.13.15	17 Mar.				3.16.15			Pending Review
14-202	11/01/2014	10/30/14	Jonathan Carver	Officer A	Diane	1.21.15	23 Jan				3.27.15			Pending Review

Total cases pending review at IA: 20

CASES WAITING FOR POB APPROVAL

Case #	Date of CPC	Incident Date	Complainant	Officer(s)	IRO Inv.	80 day due date	12 week due date	Ext	Inv. Comp	Date to IRO	Date to IA	Date to IRO	Date to POB	Allegations	Case Status
12-173	08/23/12	5/28/12	Daniel Strokes	Officer G; Officer J; Officer B	Paul	11.11.12	15 Nov		21 Dec	22 Mar					12.3.13 Citizen Ltr
13-025	02/17/13	unknown	Anonymous	Unknown	IA	5.8.13	15 May			3.16.15	n/a			Inact- Conduct;Insuff evidence	Pending Review
13-065	04/10/13	4/10/13	Drew Rupp	unknown	Chris	5.1.13	3-Jul		24 July	4.17.15				Inact-driving	Pending Review
13-132	6/27/13	6/27/13	Tadeusz Niemyjski	Unknown officer	Chris	9.15.13	19-Sep			4.17.15				Homeless; Conduct	Pending Review
13-182	08/23/13	08/16/13	Renell Hull	Officer F	Chris	11.5.13	21 Nov			3.10.15				Disabled son	Pending Review
14-014	01/20/14	12/18/13	Juanita Lugo	unknown	Chris	4.10.14	16 April			4.17.15				Hit and Run Reporting	Pending Review
14-170	09/08/14	9/6/14	Anonymous	Not APD	IA									Inact-not APD	Pending Review
14-098	05/16/14		Veronica Garcia	Officer D	Robin	8.4.14								OIS-Inact not APD	Review Pending
14-141	07/18/14		Gregory Gaudette	Jeremy Dear	Robin	10.6.14								OIS-Inact not APD	Review Pending
14-176	09/15/2014	08/22/14	Mildred Begay	Officer J	Diane	12.4.14	7 Dec			4.3.15				Investigation	Pending Review
14-204	10/29/14	10/25/14	Antonio Garcia	Officer B Officer C	Paul	1.17.15	24 Jan			3.6.15				Investigation	Pending Review
14-202	11/01/2014	10/30/14	Jonathan Carver	Officer A	Diane	1.21.15	23 Jan			3.27.15				Investigation	Pending Review
14-205	11/03/14	09/27/14	Lisa Deweese	Officer A	Diane	1.22.15	25 Jan.			12.9.14				Inact-Complaint withdraw	Review Pending
14-210	11/17/14	11/17/14	Marie Bradford	Officer S	Paul	2.5.15	12 Feb.			3.21.15				Biased Based policing	Pending Review
14-112	06/05/14	05/28/14	Anonymous		IA	8.24.14								Inact-Use of radar	Pending

															Review
14-216	12/03/2014	10/05/12	Jerome Montoya	Officer H	Paul	2.21.15	25 Feb.			3.23.15				Handling Evidence	Pending Review
						2.28.15	4 Mar								Review Pending
14-221	12/10/14	08/08/14	Jodi Keeton	Officer L	Diane					4.23.15				Search issues	Pending Review
				Officer G		4.5.15	11 Mar	Y						APD crash	Pending Review
14-223	12/16/14	11/22/14	Ashley DeAgüero	Officer L	Paul					4.23.15					Pending Review
				Officer D		3.13.15	17 Mar								Pending Review
14-229	12/23/14	09/29/14	Darisha Sims	Officer H	Diane					3.16.15				Investigation	Pending Review
						3.28.15	1 Apr								Review Pending
15-003	01/07/15		Raymond Romero	Officer V	Erin					3.9.15				speeding	Pending Review
						4.20.15	22 Apr								Pending Review
15-013	01/30/2015	01/22/15	Helmer Adams	Officer R	Erin					3.2.15					Pending Review
						4.24.15	25 Apr								Review Pending
15-014	02/03/2015	11/27/14	Tina Jones	Officer R	Diane					4.16.15				Investigation	Pending Review
						4.27.15	28 Apr							Inact-withdrawn	Pending Review
15-017	02/06/15	02/05/15	Barbara Dobie		Diane					2.26.15					Pending Review
						5.8.15	10 Ma y								Pending Review
15-019	02/17/15	02/06/15	Patrick Themig	Officer A	Erin					3.10.15				Inact-Driving	Pending Review
						5.15.15								Inact. Not APD	Pending Review
15-022	02/24/15	02/24/15		Not APD	Paul					4.14.15					Pending Review
														Inact-Report - Mediation	Pending Review
15-033	03/10/15	01/05/15	Luana Peters	Officer M	Diane										Pending Review
						6.2.15	6 Jun e							Inact-Not APD	Pending Review
15-034	03/14/15	03/13/15	Claudia Steinhauser		Paul					4.14.15					Pending Review
						6.9.15	13 Jun e								Pending Review
15-038	03/21/15	03/08/15	Martin Kevern		Erin										Pending Review
						6.13.15	Jun e 17							Inact. No SOP vio	Pending Review
15-042	03/25/15		Sandra Baca	Officer J	Diane					4.16.15					Pending Review
15-048	04/01/15	03/29/15	David Moya		Diane	6.20.15	Jun e 24			4.21.15				Inact-Could not ID Officer	Pending Review
15-052	04/12/15	Unknown	Anonymous	unknown	Diane	7.1.15				4.21.15				Inact-Could not ID Officer	Review Pending

Pending for POB-31 cases



jswilsonPOB@outlook.com

From: "Dinah Vargas" <vargagirl@live.com>
Date: Tuesday, April 28, 2015 12:45 AM
To: "Silvio Dell'Angela" <Dellansi@comcast.net>; "Steve Kramer" <skramer101@gmail.com>; "Illse Biel" <ilsebiel@icloud.com>; "Andy Tenido" <andbeale@gmail.com>; "bernadette garcia" <bjg0102@aol.com>; "Kathryn Brown" <kkwdb@yahoo.com>; <rg827@aol.com>; <burquemediaproductions@gmail.com>; <contact@burquemediaproductions.com>; "Andrew Christophersen" <achristophersen@hotmail.com>; <POB@cabq.gov>; "Robin Hammer" <rhammer@cabq.gov>; "Trudy Jones" <trudyjones@cabq.gov>; "Rey Garduno" <reygarduno@cabq.gov>; "Pena, Klarissa J." <kpena@cabq.gov>; "saxophones r COOL" <dharris@cabq.gov>; "Tax-Payer Waste" <bwinter@cabq.gov>; "Dan Lewis" <danlewis@cabq.gov>; "Issac Benton" <ibenton@cabq.gov>; "Shamful Gavel Banger" <kensanchez@cabq.gov>; "Diane Gibson" <dgibson@cabq.gov>; "Elizabeth Martinez" <Elizabeth.Martinez@usdoj.gov>; "Vanita Gupta" <Vanita.Gupta@usdoj.gov>; "Damon Martinez" <Damon.Martinez@usdoj.gov>; <sarah.lopez@usdoj.gov>
Cc: <jmonahan@ix.netcom.com>; <KBrandenburg@da2nd.state.nm.us>; <john@naiopnm.org>; "Board ED" <boarded@aps.edu>; <theeyeonalbuquerque@gmail.com>
Attach: 1424521_1094315043927363_2368975993561363528_n[1].jpg
Subject: Re: Chief Eden's youtube thing is becoming a thing

Still waiting on that Justice: <https://www.youtube.com/watch?v=mzAi2h7HPOc>

Greedy Greenwood: Greedy MF <https://www.youtube.com/watch?v=uHy19JIn3Y4>

Silvio,

I stand corrected, monitor cost is \$4.5. I am however, not in agreement with you at the moment regarding the recent 'development of some huevos'. Mostly because I am waiting for the bait and switch, shakedown, double talk, or otherwise shady deal to emerge. The monitor was always the big play. Let's see, time will surely tell

I am completely outraged at Greedy Greenwood and shooter cop Tom S. I was thinking about the time in council just after CABQ announced the Wonder Twins. Everyone was up in arms about the initial contract agreement by the Mayor for \$70,000. everyone was in shock and awe... Even with us people sending info about the Shady Twins. It didn't matter that we did because they were always gonna hook them up and sell us out, by design.

Greenwood was only the beginning of the pillaging of our resources in the guise of reform and fixing APD Killer Kop Korruption. The Mayor, on record, said he never asked about Greedy Greenwood' connection and business ties because 'that wasn't what we (he) hired them to do'. So I am guessing not research or background.... OR hell interview process took place, otherwise that would have came up at some point. Unless of course it was by design.

I am currently having IPRA violations from CABQ Admin myself. At least 2 of my IPRA request are in violation of the law and of my liberty, privilege, and right. There is absolutely no transparency here. My IPRA Request are also being reviewed by an attorney. Which adds to the list of the countless things I do not have time for, but I am forced to regardless otherwise what's the point?

Why we are forced to fight battles and struggles we have already won is beyond me. It's the everyday breakdown. NM being sold off, and not even to the highest bidder. I could see if we were being sold-out for something big... naw, not here. Politicians sell us out for box seat tickets at Wise Pies. Wise Pies- even the PIT got sold out. I won't ever go to an event there again.

I am embarrassed and ashamed to come from here. I come from a long line of family members who were here long before this was NM territory. I never considered leaving ABQ, mostly because my family is here and the earth's chambers in the valley of ABQ embraces my child. With great consideration I have thought of leaving this God forsaken city, I will most likely never leave because of what keeps me here. I wish to leave this city, I do, but I won't. BUT If I ever do, I hope to never return .

Everyday I ask myself 'what happen?'... 'what's next?'...

YET Foolishly, I am amazed and in disbelief at what emerges. This whole damn city is broken the water is dirty, el llano de encanto carries the cries for justice in the wind, injustice turned the waters red, Desert Spirits roam endlessly in the desert of the lost souls. No Justice and No Peace should be New Mexico's slogan, NM's mottos: NM is 4 sale.

'Until Victory, Always', I say with conviction, I know reality is that it is Always Until Victory. It will never end, the struggle lives on. Resistance is required no matter and battles waged against us should be fought even if victory is not an option of ours.

I'm thankful for you and your resistance, I'm thankful to resist with you, Silvio.

Hasta La Victoria, Siempre. Siempre.

PS

things APD Cops have actual said:

You're in the Kill Zone

I'm gonna shoot this F'ing lunatic in the penis

I have the right to kill you.

Split second decision

Who's the Man?

human garbage disposal

so help me God. Police officer's oath.

Dinah Vargas

Still waiting on all that Justice you all promised us a year ago!

Sent from Windows Mail

From: Silvio Dell'Angela

Sent: Monday, April 27, 2015 5:54 PM

To: Dinah Vargas, Steve Kramer, Illse Biel, Andy Tenido, bernadette garcia, Kathryn Brown, rg827@aol.com, burquemediaproductions@gmail.com, contact@burquemediamedia.com, Andrew Christophersen, POB@cabq.gov, Robin Hammer, Trudy Jones, Rey Garduno, Pena, Klarissa J., saxophones r COOL, Tax-Payer Waste, Dan Lewis, Issac Benton, Shamful Gavel Banger, Diane Gibson, Elizabeth Martinez, Vanita Gupta, Damon Martinez, sarah.lopez@usdoj.gov
Cc: Jmonahan@ix.netcom.com, KBrandenburg@da2nd.state.nm.us, john@naiopnm.org, 'Board ED', theeyeonalbuquerque@gmail.com

Dinah

It's an outrageous \$4.5 million+, not \$4.2 million. Also see Joe Monahan's latest posting below on Ginger and the Councilors-seven finally developing some huevos.

Berry's loyalists- Jones and Winter have been and continue to be traitors to us. I don't know how they can look themselves in the mirror.

Let's see if the brave seven Councilors will demand answers from Ginger and Perry at the next Council meeting or fold. We can expect more doubletalk from Perry. Eden hopes he isn't called on and makes a fool of himself once again.

Former cop Ginger knows that the bogus agreement that APD enabler US Attorney Damon Martinez negotiated and signed makes him powerless. Ginger can only recommend changes (likely limited to training) to APD who will laugh at him. But Ginger doesn't care as he still will be ripping taxpayers off-making his \$4.5 million over the next four years.

The Council's new must be amended legislation should spell out specifically what Ginger will do-not merely say he will follow the disgraceful toothless agreement and falsely claim that Judge Brack will really oversee his work.

I'm confident that that the seven councilors finally know we are in a crisis as DA Brandenburg says and also a city in distress as my still banned upside down flag symbolizes..

As for the YouTube video, Eden's disgraceful records custodian Reynaldo Chavez is still stonewalling my requests to see the videos taken by Eden's (whose the man?) cop Greer and partner and the cadet if he had a recorder. Reynaldo even asked me for the case #. Time for him to go. Winter has another Chavez IPRA stonewaller in APS-Rigo Chavez. Both Chavez boys cut from the same cloth.

See you at that next Council meeting

Silvio
For WE THE PEOPLE

Monday, April 27, 2015

Life In the Old Gal Yet? ABQ City Council Finds Some Hind Legs, Plus: Heinrich Redux, And: Haaland Is New Dem Chair; Now What?



Councilors Lewis & Harris

Maybe there's life in the old gal yet. That's the takeaway from the ABQ City Council's 7 to 2 vote to hold the APD federal monitor's feet to the fire. Five Dems led by Council President Rey Garduno were joined by two of the council's four R's—Dan Lewis and Don Harris—in refusing to approve (for now) a \$4.5 million four-year contract with monitor James Ginger because of concerns about the agreement. It was a rare occasion of the council breaking with the Mayor Berry administration and inserting itself into policy when it comes to the long-running APD crisis.

While the action seemed extraordinary because of the way the council has mostly hibernated during the mayhem that has surrounded APD, it was actually quite ordinary for the legislative branch—on equal footing with the mayor—to inject its concerns. It's finally letting it be known that it too wants a seat at the table in resolving a matter that has given ABQ numerous national black eyes and demoralized APD officers.

Allies of the Mayor immediately criticized the seven councilors, saying their action was merely symbolic—that the federal judge monitoring the monitor and the city administration will have the final say over Ginger's contract. But symbolism should not be underestimated.

Berry, Chief Administrative Officer Rob Perry, APD Chief Gorden Eden and federal monitor Ginger have treated the council as an aside. Anyone familiar with the history of the nine member panel knows it is much more than a wall flower, even if the current crop of councilors has let its muscles atrophy. The 7 to 2 vote had the council finally doing some of the heavy lifting that is needed to renew confidence in APD and city government.

Welcome back, councilors, please visit often.

From: Dinah Vargas [<mailto:vargagirl@live.com>]

Sent: Monday, April 27, 2015 2:52 PM

To: Steve Kramer; Ilse Biel; Andy Tenido; bernadette garcia; Kathryn Brown; rq827@aol.com; burquemediaproductions@gmail.com; contact@burquedia.com; Andrew Christophersen; Silvio Dell'Angela; POB@cabq.gov; Robin Hammer; Trudy Jones; Rey Garduno; Pena, Klarissa J.; saxophones r COOL; Tax-Payer Waste; Dan Lewis; Issac Benton; Shamful Gavel Banger; Diane Gibson; Elizabeth Martinez; Vanita Gupta; Damon Martinez; sarah.lopez@usdoj.gov

Subject: Chief Eden's youtube thing is becoming a thing

<https://www.youtube.com/watch?v=tmFrSrQ53JI>

Hello Comrades and Politicians,

This YouTube video was inspired by Chief Eden advisement of those two APD thugs who beat a homeless man. 'Who's the Man??' How heroic, I'm sure it was all done in the name of protecting and serving, risking lives, and honor. APD is Community Strong, pass it along. 'Who's the man'?

I'd like to acknowledge Councilor Kenny Sanchez for the much needed question and concern regarding the 4.2 million dollar monitor, these questions are tough and equally, they are necessary.

I think we should take Kenny's concern about the monitors a step further, what we should be asking is Who 's going to monitor the monitor's monitor?

Maybe the tax payer waste firm who was paid to monitor Greedy Greenwood's expenses but didn't.

Viewer discretion is advised. Enjoy the inspired youtube video. NM is dead last by design. we all deserve better.

2015 The Rise of THE PEOPLE. C 2015 All Rights Reserved

<https://www.youtube.com/watch?v=tmFrSrQ53JI>

Dinah

Sent from Windows Mail

jswilsonPOB@outlook.com

From: "Moirá Amado-McCoy" <amadomccoy.pob@gmail.com>
Date: Tuesday, April 28, 2015 6:54 AM
To: "Scott Wilson" <jswilsonpob@outlook.com>; "Leonard Waites" <phamason.lw@gmail.com>
Subject: May 7

Hi, Scott and Leonard. I was at the Personnel meeting yesterday, and the "table and flow chart" discussion provided a platform for the work we should be embarking upon in Case Review. I spoke briefly to Robin, affirming that May 7 would work for me, and that I'd check with the two of you.

Let me know, and I'll confirm formally. I'll also write up something of a notes-toward-an-agenda later this afternoon, and share it with you tonight, if that works for you. I've spent a good deal of time working on what we should cover in this first meeting, so with your permission, I'll draft something for us to at least start with.

Thanks.

Moirá

jswilsonPOB@outlook.com

From: "Dave Ring" <dzt3@juno.com>
Date: Tuesday, April 28, 2015 2:56 PM
To: <cabq.pob.mohr@gmail.com>
Cc: <rhammer@cabq.gov>; <pob@cabq.gov>; <hyntema@cabq.gov>; <nbullock@cabq.gov>
Subject: Re: FW: Process for gathering emails re IPRA

Beth, Thanks for the sage internet usage advice. That is, in fact, precisely what I did. Blessings!
-- Dave Ring

M002696

jswilsonPOB@outlook.com

From: "Silvio Dell'Angela" <Dellansi@comcast.net>
Date: Tuesday, April 28, 2015 3:12 PM
To: <jhernandez@cabq.gov>
Attach: EdenAJoke.doc; 4-28-15JnlGreer.doc; AFP-APD'sChavez.pdf; Scan_Doc0023.pdf; RodellaMess.doc; LiveLeakAPD.doc
Subject: The jury still out on you Ms. Hernandez-see some homework for you below

TO: New City Attorney-Ms. Jessica Hernandez

Bcc to many not shown

Like the disgraceful Rob Perry and David Tourek who preceded you, you also promised independence from the Mayor. Yet if history since Berry took office in 2009 is any indication, the reality is that if you don't do King Berry's wishes and compromise your integrity, you will be forced to resign and he will look for an attorney stooge who will do his and Perry's bidding.

Proving to all that he is a compulsive liar, this Mayor for only the rich who has made this city and APD the disgrace of the nation, demonstrated it first when running in 2009 when promising us voters "a new era of transparency and accountability."

We voters believed this liar who we then thought anybody would be better than Marty Chavez. We were wrong. He would win in 2009 and then win re-election four years later only because of well financed propaganda campaigns of lies against his opponents.

Berry lied in 2009 to advisor APD Sergeant Heh saying that he would not rehire Schultz or would need a Public Safety Officer (PSO). Soon after taking office would then rehire Schultz and also hire the equally disgraceful Darren White as PSO.

Berry's controlled disgraceful Journal Editorial Board would later praise Schultz as the best man for the job even in the midst of the bloodbath that he carried out since becoming Chavez's APD Chief in 2005. Berry ignored all that in 2009.

In 2009, when Berry created a tax wasting Constituent Services Office, he hired Tito Madrid (a former Heather Wilson staffer) to run it and also hired Joyce Pullen (a Domenici staffer) to be part of Tito's team. When Tito and Joyce dared to support my former good councilor Greg Payne who ran against Trudy Jones-(Berry's now disgraceful stooge), both Tito and Joyce were told to resign, which they did. Both had integrity, something deemed not acceptable in this Berry administration.

The city's good IG Neftali Carrasquillo then resigned also disgusted after Berry then contracted most of the IG work to his buddies at RCI whose investigations he could control. Berry then promoted Peter Pacheco to the job and rendered the IG office powerless-something Pacheco was OK with.

Pacheco was told by Berry to not investigate Schultz's \$1.9 million rip off of taxpayers when he "greased" a sole source AXON recorder and software buy from Schultz's employer Taser Inc. with Berry while Schultz was still on the City's payroll.

The culture of corruption here was alive and well and compulsive liar Berry who would go in hiding in his bunker would also make sure his Journal never blamed any of this on him. Then City attorney Perry moved was promoted into the CAO job. Berry later gave this other compulsive liar/loyalist Perry a big raise when

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claiming the MFA (who another loyalist Brad Winter's wife worked) for wanted to hire him. More lies.

Then in came Tourek as City attorney from the French law firm where his sister worked and his brother-in-law Steve owned. Berry would make sure a lot of sole source contract work went to the French law firm.

To hide the culture of corruption rampant in his administration, Berry then proceeded to direct the stonewalling of all IPRA requests from me and others that asked for incriminating information on APD and others in the administration who arranged for rigged contracts for Berry's friends. The worst liar and IPRA stonewalling offender was former DMD boss Mike Riordan who Berry recently promoted to COO.

Berry also brought in another unethical attorney-Amy Bailey as City Clerk to help him do this stonewalling and she later resigned when her complicity was revealed.

Tourek and his minions like Kathryn Levy and others equally corrupt would bless this IPRA stonewalling and even sue the family attorney of murdered attorney Mary Han for legal fees. APD deliberately contaminated the crime scene-Mary's home but Perry who was there and Berry looked the other way.

They also went into her home and likely stole some jewelry. One of Schultz's senior cops would then damn APD enemy Mary to "a special place in Hell" in a social media posting. All Schultz did was to then restrict social media postings by his cops.

APD may have been implicated in the murder believing Mary had incriminating information on high ranking APD, City officials and business leader friends. APD may have also been implicated in the record killings of women on the west mesa that APD was in no hurry to investigate.

The women were likely deemed by APD to be just human waste to be disposed of-a term cop Trey Economidy described his APD job as before killing yet another innocent victim. This scumbag cop is still on the job.

The self protection tactics of former FBI boss J Edgar Hoover to shut up critics was also implemented by Berry. Thus APD's secret investigation of DA Brandenburg that was only revealed to the Berry Journal. Ms. Brandenburg has reason to fear for her safety from APD. I too was also threatened by Schultz to "be careful" after I began asking too many questions and making IPRA requests in 2010 about the record APD murders. As a Vietnam vet, I don't scare easily.

Dossiers by APD were also compiled on perceived threats. One was likely done by Schultz even on Berry including his possible relationship with alleged "bomb threat" Cory Crosby Lockwood who left her panties in an empty suitcase in the Mayor's office. Likely another dossier exists as well on Perry who seemingly has an alcohol problem.

In 2013 Tourek would also opined in a memo that IRO Hammer-another questionably ethical attorney Berry chose really worked for the executive branch (Mayor, CAO, APD Chief) rather than for the citizens on the POC as the Ordinance then stated. This insult caused three honest POC members to resign in disgust. That whole police oversight process was a joke as is the new one now-thanks to Scott Greenwood.

Ignoring the outstanding qualifications of over thirty applicants for the APD chief job from throughout the US, Berry then hired Governor Martinez's clearly unqualified Public Safety Secretary Gordon Eden as Chief who the councilors would praise. They never read Eden's voluminous irrelevant resume or the resumes of the other 40+ passed over candidates with outstanding qualifications-something that I did.

Your former boss Governor Martinez was likely happy to dump the incompetent Eden after he had "warrior" Jack Jones promoted to run the NM Police Academy and the shootings by his state cops of the fleeing cars

driven by Oriana Ferrell and Jeanette Anaya . None of the shooters Elias Montoya or Oliver Wilson were punished by Eden.

See the attached February 25, 2014 letter to the editor saying Eden's hiring was a joke. It was more than a joke but a disgrace-an insult to us citizens. Knowing Eden's lack of qualifications and incompetence, he then brought Schultz's former "death squad" SWAT Commander Bob Huntsman out of retirement to be the shadow chief. Huntsman had retired in the midst of the record APD/SWAT bloodbath.

Then Eden created two more tax wasting new Majors, one a bad senior cop who tased the ear off a citizen. Eden never explained why the two were needed.

Nor did Eden ever do a manpower assessment of APD that the DOJ had to recommend he do. He clearly could get by with far less than the 1,100 he still claims he needs. When you deploy five to ten times the number of officers needed to an incident merely to justify higher than needed manpower needs, you are clearly incompetent.

Eden would begin his job by attempting to justify this murder of homeless camper James Boyd while ignoring the incriminating video and audio recording. Berry merely said this incompetent Chief just misspoke.

Over 40 officers were on the scene of the murder of James Boyd for well over 4 hours. They said that they had to kill Boyd who before gunning him down a K-9 officer would release a vicious K-9 on because it was getting dark and they just had to get back home to their families. Neither Eden nor any of his senior staff were there during the four+ hours. All were in hiding.

Along with other activists, I was put on his and the Journal's enemy list for daring to ask too many questions about the corruption and killings. Then APD went after DA Brandenburg for daring to charge both Sandy and Perez because one helmet video and a State police audio recording proved it was a murder and even premeditated by Sandy.

Another disgusted retired cop Sam Costales who Schultz had retaliated against for telling the truth-the unjustified actions taken against Al Unser Jr. said publicly that this looked like a murder by Sandy and Perez. APD even withheld other made recordings of this Boyd murder-see Live Leak report attached.

Every honest cop in APD including those who were retired likely agree that Eden is a disgrace to the uniform and surrounds himself with senior staff like him. See the KRQE's report below by one retired APD Captain David Gilmore. He said that Eden had no right even wearing the sixteen bars on his uniform that represented 32 years in APD. Eden is a phony.

Losing all credibility, Eden hired Janet Blair as his PIO to lie for him since he couldn't lie to the media with a straight face. Blair finally got tired of lying for Eden and Berry and resigned months after being hired. Then Eden sent a series of disgraceful APD police officers out to speak for him who had no problem lying.

First it was Bill Roseman who lied when trying to justify why cop Jeremy Dear never recorded his murder of Mary Hawkes. Then Eden trotted out another liar cop-Tanner Tixier, Dear's accomplice in the Hawkes murder who like Dear also conveniently never turned on his recorder.

Then it was another equally disgraceful cop Celina Espinoza. See her comments in the KRQE article below about Eden's sixteen service bars on his uniform something only an APD cop for 32 years of service.

After the brutal beating by cop Cedric Greer of Adrian Marthell on March 10 was leaked to the media, both Eden and Perry began lying to try to justify keeping a secret for six weeks. Eden claimed that he immediately

turned the case over to the DOJ and FBI, something he lied when claiming the (disgraceful powerless) APD reform agreement with the DOJ's required. NOTHING in the agreement justified this secrecy for six weeks!

Eden then claimed it was also to keep the honest whistleblower-a cadet safe from retaliation. Every cop in APD knew that it was the honest cadet Andrew Henry who likely leaked it to the media after Henry's supervisor took no action. Apparently it's now OK to release the honest cadet's name since that disgraceful excuse for keeping the Greer beating a secret was exposed-never believed. See the attached Journal article today.

I have repeatedly said that US Attorney Damon Martinez who helped negotiate the disgraceful agreement with the City is part of the problem. See the attached "RodellaMess" about him. Apparently it was OK for Damon to retaliate against Rio Arriba Sheriff Tommy Rodella for daring to challenge DOJ people by getting him jailed for a long time for allegedly doing exactly what Greer and other rogue cops before him did.

But APD cop Greer was only charged with a misdemeanor. Again as with the record number of past excessive force incidents, no recordings of this Greer beating that I too made an IPRA request for were made by either Greer or his accomplice cop Jerry Rauch.

Eden's records custodian IPRA stonewaller-Reynaldo Chavez would insult me by asking me for the Greer case number. See attached Albuquerque Free Press article on the disgraceful Chavez's record and Scan 23, a policy of lying-something perfected by your boss Berry. Are you going to stop Berry's defiance of the IPRA or look the other way as your predecessors have done?

As one recent cartoon in the Journal depicted, an APD cop's badge here is apparently a get out of jail free card. If the DA has to rely solely on the lies told by the APD killers and their accomplices who intentionally don't record, then she can't charge the killers.

As was the case with your predecessors, Perry and Tourek who were also praised, both betrayed us. You must know that you now work for a corrupt man, a compulsive liar and the worst mayor in this City's history. Do you care?

I'm skeptical as are others that unlike Perry and Tourek that you will really serve the people. Both of these characters are the best reason to elect future City attorneys-as San Diego and other US cities are doing. The jury is still out on you despite the lavish praise given you by the Councilors and today's Berry Journal editorial.

Enough said.

Regards

Silvio

For WE THE PEOPLE

Do you want to meet and talk?

P.S.

You ought to start reading the blogs like Joe Monahan's, the Eye on Albuquerque, La Jicarita, and the ABQ Free Press and TV news reporters, primarily KRQE's rather than believe what you read in the Journal if you want to serve us properly.

Albuquerque police chief's uniform raises eyebrows

By Tina Jensen Published: April 27, 2015, 10:02 pm Updated: April 28, 2015, 9:40 am

ALBUQUERQUE (KRQE) – When Albuquerque Police Chief Gorden Eden began recording YouTube videos earlier this month, something on his uniform was especially noticeable: 16 gold bars on his sleeve, representing 32 years of service. According to APD's standard operating procedures listed on the city's website, those bars signify service to the Albuquerque Police Department. Eden has been with APD for one year. "There are people talking and the words that are thrown around now are 'fraud' and 'stolen valor,'" said David Gilmore, who retired as a captain after 25 years at APD. "It's not quite as bad as a guy wearing a military medal of honor, but he is wearing something he's not entitled to by the SOP and he needs to remove them." An APD spokesperson says the department changed the rules, but would not say when that happened or what the new policy is. On Friday, spokesperson Celina Espinoza said only, "The SOP has been changed." It has not been changed online. The SOP that's on the city's website is the Procedural Order 2-06-20 B: "Service bars may be worn on the long sleeve navy blue shirt to signify the number of years of service an officer has completed to the department." That rule is followed by 2-06-20 C: "Officers may not wear service bars ... for which they are not entitled or qualified." APD SOP Uniforms. When KRQE News 13 asked for a copy of the new policy, Espinoza replied, "You know how to file a public records request." KRQE News 13 sent two follow-up emails to Eden to ask him when the SOP was changed and what the new policy says. He did not respond. Gilmore was one of several dozen applicants for the chief's position. He says his displeasure about Eden's uniform isn't personal. "I think it's demoralizing for the younger officers and those who have been on for a long time to see someone come in and automatically claim service to the city of Albuquerque who hasn't earned it," he said. A review of Eden's resume shows he has 32 years of experience related to law enforcement. From 1975 to 1995, he worked for State Police, the Department of Public Safety, Northwestern University's Center for Public Safety and the New Mexico Attorney General's Office. From 2002 to 2010, he was a U.S. Marshal. He then spent three years as the DPS secretary before taking the job at APD in February last year. KRQE News 13 is still waiting to hear from Eden about when the policy was changed and what the new SOP says. Poll: 16 Gold bars representing 32 years of service. Should APD Chief Gorden Eden remove them from his uniform? -Yes, No, I am not sure

“APD police chief search was a joke”

Article rank 25 Feb 2014 Albuquerque Journal

IF I UNDERSTAND correctly, the city spent tens of thousands of dollars to hire a professional recruitment service to do a national search for a police chief.

Also as I understand it, there was a selection “committee” consisting of two people that ultimately did two whole interviews with Texas applicants. These interviews were done on Skype!?

Are you kidding me? This was for chief of police! Is this what tens of thousands of dollars buys? The minimum requirements were clearly spelled out in the advertisement for the job.

One explicitly stating that the applicant had to have at least 10 continuous years of law enforcement experience on a metropolitan department with at least three acting as a captain/commander or above.

Where does the newly appointed chief, Gorden Eden, have these minimum requirements? Being U.S. marshal is not the same. Being a past federal official does not mean he has answers to problems in our city. People need to understand that by hiring former feds we are not getting what’s best for our city.

I personally know of at least a handful of applicants who met and exceeded the minimum requirements and were never even offered an interview, in person or on Skype. Some of these applicants would have blown away Eden’s qualifications for this job.

If, as it appears to me, that this appointment was the result of severe political implications, the city of Albuquerque and the police department have been delivered a tragic injustice once again.

By not truly searching for the best person to lead a department that is undermanned, lacking morale, lacking proper training (due to another bad appointment), and under investigation by the Department of Justice, it shows that the administration is not looking at the best interests of the citizens of Albuquerque.

The city panicked when current Chief Allen Banks decided to leave earlier than anticipated. This is no excuse to not conduct a thorough search for a new chief.

That sound you hear is the shoveling of a deeper hole the city and police department are digging themselves in to.

VINCE SALAS

"TOTAL DISGUST' Chief promises swift investigation into alleged beating by APD officer

Albuquerque Police Chief Gorden Eden said Monday that he was disgusted by the allegations against an APD officer accused of beating and taunting an intoxicated man at a Central Avenue motel, promising a swift and thorough investigation. Officer Cedric Greer, 24, was charged with battery by State Police on Friday in connection with the March 20 incident in which he allegedly punched the man in the head and ribs, caused his head to slam against the pavement and wrenched his arm while asking him several times, "Who's the man?" The beating took place before another officer at the scene said he was going to turn on his lapel camera, according to the criminal complaint. "When people come into policing it's because of their heart ... It's the kind of heart where we want to help people," Eden said in an interview Monday. "As I read the reports and the interviews, the best way for me to describe my feelings was total disgust." The night of the incident, Greer, another officer and a police cadet were called to the Best Choice Motel on the 7600 block of Central Avenue on a report of a "down and out" subject, which commonly refers to a person who is too intoxicated to care for himself. Upon their arrival, police found Adrian Marthell, who was intoxicated and in possession of marijuana cigarettes, according to a criminal complaint. While Marthell was sitting on a curb outside the motel, Greer is accused of punching him in the head, causing his head to slam against the pavement. He also punched the man in the ribs, which caused bruising, the complaint says. During the attack, Greer allegedly pulled Marthell's arm toward his shoulder, causing pain. Greer asked Marthell, "Who's the man?" several times, until Marthell responded, "You are the man," in obvious pain, according to the complaint. Andrew Henry, an Albuquerque police cadet, reported the incident to a supervisor. State Police, who investigated the case, said Henry, officer Jerry Rauch and an eyewitness all said Marthell was cooperating with police at the time he was attacked, the complaint says. When police were arresting Marthell, Rauch said he was going "live," and he and Greer turned on their on-body cameras. Greer was polite to Marthell once the camera was recording, according to the complaint. Under APD's policy, officers are required to record most interactions with the public. Eden said in a statement issued Saturday that he found "items of grave concern" in Greer's actions. B.S. The chief said both officers have been on administrative leave since March 25, pending the internal affairs investigation. He said the investigation will examine both the excessive force allegations and possible lapel camera policy violations. Police said it's department policy not to discipline officers for misdemeanor (NOT A MISDEMEANOR) arrests until after an internal affairs investigation. Felony arrests can be grounds for immediate dismissal, police said. Greer began working for the department in November 2011 and was assigned to the Southeast Area Command. On Saturday, police said Greer had one sustained policy violation in his personnel file, which stemmed from a citizen complaint filed in August 2013 by a woman who didn't like the way he spoke to her 18-year-old daughter. The woman said her daughter was grabbed inappropriately by a man at an Albuquerque business. When Greer responded, he told the 18-year-old that her skirt was too short and that she had a bad attitude, according to the complaint. "I also have concerns that this officer responds to crimes committed against women," the complainant wrote. "At least my daughter deserves an apology from officer Greer. I would also ask that officer Greer perhaps get sensitivity training on women's issues." A criminal complaint filed in Metropolitan Court shows Greer facing a felony aggravated battery charge, but a spokeswoman for the Bernalillo County District Attorney's Office said he is charged with a misdemeanor. (AGAIN-THIS IS B.S.) "The District Attorney's Office has determined a clerical error resulted in officer Greer being arraigned on a felony charge, instead of a misdemeanor charge of aggravated battery," Kayla Anderson said. On Friday evening, Greer turned himself in to State Police headquarters and was booked into jail on \$5,000 bail. He was released later that night. Greer made his first appearance in Metropolitan Court on Sunday and remains free on bond.

Meet the Czar of APD Records, The Man Without a Boss

BY DAN VUKELICH



Apparently, there is a man at the Albuquerque Police Department, sitting alone at his desk, talking to no one else in his organization, denying public records requests from the public and news media.

Some of these denials are for records requested by investigative reporters. Some denials come in response to requests by lawyers, including lawyers for the ACLU. Others come in response to people with individual grievances against the police.

According to this man, these denials happen without consultation with his police superiors — lieutenants, commanders, deputy chiefs, assistant chief or the chief.

They also occur without his consulting with anyone over at City Hall, including the Mayor's office, the Chief Administrative Officer or even — except in rare instances — lawyers at the City Attorney's office.

In his time on the job, this man has handled 2,000 to 3,000 Inspection Public Records Act requests per year, he says.

His training for handling these requests, he says, was an intensive "one-on-one" with former City Clerk Amy Bailey on public records laws.

The training may have also included — although he's not sure — attending an IPRA training program. He says he is "vaguely" aware such training exists and "may" have actually attended such a session or something "related closely to it."

This man, who has been on the job for four years, has cost the city tens of thousands of dollars in legal settlements over those records denials.

And he gets to keep his job. Meet Reynaldo Chavez.

If Chavez's testimony in a deposition is to be believed, he is the sole arbiter, the judge, the decider, the Supreme Court, the czar, the Caesar, the King Louis XIV of what we are allowed to know about the operations of the Albuquerque Police

Chavez's deposition in late October came in a lawsuit filed last winter by this newspaper and independent journalist Peter St. Cyr. Before ABQ Free Press published its first issue, we sought an inventory of APD's military weapons and equipment. Chavez denied our IPRA request.

Nothing about the sensitivity of a records request by news media or the public influences his decision, he testified. Nor does the sensitive nature of any request compel him to seek counsel from his police superiors or others in City Hall or from city lawyers, he said.

That's Reynaldo Chavez's story about how he handles the six or seven requests he gets, on average, each day, every day of the week, 365 days a year.

So, he must be one of the most powerful people in city government.

We have yet to get the weapons inventory, even though we know it exists and even though we know it must be reported to the New Mexico Department of Public Safety and to the Department of Defense, whose weapons and equipment are on loan to APD.

In our case, Chavez decided that telling us

about the military weapons inventory would help terrorists. So, out came his big, red block-letter "DENIED" rubber stamp (I'm speaking rhetorically here).

We believe that when the weapons inventory is finally made public, it will show that APD has lost some of the DOD equipment — including, as we report in this issue, an M16 assault rifle.

Maybe Reynaldo Chavez's denials reflect the "old" APD and not the "new" APD that Mayor Richard Berry and Chief Gordon Eden say is committed to constitutional policing in this town.

Maybe he'll see the light and realize how much his big, red rubber stamp is costing APD in public trust and taxpayer dollars.

And maybe we'll get to see how APD has accounted for all the military weapons and equipment it has grown so fond of.

We doubt it.

Because while some things may be changing at APD, a lot is not at City Hall.

APD Records Stonewalling Costs ABQ Big Money

BY DAN VUKELICH



Before this newspaper published its first issue back in April, ABQ Free Press and Peter St. Cyr, an independent journalist who periodically writes for us, asked for

the Albuquerque Police Department's inventory of its military-style weapons.

When we were refused, we sued APD under the provisions of the New Mexico Inspection of Public Records Act. The case has been percolating along for months, but quite shortly, depositions will be taken — by both sides.

The public records law, commonly called IPRA, has protections built in to protect the public from unreasonable denial of public records. If found by a judge or jury to have wrongly withheld records, a governmental entity — like the City of Albuquerque and APD — can be liable for payment of the requesters' attorneys' fees, costs, and up to \$100 a day in damages.

Since we filed our case, KRQE Channel 13 filed a broader case. The TV station's suit alleges that APD has engaged in a pattern of wrongly withholding public records, including: lapel-camera video; records related to the James Boyd shooting; correspondence relating to the U.S. Department of Justice's probe of APD; records regarding APD shootings since 1994; APD's dealings with former APD Chief Ray Schultz and Taser; APD's 2013 review of its use-of-force policy; SWAT team reports of various incidents; surveillance video of the Mayor's Office during a protest and sit-in; crime-scene photos; dash-cam footage; and an inventory of APD weapons.

The TV station asked for more records than I can list here — but you get the idea.

In all cases, APD refused to release the requested information or was not fully responsive in what it did release. Some of the KRQE cases go back more than a year.

When totaled up, should the city be found in violation of the records act, APD — or, more properly, Albuquerque taxpayers — could be on the hook for well over \$100,000 for the KRQE case alone.

This pattern of refusal to release public records is being used against the public, as well as the news media. Reports of settlements and case dispositions that

Council shows the city paid more than \$48,000 in damages in three citizens' records cases between Oct. 1, 2013, and June 30, 2014.

Colin Hunter, an attorney with the Barnett Law Firm, who is representing this newspaper in its IPRA case against APD, said the denials are part of a legal strategy by APD and the city.

"They are making a PR and calculated risk assessment decision in denying these requests," Hunter said, "hoping that the requestors go away and that only one in 10 will actually sue."

Hunter said he believes the city will seek to dismiss the newspaper as a plaintiff and cut its exposure under the bad-faith portion of the IPRA statute, which calls for damages to be paid to all plaintiffs wrongfully denied records.

The records denials are the stick in APD's carrot-and-stick strategy in dealing with the news media — which is play ball with us and we'll spoon-feed you access, stories, video, mug shots and story leads; ask difficult questions and get the stick — no cooperation, no access and a big "no comment."

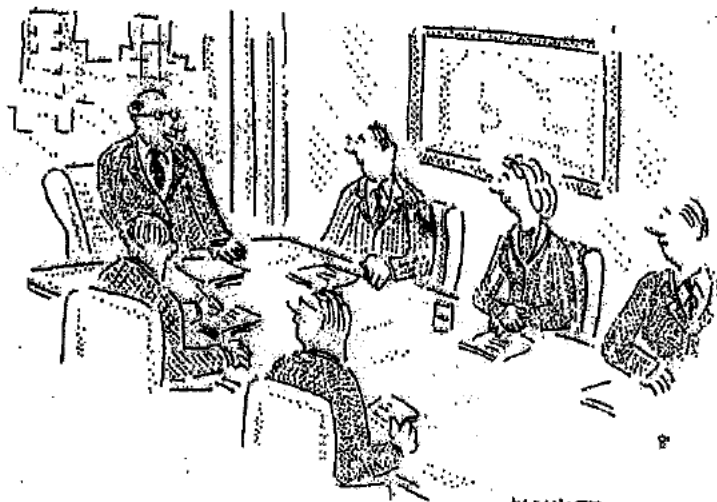
To be fair, other agencies do the same thing. The governor's people don't answer questions they don't like. Hall, they don't even return phone calls from media outlets they don't like.

But the APD records situation has become intolerable for a population that requires spin-free information to hold a troubled police department accountable. Case law is against APD and the citizens directing its policy. Taxpayers are paying the financial price, but eventually, someone's going to pay a political price.

This issue marks our sixth month of publication. Our readership is growing and, just as importantly, our advertising is picking up. People have told us they've been looking for another media voice in our community. We hope we're providing that voice.

We could use your help in identifying high-traffic business locations that would benefit both you and them if ABQ Free Press were allowed to place a wire rack inside or a weatherproof box outside their premises.

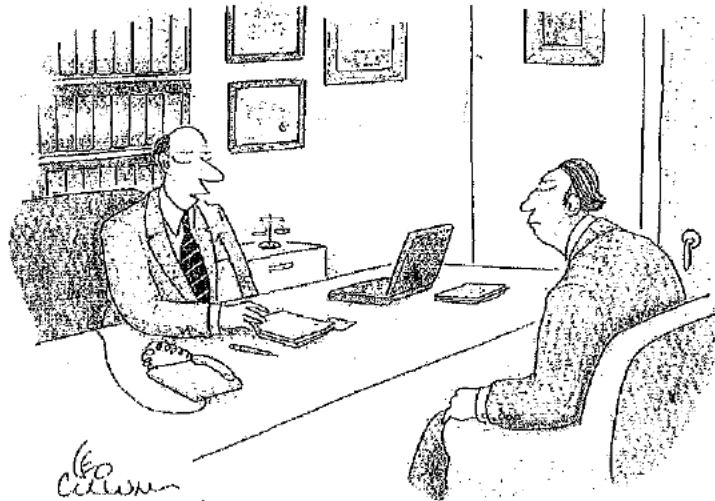
We'll gladly accept your suggestions. All you need to do is talk to the manager or owner and ask them if they'd be willing to let us to distribute there. Send us an email with the business name, address and the person you talked to and we'll get it done.



MANKOFF

*"Let's never forget that the public's desire for transparency
has to be balanced by our need for concealment."*

**Let's never forget that the public's desire for transparency
has to be balanced by our need for concealment**



Leo Cullum

"I find in these cases that the best defense is a pack of lies."

I find in these cases that the best defense is a pack of lies

- *Article rank*
- *12 Oct 2014*
- *Albuquerque Journal*
- *Mark Oswald*

A NEW MEXICO MESS:

Rodella, land grants and the feds

It's an only-in-New Mexico question: Is the prosecution and conviction of former Rio Arriba County Sheriff Tommy Rodella on civil rights charges part of the historic clash between landgrant heirs and the federal government?

Some version of an answer may result if Rodella's lawyers follow through with claims made in court documents that U.S. Attorney Damon Martinez went after Rodella in a "vendetta" over the ex-sheriff's refusal to deputize U.S. Forest Service officers to enforce state law.

Rodella's prosecution comes as land-granters and ranchers have been pushing back anew against the feds — specifically the Forest Service — in a fight over grazing, wood gathering and other activities on national forest lands that pretty much goes back to when New Mexico became U.S. territory in 1848.

The sheriff, in fact, had at one point during the months before his arrest threatened to arrest any Forest Service officer who illegally detained people on public roads outside national forest boundaries, according to an account by one of his supporters.

Earlier this year, there were public meetings and a petition effort by Rio Arriba County residents who maintained that Forest Service officers were unfairly and illegally stopping and harassing forest users with "Gestapo tactics."

Subsequently, in April, the public affairs officer for the U.S. Attorney's Office sent an email inviting the sheriff and other Rio Arriba County officials to a meeting "in an effort to facilitate a positive working relationship between County and Federal officials."

That meeting took place May 7 and apparently did not go swimmingly, judging from the "vendetta" charges that have since emerged.

Rodella's lawyer, in a court filing, maintains that, at the meeting, U.S. Attorney Martinez "personally threatened arrest and prosecution if Mr. Rodella did not comply with his demands to deputize federal law enforcement agents."

Jake Arnold, who served as public information officer for the Sheriff's Office under Rodella, described the alleged threat differently in a court affidavit. Arnold said Martinez threatened to prosecute Rodella if he "interfered with any USFS law enforcement officer carry(ing) out his/her supposed legitimate mission anywhere in Rio Arriba County."

That's different from pushing Rodella to deputize Forest Service officers, although the warring parties in this story also have vastly different ideas about the "legitimate mission" of the Forest Service's law enforcement wing.

In court, federal prosecutor Jeremy Peña has acknowledged that Martinez said in the meeting that interference with federal agents performing their duties could result in "arrest and prosecution." Peña called the get-together with the Rio Arriba officials a "normal meeting in which two agencies did not see eye to eye."

At issue in the dispute is whether Forest Service agents can, in fact, enforce state law, on or off Forest Service land, without deputization by a local sheriff, and whether the USFS agents have been making stops without reasonable suspicion. We'll leave the detailed arguments on those issues for another day.

In any case, less than a month after the May meeting, on June 4, FBI agents were searching Rodella's Española home, gathering evidence in the case that now has him behind bars awaiting sentencing on the day after Christmas.

A martyr?

No one is claiming that any of the Forest Service/ land grant controversies led Michael Tafoya, 26, of Española to call the FBI to pursue his complaints about how Rodella had chased him down, terrorized him and had him arrested one day in March. Or that the other three motorists who backed up Tafoya by testifying in federal court last month describing Rodella as an intimidating bully were part of some vast, federally inspired conspiracy that led to the sheriff's Sept. 26 conviction for violating Tafoya's civil rights.

Also, remember that the often controversial Rodella has now left public office under a cloud three times — once resigning an appointed magistrate judgeship under pressure over alleged improprieties, once booted off the bench by the state Supreme Court and told to never run for judicial office again, and now losing the sheriff's job (and getting jailed) due to a federal felony conviction.

But this time around, his supporters and others in northern New Mexico see him as something of a martyr for refusing to deputize Forest Service officers. "I'm starting to believe there's a pattern here," said David Sanchez of the Northern New Mexico Stockmen's Association. He said Rodella "stood with the people" against the Forest Service before his arrest.

Grazing, land grants

The story line from the Rodella side leading up to his arrest goes something like this:

In 2010, the Forest Service ordered cuts in the number of cattle allowed under grazing allotments in sections of the Carson National Forest, renewing a battle for what cattlemen contend is the area's historic Hispanic culture based on land grants from the Spanish and Mexican governments. Ranchers maintained the El Rito ranger who ordered the grazing reductions acted out of retaliation after they spoke out against previous efforts to curtail grazing.

In January 2012, ranchers and Rio Arriba County government filed suit over the grazing reductions and accused the Forest Service of trying to destroy traditional Hispanic communities.

About four months later, in May 2012, the El Rito ranger issued an order authorizing Forest Service officers to enforce New Mexico state motor vehicle laws.

Earlier this year, the El Rito Citizens Caucus, led by former County Commissioner Felipe Martinez, circulated a petition to federal Agriculture Secretary Tom Vilsack complaining about Forest Service officers harassing and "terrorizing" people and using "Gestapo intimidation tactics" on land grant heirs via arrests and issuance of federal citations for traffic or motor vehicle violations, particularly aimed at people hauling wood off the national forest. Rodella, Arnold and the sheriff's wife, state Rep. Debbie Rodella, met with a Forest Service captain at the Roundhouse. Arnold says two people described by phone how they were "verbally abused" and terrorized by Forest Service officers. (The Forest Service's law enforcement chief, by the way, denied this week that the agency is operating improperly, outside the law or with any kind of "agenda.")

PROOF - APD Covered Up Production of Videos of Shooting of James Boyd

On March 17th 2014 Albuquerque Police (APD) shot and killed a homeless and mentally ill man - whose only crime was a violation of a municipal ordinance against camping in an open space area in the Sandia foothills at the eastern edge of the city.

On March 17th, the day after the fatal shooting, KRQE made a public records request for the videos of that incident. On April 1st, APD unlawfully denied that request.

BUT ... Here is the REST of that Story.

To this day - not only have the Keith Sandy videos mysteriously disappeared - but when the APD finally produced videos claiming to be ALL the videos of the incident - many of the videos were missing INCLUDING almost all that actually show the SHOOTING - most NOTICEABLY - the very videos (from the other shooter - Dominique Perez) from which the now-famous shooting clip was taken and released by APD that week.

On April 2nd, one day after KRQE's request was unlawfully denied, an investigator with the APD interviewed Kevin Fuller, APD Video Unit Supervisor. According to the interview - included in this video - Fuller was instructed on FRIDAY March 21st - to obtain the videos and place them in a Drop Box account.

On Thursday, March 27th - he was instructed to coordinate with several other persons - and to look at all the videos, frame by frame, and identify those parts that the Chief might have an "interest" in BEFORE they were released to the media.

Although those videos have since been released (those that have) WITHOUT being identified by officer or time - Fuller and his team broke down each video by officer and began this work. He was, at this time, told to "take out" all videos in which the audio or video contained the actual shooting.

On Friday March 28th Fuller was instructed to place the videos on another hard drive and provide them to the FBI. BUT ... on Friday evening - Commander Montano on behalf of the Chief contacted Fuller and stated he had "concerns" allegedly about the Chain of Custody. He ordered Fuller to "cease and desist." He was later then told to give Montano the hard drive and to delete the videos from the drop box account.

It is unlawful for the APD to withhold, delay, or deny public records that have no exemption provided by law. The APD clearly DELAYED production in order to find those videos it might find embarrassing - or creating liability - with regard to the act of the shooting of Boyd. It then DENIED unlawfully the production of those videos.

Since then - it has produced videos it has CLAIMED were the complete set. BUT there are several known videos missing - not least being all the videos taken by the second shooter, Dominique Perez, from whose videos the famous clip released by APD initially came. Although several other officers' videos are MISSING from the set produced as well.

It is clear that the APD has and continues to knowingly and willfully withhold those videos. This interview contains proof, at minimum, that the APD had delayed production of the videos, contrary to the Public Records law, in order to try and identify those videos it considered problematic - this specifically was a reference to anything officers may have said to each other during the incident AND anything that revealed either audio or video of the actual shooting of Boyd.

Read more at http://www.liveleak.com/view?i=b19_1406012736#AwZiqcT7vXDsvvfx.99

jswilsonPOB@outlook.com

From: "Moirá Amado-McCoy" <amadamccoy.pob@gmail.com>
Date: Tuesday, April 28, 2015 3:26 PM
To: "Hammer, Robin" <rhammer@cabq.gov>
Cc: "Leonard Waites" <phamason.lw@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; "Cash, Paul" <pcash@cabq.gov>; "Contreras, Michelle" <mcontreras@cabq.gov>
Subject: Re: Citizen Police Complaint Subcommittee

Thanks, Robin.

We actually have this underway already, though. I'll send you a draft of the agenda once I have it put together, and you can then incorporate it into the standardized format.

Moirá

On Tue, Apr 28, 2015 at 2:55 PM, Hammer, Robin <rhammer@cabq.gov> wrote:

Police Complaint Subcommittee,

We have set a meeting of this Subcommittee for Thursday, May 7 at 9:30 am in the basement hearing room of Plaza del Sol, 600 2nd St NW, room 160. Because there is no Chair designated for this Subcommittee, please email me your items for the Agenda. I will draft a copy and then solicit response from the group.

Please let me know if you have any questions.

Thanks,

Robin

Robin S. Hammer, Esq.

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

M002709

(505) 924-3770

Fax: (505) 924-3775

<http://www.cabq.gov/cpoa>



jswilsonPOB@outlook.com

From: "Moirá Amado-McCoy" <amadamccoy.pob@gmail.com>
Date: Tuesday, April 28, 2015 5:12 PM
To: "Hammer, Robin" <rhammer@cabq.gov>; "Cash, Paul" <pcash@cabq.gov>;
 <christopherdavidson@cabq.gov>; <oneil@cabq.gov>; <dmcdermott@cabq.gov>;
 <pskotchdopole@cabq.gov>; "Contreras, Michelle" <mcontreras@cabq.gov>; "Moirá Amado-McCoy"
 <amadamccoy.pob@gmail.com>; <jvbaca.pob@gmail.com>; "Eric Cruz" <eric.huizar.cruz@gmail.com>;
 "Joanne Fine" <joannefine413@gmail.com>; <cabq.pob.mohr@gmail.com>; <dzt3@juno.com>; "Leonard
 Waites" <phamason.lw@gmail.com>; "Scott Wilson" <jswilsonpob@outlook.com>; <nbullock@cabq.gov>
Subject: Fwd: brief on meeting RE proposed resolution

Dear Robin,

I'm taking a moment to resend my email of Saturday 18 April, (below) as it seems there might be some confusion RE some of the consequences of my discovery that the POB--as a body--was misled about the status of our work last month. I've drawn your attention as boldly as I am able in email, short of dancing leprechauns, to the paragraphs most relevant to what seems yet another misunderstanding or purposeful disregard.

Without rehashing what I've already said, please understand that the first order of business for the Case Review Committee is specifically to define the most reliable way to assure that cases come to us in a manner both appropriate and timely, and to prevent any further obstruction. We will also take this time to identify the cases that will be brought before the Board in May.

It would be wildly inappropriate for you to try to take a lead in this process, Robin, as the source of our concern is the very fact that we are now forced to question the accuracy and sufficiency of the information you've presented to us as factual in the past. We can probably both agree that this is a horribly unfortunate situation, but I think that ignoring our intentions, backpedaling, and equivocating won't help the situation in any way. Please understand that when I said we would be "vigilant," I was not grandstanding.

Please reread the highlighted paragraphs, below, and assure, to the best of your ability that you and your staff are ready to answer any case related questions that we might have next week.

The direction you received from the Personnel subcommittee yesterday will provide a good direction for these efforts until Scott and I (with Leonard's oversight) are able to provide you with a draft of the agenda. Your input will be welcome at that time, but it would be most useful to have staff review this draft as well, as they are, naturally, the closest to the heartbeat in terms of individual cases.

Most sincerely,

Moirá

----- Forwarded message -----

From: Moirá Amado-McCoy <amadamccoy.pob@gmail.com>
Date: Sat, Apr 18, 2015 at 3:36 PM
Subject: brief on meeting RE proposed resolution
To: amadamccoy.pob@gmail.com, jvbaca.pob@gmail.com, eric.huizar.cruz@gmail.com,

joannefine413@gmail.com, cabq.pob.mohr@gmail.com, d3r3@juno.com, Leonard Waites
<phamason.lw@gmail.com>, jswilsonpob@outlook.com, nbullock@cabq.gov, julianmoya@cabq.gov,
"Cash, Paul" <pcash@cabq.gov>, christopherdavidson@cabq.gov, dmcdermott@cabq.gov,
eoneil@cabq.gov, pskotchdopole@cabq.gov, "Hammer, Robin" <rhammer@cabq.gov>,
mcontreras@cabq.gov

Dear POB Colleagues, CPOA staff members, and Ms. Hammer,

As directed by the full Board at our last meeting, I met with Councilors Winter and Garduno and their staff yesterday, RE the proposed resolution that was to come before City Council at their meeting this coming Monday.

I will provide a full report at our next Board meeting. The outcome of the yesterday's meeting, however, will affect our preparation for May's board meeting, so I need to pass along three critical issues today.

First, as I suspected, Councilors' intent in this proposed resolution was not to affect our mandated work. Case review should not have been removed from April's agenda, and they should not be removed from May's agenda.

There will be much discussion regarding this misunderstanding in the next couple of weeks, no doubt. With a backlog as long as my arm (okay, Leonard's arm) however, and only 12 meetings annually in which to accomplish our mandated functions, I believe this "misunderstanding" should have at least one immediate effect on our processes. We must be vigilant in assuring that we are provided information that will aid us in responsibly carrying out our decision making capacity. That is, we ourselves must be proactive about assuring the quality and fullness of the advice we are given.

We must take special precautions to assure that we are not misled about process with which we are not intimately familiar, but which nevertheless govern our responsibilities. A perceived lack of due diligence on our part--engendered, no question, by our faith that we were being provided with both accurate and sufficient information with which to make appropriate decisions regarding "approving" the agenda as substantially presented to us--is something we will need to be very careful about in the future.

The Complaint Review Committee, for instance, should probably meet before our next full board meeting, even though in April we were told we would not have to do so, "because the Board won't be able to hear any cases." That committee, then, would work closely with CPOA staff and Ms. Hammer to assure that the cases brought before the Board in May are appropriate and timely, that we begin receiving a much better understanding of the scope and priority of backlogged cases in general (as was particularly articulated by Mrs. Fine at April's meeting), and in the reasoning and processes behind the cases that reach us as an oversight board, specifically.

I would ask that both Ms. Hammer and Mr. Cash (as analyst) be available to appear for the benefit of the Complaint Review Committee in this regard.

In this way, the Complaint Review Committee will also help to assure that Mr. Waits and/or Ms. Mohr/Mr. Wilson have substantial information regarding case review, to assist them as they design May's agenda.

The second issue I need to share with you from our meeting yesterday is in regard to City Council's immediate intention with the proposal at issue. We have assurances that the proposed resolution will be deferred from Monday's meeting at least to May's meeting (4th). Unless directed otherwise, then, I will

NOT be attending this Monday's Council meeting. I have been assured that one of the first orders of business Monday night will be to defer discussion of the proposal at issue.

Third, I need to report to you that a meeting is being organized between Council members (as authors of the proposed resolution), the Federal Monitor (the apparent cause of the proposed action), and representatives of the POB (those to whom the consequences of the proposed action would fall). The purpose of the meeting will be at least partially to clarify the Board's position/s regarding the form, substance, and consequences of the proposed resolution as currently conceived. We don't have a date for this meeting yet, but we will be kept "in the loop" from here-on, I suspect.

In summary. The POB should continue with the work we were commissioned to do as a third-party, neutral, civilian oversight board, which we began during our first meeting in March and which was unnecessarily disrupted in April. City Council will defer consideration of the proposed resolution until the POB has had a formal opportunity to air their concerns and to provide critical information to those who would be in favor of once again moving the goalposts in terms of POB "training" and in fact, of altering the fundamental assumptions underlying Albuquerque's commitment to the robust "investigative/auditor" model of civilian police oversight the Council both intended and commissioned. The organization of a meeting for this purpose, among the three concerned parties, is currently being pursued by City Council staff.

With great regard,

Maira

jswilsonPOB@outlook.com

From: "Beth A. Mohr" <cabq.pob.mohr@gmail.com>
Date: Tuesday, April 28, 2015 11:03 PM
Subject: Non-POB business

Herr is the Carol Burnett character I was mentioning at the Academy the other day.

https://m.youtube.com/watch?v=3P2dbwrT_fQ

Beth A. Mohr
Acting Chair
Albuquerque Police Oversight Board

Never interrupt someone doing what you said couldn't be done. ~Amelia Earhart

Sent with haste from my "smart" phone.

Notice: This email may be subject to disclosure as public record. Please be thoughtful when forwarding or replying to this email.

jswilsonPOB@outlook.com

From: "Nancy Koenigsberg" <koenigsbergn@drnm.org>
Date: Wednesday, April 29, 2015 8:03 AM
To: "Beth Mohr" <cabq.pob.mohr@gmail.com>
Cc: <pob@cabq.gov>
Subject: RE: Re:

Beth:

It looks like I didn't see that ad in the bar bulletin! Regardless, I'd also like the POB to consider a contract specifically for the task of developing the by-laws which would be limited to that work as opposed to being general counsel for the agency.

Thank you for your consideration and the best of luck to the POB.

Nancy Koenigsberg, Legal Director
Disability Rights New Mexico
1720 Louisiana Blvd. NE, Suite 204
Albuquerque, NM 87110
Phone: (505) 256-3100 Fax: (505) 256-3184

nkoenigsberg@drnm.org

New Mexico's protection and advocacy system

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From: Beth Mohr [mailto:cabq.pob.mohr@gmail.com]
Sent: Monday, April 27, 2015 4:48 PM
To: Nancy Koenigsberg
Cc: pob@cabq.gov
Subject: Re:

Ms. Koenigsberg,

Thank-you for your email. I am acting Chair right now and am responding in that role. The POB has placed an advertisement in the NM Bar Bulletin, which went to all licensed NM attorneys on April 23, 2015, which reads as follows:

The Albuquerque Police Oversight Board is seeking a contract Independent Counsel to advise and represent the POB. Must be NM Bar member with experience in civil rights, police misconduct cases, criminal law, contract law, municipal regulations, Open Meetings Act/IPRA and union contracts. Contract thru June 30, 2015 with possible extension to June 2016. Submit letter of interest and CV by May 1st to Beth A. Mohr, POB Personnel Subcommittee Chair, at cabq.POB.Mohr@gmail.com.

If you know of anyone who might be interested in applying for the contract Independent Counsel position, please have them contact me as indicated above, by May 1, 2015.

M002715

Thank-you again, -Beth

Beth A. Mohr, Co-Vice Chair
Albuquerque Police Oversight Board

Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart

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On Mon, Apr 27, 2015 at 3:29 PM, Nancy Koenigsberg <koenigsbergn@drnm.org> wrote:
Ladies and Gentlemen of the Police Oversight Board:

Please see the attached letter regarding the POB's ability to secure independent legal counsel.
Thank you for your consideration.

Nancy Koenigsberg

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jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Wednesday, April 29, 2015 8:20 AM
To: "Beth Mohr" <cabq.pob.mohr@gmail.com>; "David Ring" <dzt3@juno.com>; "Eric H. Cruz" <eric.huizar.cruz@gmail.com>; "Hammer, Robin" <rhammer@cabq.gov>; "Jeannette V. Baca" <jvbaca.pob@gmail.com>; "Joanne Fine" <joannefine413@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; "Maira Amado-McCoy" <amadamccoy.pob@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; <susanne.brown37@gmail.com>
Cc: "Bullock, Nicholas" <nbullock@cabq.gov>
Subject: New Member Susanne Brown

POB Members:

Here is the contact information for our newest member,
Dr. Susanne Brown

[REDACTED]
[REDACTED]
[REDACTED]

I will send out an updated Contact document for your records later today.

Thanks,
Robin

Robin S. Hammer, Esq.

Acting Executive Director
Civilian Police Oversight Agency
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103
(505) 924-3770
Fax: (505) 924-3775
<http://www.cabq.gov/cpoa>

jswilsonPOB@outlook.com

From: "Beth Mohr" <cabq.pob.mohr@gmail.com>
Date: Wednesday, April 29, 2015 12:52 PM
To: <pob@cabq.gov>
Subject: Community Police Project

All: I thought you might be interested in the following study, the link takes you to a PDF of the complete study. -B

Commuity Police Project - Completed Research

Dr. Matthew J Stiehm

In an effort to validate community policing effectiveness and best practices, the authors conducted a scholarly research project, based in the city of Columbia Heights, MN, involving a series of surveys and examining the historical data from 2008 to 2014. This paper will include a review of relevant criminal justice literature, and is a case-study in nature, with qualitative and quantitative data to evaluate practices employed by the Columbia Heights Police Department since 2008. The research team crafted a series of Likert scale surveys for police department employees, city employees, and key stakeholders to determine if there was a verifiable statistical significance to the community policing initiatives that the Columbia Heights Police Department implemented, adopted and employed to reduce crime and improve community partnerships. The city has recorded a 50% reduction in crime across the board from six years ago (CHPD, 2014). The research question is: have the strategies that have been implemented since 2008 improved law enforcement effectiveness and reduced crime? This paper will also provide a series of recommendations and lessons learned for other agencies that may be considering a transition to community oriented policing.

<http://www.ci.columbia-heights.mn.us/DocumentCenter/View/1821>

[ci.columbia-heights.mn.us](http://www.ci.columbia-heights.mn.us)

Beth A. Mohr, Acting Chair
Albuquerque Police Oversight Board

Never interrupt someone doing something you said couldn't be done. ~ Amelia Earhart

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jswilsonPOB@outlook.com

From: "Silvio Dell'Angela" <Dellansi@comcast.net>
Date: Wednesday, April 29, 2015 1:16 PM
To: <jhernandez@cabq.gov>
Cc: "Steven Robert Allen" <sallen@aclu-nm.org>
Attach: 4-28-15EYE-BARS.doc; Scan_Doc0121.pdf; lupsidedownflag.doc
Subject: Your first test for us to see whether you are just like Perry and Tourek or instead will serve us? The jury is out

Jessica

Copy also to many not shown

References

My 4/28 e-mail to you, subject *"The jury still out on you Ms. Hernandez-see some homework for you below"*
Today's Berry Journal editorial, *' Know rules of seizure road before turning a key"*

You have been on the job for a week and apparently you still can't be trusted to talk to the media. This time it's whether the city should comply with the recently passed amendment to the State Forfeiture Act.

Instead your Mayor remains in hiding and your real boss Perry, his little mob Consigliere is trotted out to claim some non-existent ambiguity in the legislation and will ask your legal department to analyze it and determine whether APD should comply.

What is also outrageous in the editorial is Berry Journal Editorial Board/writers claiming that it apparently implies that you should allow APD to continue to do what it is doing because it is *"part of the millions of dollars the program brings in pays the salaries of attorneys and staff one might look at as a jobs program of sorts."*

So let's get this straight. You will be asked to analyze the current law for its applicability here knowing that it provides you money for continuing to not comply?

Are we fools? Will you be played for a fool by Berry and Perry-our own disgraceful Mutt and Jeff here.

See Scan 121. All that little thug Perry-one also for only the rich here shown with a top hat has to do is grow a mustache .

As ACLU's lead attorney Steven Robert Allen says that the intent of the Forfeiture Act change is clear-as likely you also know.

EXPOSING MORE PERRY AND EDEN LIES

At the last Council meeting, I called out both Berry and his little thug CAO Perry and APD Chief Eden for their B.S. and doubletalk (actually lying) to the Council when claiming the current toothless DOJ/City agreement justified not revealing to the public the beating of a citizen six weeks earlier on March 20 by thug cop Greer who like his complicit partner never recorded it.

The DOJ's disgraceful US attorney here Damon Martinez didn't have the guts to say publicly that both Eden and Perry had lied as there is nothing in the agreement justifying what they did.

Will the honest cadet who revealed the March 20 beating be honored by the city and Council as he should be?

Or will he instead be ignored and instead labeled a rat by APOA Union VP Willoughby as he/or an APOA Board member labeled cop Paul Heh for exposing the corruption by the former union president in Willoughby's 2013 memo to the rank and file?

MORE LIES

Eden and Perry also lied when claiming that the DOJ required that APD purchase of 350 AR-15 assault rifles for weapon standardization purposes. Another of Berry's mob Consiglieres-Cincinnati's (\$350/hour plus a lavish expense account) Scott Greenwood would also lie to the Council when claiming his new police oversight ordinance changes represented the desires of the DOJ..

This likely suggested by Eden practice of conveniently leaving their video and audio recorders off happens all of the time. We saw how Eden's killer cop Jeremy Dear and his equally disgraceful accomplice APD cop/Eden's PIO Tanner Tixier left their recorders off to hide the lies both had told. Another disgraceful Eden PIO Roseman tried to justify Dear's lack of a recordings with more lies.

Dear murdered the fleeing Mary Hawkes and afterwards Dear likely left this throw-down pistol next to Mary's dead body. The OMI report showing where the bullets entered her body also exposed Dear's and Tixier's lies.

EDEN'S LATEST INSULT TO ALL HONEST RETIRED AND ON-DUTY APD OFFICERS

My latest e-mail discussed KRQE's Tina Jensen's report of Eden's illegal placement of 16 bars on his uniform claiming 24 years of service in APD that it signifies. The posting also damns another disgraceful Eden PIO Celina Espinoza for her arrogance in Tina's demand to see the new SOP she claims justifies it. See the latest Eye on Albuquerque posting attached.

The disgraceful Eden who never even met the City's posted qualifications for the Chief's job and has proven this repeatedly since his hiring that he is incompetent should issue an apology and remove the bars. He insulted every good officer in APD.

Eden's Mayor and little Consigliere/CAO Perry didn't even trust Eden to be part of the reform negotiations with the DOJ. Instead brought in Schultz's Taser Inc buddies, the disgraceful former Cincinnati police chief Tom Streicher at \$350/hour along with an equally dishonest buddy attorney Scott Greenwood to do the same stonewalling of any real change to APD.

Streicher fought and nail when the DOJ investigators tried to impose real changes to Streicher's own dangerous police department. This is exactly who Berry wanted him to do the same here and he succeeded- thanks to buddy Scott Greenwood and DOJ's Damon Martinez.

JURY IS STILL OUT

The jury is still out on you Jessica. Will you show any integrity or be just another Perry and Tourek in order to keep your high paying job?

This is your first real test!

Regards

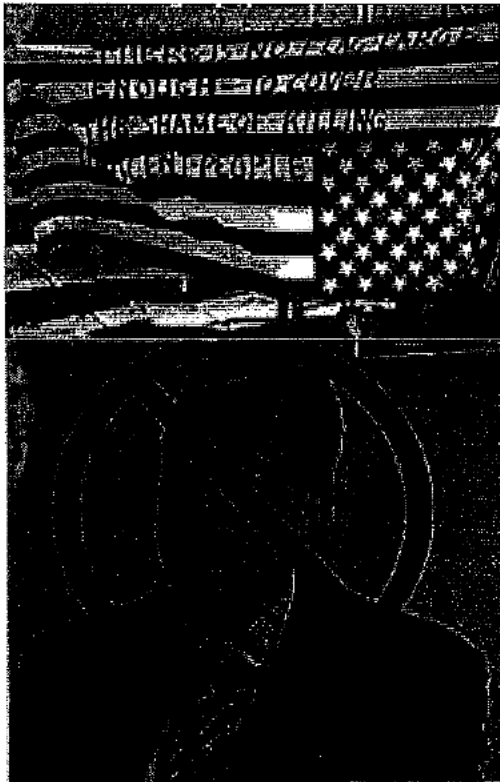
Silvio

For WE THE PEOPLE

P.S.

I have been banned from displaying the US flag upside down at Council meetings based on an asked for opinion by former Council President Sanchez of one of your corrupt staff attorneys who claimed it was just a banned banner-something it clearly is NOT. I served under this flag in the military for 22 years-one in Vietnam and it is a sign of distress here. DA Brandenburg said we are a city in crisis-the same thing

See the US flag Code attached. Will Council President Garduno have the courage to rescind that ban? Will you agree?



XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

This is right from the dictionary and seems to describe Albuquerque, Berry and Schultz. **Fascism** (fash ,izem) noun an authoritarian right wing system of government and/or social organization. (In general use) extreme right wing, authoritarian, chauvinistic and/or intolerant views or practices. Fascism tends to include a belief in the supremacy of one group over another, national, ethnic, especially social strata or monetarily; a contempt for democracy, an insistence on obedience to a powerful leader, and a strong demagogic approach. *Compliments of one of our Eyes*

Apr 28, 2015 EYE ON ALBUQUERQUE

Corruption starts at the TOP and Trickles Down

Recently KRQE 13 News reported on a blatant violation by Berry's selection for the APD Chief's position ([READ IT HERE](#)). According to 13 News Berry's Chief Gordon Eden is sporting service bars that represent 32 years of service with the Albuquerque Police Department. This is a violation of the APD policy. According to the story Eden was sporting 16 Gold Bars on his left sleeve which represents 32 years of service with the APD. We all know Eden should only be wearing a half of a bar which would represent his real time with APD; one year.

You will continue to hear it from the Eye On Albuquerque; corruption starts at the top and trickles its' way to the bottom. If Mayor Berry allows this type of disrespect and dishonor and Chief Eden is allowed to commit this type of disrespect and dishonor what is the message the lower rank and file are hearing?

The message is clear; I am better than you and I can do whatever I want without any consequences.

The example the old salts told us at coffee was; "This follows the same premise as why officers give citations for minor violations; it prevents or at a minimum deters the person from committing worse offenses." If this is true, this means Berry and Eden are or will be headed to commit worse violations. This also means the rest of the rank and file is learning from the Mayor and APD's Top Cop how bad behavior is accepted and rewarded. Berry is the boss and should initiate discipline immediately and set the correct tone. Gordon Eden should openly admit he was wrong, take his punishment, apologize and goes on about his business of being the Chief.

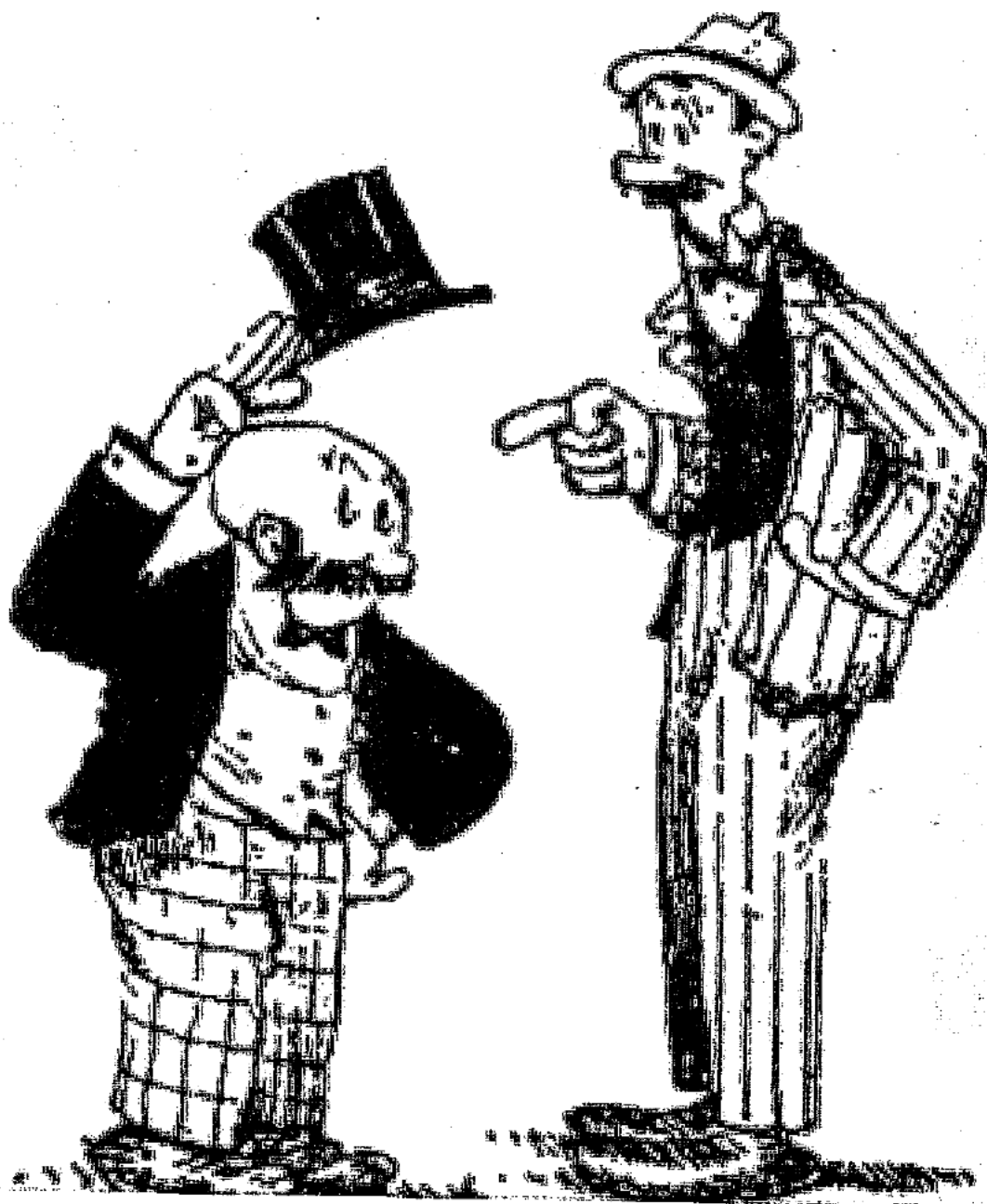
With Chief Eden at \$158,000.00 per year; the least he can do is follow a few simple rules and not make them up as he goes along...We feel obligated to mention the tacky cheap comment made to News 13 by APD's high dollar PIO. When asked for a current copy of APD's uniform policy, Espinosa replied, "You know how to file a public records request." That type of cheap and demeaning behavior may be acceptable in the "City Different" but it is considered unprofessional and trashy here in Burque.

Doesn't anyone have any morals anymore? Kudos to Captain Gilmore for standing up and saying what all the coppers told us they were feeling. We here at the Eye salute you Sir! Our Eyes tell us Captain Gilmore was a real cop and a real leader.

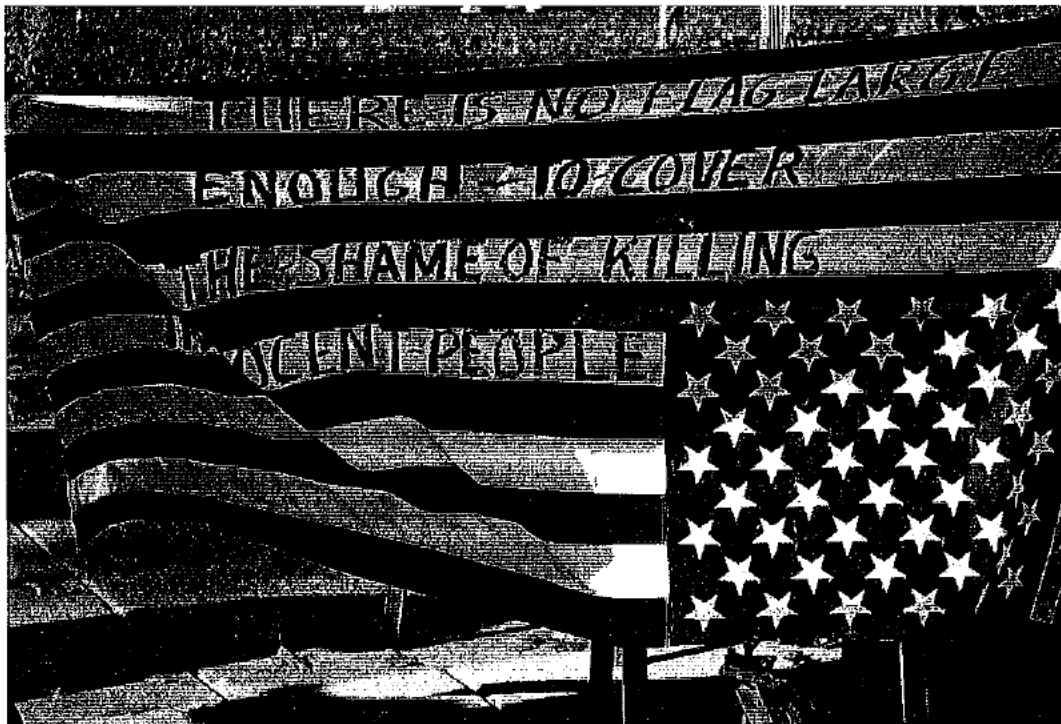
And then again; there are those who have an alter-ego, right Eden?

Posted by [Stealth](#) at 4/28/2015 09:52:00 PM 2 comments: [✉](#) [Links to this post](#)

Labels: [Berry](#), [Chief Gordon Eden](#)



OUR OWN MUTT AND JEFF-PERRY AND BERRY



Why is the US Flag displayed Upside Down?



The upside down U.S. flag is an official signal of distress. It is not meant to be, and is not officially recognized as any type of disrespect when so displayed for the right reasons. To the contrary, here is the relevant part of the US Code of Laws regarding how to fly the flag when in distress:

THE FLAG CODE

Title 36, U.S.C., Chapter 10

As amended by P.L. 344, 94th Congress

Approved July 7, 1976

§ 176. Respect for flag: No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor. (a) *The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.* Most individuals who have served in the military service of our nation will (or should) recognize this signal. As a result of the many traitors and enemies we as a free people have, both foreign and domestic, as a result of the many unconstitutional acts, legislation and atrocities passed and/or committed against US citizens and their life, liberty and property, and as a result of policies that have allowed (and continue to allow) enemies of this nation to enter in large numbers through a porous border policy, I believe the life, liberty and property of US Citizens are in dire danger and distress.

jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Wednesday, April 29, 2015 2:35 PM
To: "Beth Mohr" <cabq.pob.mohr@gmail.com>; "David Ring" <dzt3@juno.com>; "Eric H. Cruz" <eric.huizar.cruz@gmail.com>; "Hammer, Robin" <rhammer@cabq.gov>; "Jeannette V. Baca" <jvbaca.pob@gmail.com>; "Joanne Fine" <joannefine413@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; "Moirá Amado-McCoy" <amadamccoy.pob@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; <susanne.brown37@gmail.com>
Cc: "Yntema IV, Hessel E." <hyntema@cabq.gov>; "Bullock, Nicholas" <nbullock@cabq.gov>; "Locher, Eric J." <elocher@cabq.gov>; "DuBois, John E." <jdubois@cabq.gov>
Subject: Reminder of Open Meetings Act Training tonight from 5-7 pm

POB Members:

The Open Meetings Act Training put on by Foundation for Open Government will be held at Plaza del Sol, 600 2nd St NW, Basement Hearing Room, # 160 from 5-7 pm.

We will be videotaping the training. If you are not available attend the training, hopefully we will be able to provide a DVD of it.

Please let me know if you have any questions.

Thanks,
Robin

Robin S. Hammer, Esq.

Acting Executive Director
Civilian Police Oversight Agency
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103
(505) 924-3770
Fax: (505) 924-3775
<http://www.cabq.gov/cpoa>

jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Wednesday, April 29, 2015 2:59 PM
To: "Beth Mohr" <cabq.pob.mohr@gmail.com>; "David Ring" <dzt3@juno.com>; "Eric H. Cruz" <eric.huizar.cruz@gmail.com>; "Hammer, Robin" <rhammer@cabq.gov>; "Jeannette V. Baca" <jvbaca.pob@gmail.com>; "Joanne Fine" <joannefine413@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; "Maira Amado-McCoy" <amadomccoy.pob@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; <susanne.brown37@gmail.com>
Attach: POB Contact Info 4-29-15.doc
Subject: Updated Contact List sheet

Attached is the updated POB Members Contact List sheet with the addition of Dr. Susanne Brown.

Thanks,

Robin

Robin S. Hammer, Esq.

Acting Executive Director
Civilian Police Oversight Agency
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103
(505) 924-3770
Fax: (505) 924-3775
<http://www.cabq.gov/cpoa>

**Civilian Police Oversight Agency
POLICE OVERSIGHT BOARD
April 29, 2015**

Civilian Police Oversight Agency Administrative Staff: (505) 924-3770

Robin S. Hammer, Esq., Acting Executive Director and Lead Investigator

rhammer@cabq.gov

(505) 924-3774

City Cell: (505) 205-6169

Michelle Contreras, Senior Administrative Assistant

mcontreras@cabq.gov

(505) 924-3771

Paul Skotchdopole, Assistant Lead Investigator

Diane McDermott, Investigator

Christopher Davidson, Investigator

Erin O'Neil, Investigator

Paul Cash, Analyst

Physical Address:

Plaza del Sol Building

600 2nd Street NW, Suite 813

Albuquerque, NM 87102

Mailing Address:

CPOA

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

jswilsonPOB@outlook.com

From: "Silvio Dell'Angela" <Dellansi@comcast.net>
Date: Wednesday, April 29, 2015 8:34 PM
To: "Silvio Dell'Angela" <Dellansi@comcast.net>
Attach: IPRA requests-Banks.doc; APD-IPRAstonewalling.doc; AFP-APD'sChavez.pdf
Subject: Yes-we are a city in crisis and distress as my upside down US flag signifies. This investigation of the corrupt APD public records unit too little and too late-Chief Eden. Just more damage control?

TO: All-sent this Bcc

See the KOB report below and some latest examples of stonewalling of my NM IPRA requests by APD's records custodians attached.

Reynaldo Chavez and David Torres are assumed to be two of the three put on administrative leave.

The third should be Chief Eden himself who sanctioned this stonewalling that was also blessed by both Perry and Berry Deputy Chief Roseman was also quoted by Chavez as claiming that an earlier IPRA request reply to me could not be satisfied providing a bogus IPRA paragraph.

Sometimes they don't even respond to me even with the typical bogus excuses for not complying.

See my six first submitted to Chief Banks almost two years ago on July 27, 2013 and then repeatedly to Chief Eden and Chavez who ignored them.

One of the six on July 27, 2013 was to expose the fact that two APD cops murdered homeless Vincent Wood, an African-American fellow Vietnam vet in early July 2013 where videos were made.

Also see the attached two articles in the ABQ Free Press documenting the history of the disgraceful Reynaldo Chavez.

Joe Monahan hit the nail on the head.

Yet it's not surprising that this defiance of the IPRA was not even mentioned in the toothless DOJ/City APD reform agreement blessed irresponsibly by Judge Brack that also made the tax wasting \$4.5 million monitor James Ginger powerless. It's a complete waste of our tax dollars to hire Ginger.

Silvio

For WE THE PEOPLE

3 members of APD public records unit under investigation, placed on administrative leave

Updated: 04/29/2015 5:18 PM | Created: 04/29/2015 5:07 PM By: Blair Miller, KOB.com

Three members of the Albuquerque Police Department's public records unit have been placed on administrative leave while the department investigates allegations of "unprofessional conduct, workplace safety and inadequate supervision" the department says "have impacted the efficiency and effectiveness of the [Inspection of Public Records Act (IPRA)] Unit."

Javier Urban will be the acting Records Custodian for the department. There are seven members of the public records unit; the suspensions cut that number to four, according to APD.

The department says it will not release any more information at this time because the investigation is into personnel matters.

Joe Monahan: APD - cultural rot - not Baltimore, but rogue behavior continues

<http://www.joemonahansnewmexico.blogspot.com/>

Tuesday, April 28, 2015 We're Not Baltimore But APD Saga Goes On And On, Plus: The Pope's Pick For NM Readies An Agenda

Well, at least we're not Baltimore. Over there they're taking it to the streets in a most violent way over actions of their police department. Our city's protests last year over the APD killing of James Boyd had tense moments, but nothing like what's happening back East. Still, the APD saga goes on, with Chief Eden saying the most recent revelation over an officer's misconduct fills him with "total disgust." You might agree: *Police found Adrian Marthell, who was intoxicated and in possession of marijuana cigarettes, according to a criminal complaint. While Marthell was sitting on a curb outside the motel, (Officer) Greer is accused of punching him in the head causing his head to slam against the pavement. He also punched the man in the ribs, which caused bruising, according to the complaint . . . Greer allegedly pulled Marthell's arm toward his shoulder, causing pain. Greer asked Marthell "who's the man?" several times, until Marthell responded "You are the man," in obvious pain, according to the complaint.* That punk behavior--as in "who's the man"--reveals that the cultural rot at APD that brought the US Justice Department in here and which has given us--like Baltimore--the proverbial back eye--still spreads its putrid odor. And one senses that the community-at-large--not just those who have been in the vanguard of the protest movement--is tiring of it. The City Council finding some hind legs by delaying approval of a multi-million dollar contract for the federal monitor hired to oversee APD reform is one sign. All three TV stations being in battle mode with APD over accessing information is another. 2010 Republican gubernatorial candidate and veteran businessman Doug Turner told us a few months ago he was baffled as to why it is taking so long to set APD right given that it is a department with less than 900 officers. It's not as though we're dealing with LAPD here. Yes, any culture--large or small--takes time to change but it's not as if Mayor Richard Berry hasn't had over 5 years to get it right. He has and still the rogue behavior continues. A hopeful sign in this most recent case of abuse is that it was reported by an APD cadet. Maybe we should make that young man the new APD chief or even Mayor. It is his kind of courage and forthrightness that is needed to end our city's too long nightmare.

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]

Sent: Saturday, July 27, 2013 3:43 PM

To: 'abanks@cabq.gov'

Cc: 'cityclerk@cabq.gov'; 'lhoffman@cabq.gov'; 'kensanchez@cabq.gov'; 'ibenton@cabq.gov'; 'bwinter@cabq.gov'; 'reygarduno@cabq.gov'; 'dharris@cabq.gov'; 'rmeyers@cabq.gov'; 'winter@aps.edu'; 'Jarnold-jones@cabq.gov'; 'eromero@cabq.gov'; 'ddolan@cabq.gov'; 'jessicagonzaless@cabq.gov'; 'julianmoya@cabq.gov'; 'tduran@cabq.gov'; 'mhoranburg@cabq.gov'; 'lmason@cabq.gov'; 'ygallegos@cabq.gov'; 'azizachavez@cabq.gov'; 'trudyjones@cabq.gov'; 'danlewis@cabq.gov'; 'lewisforabq@gmail.com'; 'saramancini@cabq.gov'

Subject: NM IPRA Request Listing of Officers issued new audio/video recorders made by TASER and procurement documentation showing when received

TO: Interim (to be sworn in next week) APD Chief Banks

IAW the NM IPRA, request within the prescribed 15 days (August 12) the opportunity to review

- a. The listing of all APD officers issued the new audio/video recorders made by TASER including date issued.
- b. The procurement documents showing when received and total cost to taxpayer to include supporting software and other associated interface equipment
- c. The SOP(s) requiring their use

I await your prompt response

Regards,

Silvio Dell'Angela

Stop Police Atrocities NOW

P.S.

Councilors

Pass to your POC appointees as the recording capability of officers who are the subject of CPCs and shooting cases is relevant to evaluating the adequacy of IRO and APD conducted investigations and also in their decision process. These TASER Company made recordings currently never asked for during investigations considered by the POC.

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]

Sent: Saturday, July 27, 2013 3:41 PM

To: 'abanks@cabq.gov'

Cc: 'cityclerk@cabq.gov'; 'lhoffman@cabq.gov'; 'kensanchez@cabq.gov'; 'ibenton@cabq.gov'; 'bwinter@cabq.gov'; 'reygarduno@cabq.gov'; 'dharris@cabq.gov'; 'rmeyers@cabq.gov'; 'winter@aps.edu'; 'Jarnold-jones@cabq.gov'; 'eromero@cabq.gov'; 'ddolan@cabq.gov'; 'jessicagonzaless@cabq.gov';

'julianmoya@cabq.gov'; 'tduran@cabq.gov'; 'mhoranburg@cabq.gov'; 'lmason@cabq.gov';
'ygallegos@cabq.gov'; 'azizachavez@cabq.gov'; 'trudyjones@cabq.gov'; 'danlewis@cabq.gov';
'lewisforabq@gmail.com'; 'saramancini@cabq.gov'

Subject: NM IPRA request for updated lapel recorder information

TO: Interim (to be sworn in next week) APD Chief Banks

IAW the NM IPRA, request within the prescribed 15 days (August 12) the opportunity to review

- a. An updated listing of all APD officers issued the lapel audio-video recorder including date issued.
- b. The procurement documents showing when received and total cost to taxpayer to include supporting software and other associated interface equipment
- c. The SOP(s) requiring their use

I await your prompt response

Regards,

Silvio Dell'Angela

Stop Police Atrocities NOW

P.S.

Councilors

Pass to your POC appointees as the recording capability of officers who are the subject of CPCs and shooting cases is relevant to evaluating the adequacy of IRO and APD conducted investigations and also in their decision process.

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]

Sent: Saturday, July 27, 2013 3:38 PM

To: 'abanks@cabq.gov'

Cc: 'cityclerk@cabq.gov'; 'info@nmfog.org'; 'kensanchez@cabq.gov'; 'ibenton@cabq.gov';
'bwinter@cabq.gov'; 'reygarduno@cabq.gov'; 'dharris@cabq.gov'; 'rmeyers@cabq.gov'; 'winter@aps.edu';
'Jarnold-jones@cabq.gov'; 'eromero@cabq.gov'; 'ddolan@cabq.gov'; 'jessicagonzales@cabq.gov';
'julianmoya@cabq.gov'; 'tduran@cabq.gov'; 'mhoranburg@cabq.gov'; 'lmason@cabq.gov';
'ygallegos@cabq.gov'; 'azizachavez@cabq.gov'; 'trudyjones@cabq.gov'; 'danlewis@cabq.gov';
'lewisforabq@gmail.com'; 'saramancini@cabq.gov'; 'lhoffman@cabq.gov'

Subject: NM IPRA Request for Officers issued Tasers, procurement information and pertinent SOP(s)

TO: Interim (to be sworn in next week) APD Chief Banks

IAW the NM IPRA, request within the prescribed 15 days (August 12) the opportunity to review

- a. The listing of all APD officers issued Tasers including date issued.
- b. The procurement documents showing when received and total cost to taxpayer to include supporting software and other associated interface equipment
- c. The SOP(s) requiring their use

I await your prompt response

Regards,

Silvio

Stop Police Atrocities NOW

P.S.

Councillors

Pass to your POC appointees as this non-lethal Taser capability of officers who are the subject of CPCs and shooting cases is relevant to evaluating the adequacy of IRO and APD conducted investigations and also in their decision process.

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]

Sent: Saturday, July 27, 2013 3:35 PM

To: 'abanks@cabq.gov'

Cc: 'cityclerk@cabq.gov'; 'lhoffman@cabq.gov'; 'info@nmfog.org'; 'kensanchez@cabq.gov'; 'ibenton@cabq.gov'; 'bwinter@cabq.gov'; 'reygarduno@cabq.gov'; 'dharris@cabq.gov'; 'rmeyers@cabq.gov'; 'winter@aps.edu'; 'Jarnold-jones@cabq.gov'; 'eromero@cabq.gov'; 'ddolan@cabq.gov'; 'jessicagonzales@cabq.gov'; 'julianmoya@cabq.gov'; 'tduran@cabq.gov'; 'mhoranburg@cabq.gov'; 'lmason@cabq.gov'; 'ygallegos@cabq.gov'; 'azizachavez@cabq.gov'; 'trudyjones@cabq.gov'; 'danlewis@cabq.gov'; 'lewisforabq@gmail.com'; 'saramancini@cabq.gov'

Subject: NM IPRA Request for Video Crime Center and Radio equipment and related SOPs

TO: Interim (to be sworn in next week) APD Chief Banks

IAW the NM IPRA, request within the prescribed 15 days (August 12) the opportunity to review

- a. The SOP(s) requiring each APD area command to record all officer radio transmissions on their assigned nets.
- b. A listing of the officers issued these tactical radios and when issued
- c. The SOP governing the operation of the Video Crime Center (VCC) and SOP(s) providing guidance governing the deployment of the pole mounted deployable records

- d. The procurement documents showing the equipment associated with the Video Crime Center to include the deployable pole mounted camera system

I await your prompt response

Regards,

Silvio

Stop Police Atrocities NOW

P.S.

Councilors

Pass to your POC appointees as how and where deployment of the VCC's mobile camera systems as well as required recording of radio transmissions should be known by them in evaluating the adequacy of IRO and APD conducted investigations of CPCs and shooting cases and also relevant to their decision process. Currently they are not even mentioned during the investigations considered by the POC.

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]

Sent: Saturday, July 27, 2013 3:24 PM

To: 'abanks@cabq.gov'

Cc: 'cityclerk@cabq.gov'; 'lhoffman@cabq.gov'; 'kensanchez@cabq.gov'; 'ibenton@cabq.gov'; 'bwinter@cabq.gov'; 'danlewis@cabq.gov'; 'reygarduno@cabq.gov'; 'dharris@cabq.gov'; 'lewisforabq@gmail.com'; 'rmeyers@cabq.gov'; 'winter@aps.edu'; 'Jarnold-jones@cabq.gov'; 'eromero@cabq.gov'; 'ddolan@cabq.gov'; 'jessicagonzaless@cabq.gov'; 'saramancini@cabq.gov'; 'julianmoya@cabq.gov'; 'tduran@cabq.gov'; 'mhoranburg@cabq.gov'; 'lmason@cabq.gov'; 'ygallagos@cabq.gov'; 'azizachavez@cabq.gov'; 'trudyjones@cabq.gov'; 'info@nmfog.org'

Subject: NM IPRA request for information including SOPs related to helmet mounted recorders now in use by SWAT and other officers

TO: Interim (to be sworn in next week) APD Chief Banks

IAW the NM IPRA, request within the prescribed 15 days (August 12) the opportunity to review

- a. The listing of all APD officers issued the new helmet mounted audio/video recorders worn by SWAT and other officers including date issued.
- b. The procurement documents showing when received and total cost to taxpayer to include supporting software and other associated interface equipment

c. The SOP(s) requiring their use

I await your prompt response

Regards,

Silvio Dell'Angela

Stop Police Atrocities NOW

P.S.

Councillors

Pass to your POC appointees as recording capability of SWAT and other officers who are the subject of CPCs and shooting cases is relevant to evaluating the adequacy of IRO and APD conducted investigations and in their decision process. APD's helmet mounted recorders currently never mentioned in investigations considered by POC.

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]

Sent: Saturday, July 27, 2013 12:02 PM

To: 'abanks@cabq.gov'

Cc: 'community.albuquerque@usdoj.gov'; 'Chavez, Reynaldo L.'; 'cityclerk@cabq.gov'; 'info@nmfog.org'; 'kensanchez@cabq.gov'; 'ibenton@cabq.gov'; 'bwinter@cabq.gov'; 'danlewis@cabq.gov'; 'reygarduno@cabq.gov'; 'dharris@cabq.gov'; 'lewisforabq@gmail.com'; 'rmeyers@cabq.gov'; 'winter@aps.edu'; 'Jarnold-jones@cabq.gov'; 'eromero@cabq.gov'; 'ddolan@cabq.gov'; 'jessicagonzales@cabq.gov'; 'saramancinil@cabq.gov'; 'jullianmoya@cabq.gov'; 'tduran@cabq.gov'; 'mhoranburg@cabq.gov'; 'lmason@cabq.gov'; 'ygallegos@cabq.gov'; 'azizachavez@cabq.gov'; 'trudyjones@cabq.gov'; 'info@petedinelli.com'; 'The Eye on Albuquerque'; 'Joe Monahan'; 'dherrera@abqjournal.com'

Subject: NM Inspection of Public Records Act (IPRA) request-APD recordings of Vincent Wood killing

TO: Interim (to be sworn in next week) APD Chief Banks

IAW the NM IPRA, request within the prescribed 15 days (August 12) the opportunity to review the lapel audio/video recordings, belt audio recordings and recordings made at the APD Area Headquarters of the radio transmissions made by the two officers involved in the recent killing of Vincent Wood-a Vietnam veteran with PTSD.

Also please indicate when the TASERS were issued to each officer and confirm that each of the two had one prior to the killing.

I just want to see and hear the recordings of the events leading up to and the actual shooting that the media said were made no edited versions please and none that were made afterwards.

This is public information under the IPRA as you know. I am not interested in seeing the CAD or anything else.

M002735

Since you will be Chief next week within the required 15 day IPRA response time, this is being sent to you.

As you also know a lawsuit will be filed by the family against APD for what they feel is an unjustified killing. I am anxious to see whether this is true or not. Likely you know.

You are also aware that of the nine shots into Wood, some were into his back-unlike the version of the shooting Chief Schultz told the media during his press conference.

You also read today's Journal editorial that tells us some there are finally "getting it." See "9 shots puts judicious use of force in question" on Page A6 of July 27, 2013 issue of Albuquerque Journal

If you are indeed an "independent thinker" as some say you are, I'm sure you also "get it" and want both transparency and accountability in what your officers do-unlike Chief Schultz.

I assume this killing will also be considered by the POC in the near future.

Likely others as well as I wonder why the CPC against Officer Roberto wasn't sent to the POC before she was fired. I understand IRO investigator (former Belen police chief) Paul Scottdopole who has come under a lot of criticism for his APD-biased investigations had investigated this alleged charge against Officer Roberto. Is this seemingly premature firing of Roberto of any concern to you?

I await your prompt response

Regards,

Silvio

Stop Police Atrocities NOW
296 3241

P.S.

Councillors:

Pass copy to your POC appointees

From: Chavez, Reynaldo L. [mailto:chavezr@cabq.gov]
Sent: Monday, April 20, 2015 1:38 PM
To: Dellansi@comcast.net
Subject: NM Inspection of Public Records Act-IPRA Request and US Freedom of Information Act-FOIA requests-RE the alleged excessive force by two officers against a citizen on March 20

Dear Mr. Dell'Angela,

This email will acknowledge receipt of your public records request dated Saturday, April 18, 2015 and received by my office on Monday April 20, 2015. Please be advised we are reviewing your request to determine what public records are responsive and whether any exceptions to their production apply. We will continue our review and contact you prior to the expiration of fifteen (15) days from the receipt of your request.

Please note: providing a case number with your request will help expedite the retrieval and provision of the requested material.

Please do not hesitate to contact me if you have any questions or comments.

NOTE: Please be advised Mr. Torres is not a records custodian sir.

Kind regards,

Reynaldo L. Chavez
APD Records Custodian/IPRA Manager
Office: (505) 768-2007
Cell: (505) 235-2160
chavezr@cabq.gov

From: Silvio Dell'Angela [mailto:Dellansi@comcast.net]
Sent: Saturday, April 18, 2015 4:17 PM
To: Eden, Gorden
Cc: Chavez, Reynaldo L.; Torres, David L.; City Clerk Staff; Mayor Berry; info@nmfog.org; 'Peter Simonson'; info@nmfog.org; Damon.Martinez@usdoj.gov; Vanita.Gupta@usdoj.gov; tammy.peter@ic.fbi.gov; 'Hermilla, Nelson (CRT)'; Huntsman, Robert Y.; KBrandenburg@da2nd.state.nm.us; POB; Hammer, Robin; PMRinc@mac.com
Subject: NM Inspection of Public Records Act-IPRA Request and US Freedom of Information Act-FOIA requests-RE the alleged excessive force by two officers against a citizen on March 20

TO: Chief Eden and to your two records custodians Chavez and Torres shown

(Info to those shown and others not shown including the media.)

IAW the NM IPRA, request I be allowed to review all recordings made and other documentation that you have and also made available to the offices of the US Attorney and FBI regarding the alleged excessive force against an unnamed citizen that occurred over four weeks ago on March 20 as reported by an honest APD whistleblower and discussed in the Journal article shown below and in other news sources.

My April 16 e-mail to you, DOJ, FBI, Mayor Berry, City Councilors and to many others including the media also commented on the indefensible statements made by you and Mayor Berry to the April 17 article below that attempted to justify keeping this excessive force incident secret from the public, claiming that was done solely to protect the whistleblower. This whistleblower should be honored-not kept anonymous. All in APD already know just who this honest whistle blower is (one source said it was an APD cadet) so your excuse in the article below to have someone other than your Internal Affairs and the Police Oversight Agency investigate this egregious punishable act that was leaked to KOB is clearly indefensible.

As Chief it is also your responsibility (as is the Mayor's) to see any recordings made by the two officers and whistleblower as well as other documentation of the incident as have those in APD's Internal Affairs.

Please respond within the prescribed 15 days to include any reasons why no recordings exist or will not be provided.

I not only await your prompt reply to this request as well as replies to all of the other NM IPRA requests never complied with beginning with the six sent on July 27, 2013 that included the recordings of the killing in early July of homeless Vietnam vet with PTSD Vincent Wood. See attached six IPRA requests once again that apparently are too incriminating to comply with.

Thank you

Silvio Dell'Angela
For WE THE PEOPLE

TO the Offices of the US Attorney for NM and FBI

IAW the US Freedom of Information Act (FOIA) request you also allow me to review the recordings made and other materials turned over to you by APD regarding this egregious use of excessive force against a citizen on March 20.

Also indicate also cite any specific requirement in your recent APD reform agreement with the City that requires that you do such secret investigations of just those egregious

excessive force acts reported by whistleblowers. In reading the agreement, I note no such requirement justifying that either of your offices doing this investigation.

Citizens have noted that in the past APD also claimed that the DOJ required their purchase of 350 AR-15, something your office denied. Also that the mayor's hired negotiator Scott Greenwood would claim to the City Council that his changes to the new police oversight ordinance represented your DOJ specific changes-something your office also denied.

I think citizens expect you to put an end to this misrepresentation of their agreements with you on these and a variety of matters regarding APD and be a part of the solution rather than part of the problem with APD here.

I await your prompt reply as likely do the media reporters provided copies of this e-mail.

Thank you

Silvio Dell'Angela
For WE THE PEOPLE

Feds are investigating report of excessive force by APD"

By Ryan Boetel / Journal Staff Writer PUBLISHED: Wednesday, April 15, 2015 at 12:05 am

Albuquerque police Chief Gorden Eden said Tuesday that in order to protect the whistleblower who accused two Albuquerque police officers of using excessive force, the department has referred the investigation to outside law enforcement agencies. Eden said in an interview Tuesday that the two officers are on paid administrative leave after another employee reported to a supervisor seeing the officers use excessive force. He announced the investigation in a YouTube video posted Monday evening. "In the settlement agreement, it says the Albuquerque Police Department will do everything it can to prevent retaliation against people who report official misconduct," Eden told the Journal. "My duty as police chief is to protect the person who came forward with that information to make sure there is no retaliation." Police only have said the incident occurred March 20 and involved two Albuquerque police officers, whom the department hasn't named. Eden said another employee witnessed the incident. Eden said as soon as he learned of the investigation, he notified federal law enforcement agencies and asked them and New Mexico State Police to investigate. The U.S. Attorney's Office confirmed it is reviewing the incident. "In accordance with the Settlement Agreement between the United States and the City of Albuquerque, APD recently referred a matter involving allegations of excessive use of force by APD officers to the Department of Justice and U.S. Attorney's Office," a U.S. Attorney's Office spokeswoman said in a prepared statement. "The U.S. Attorney's Office confirms that, together with the FBI, it is reviewing this matter for potential criminal investigation." The settlement agreement was reached after the DOJ investigated the Albuquerque Police Department and found it had a practice of using excessive force. Eden said he made the

announcement on YouTube because there were rumors about the investigation circulating inside and outside the department. "There was misinformation going out," he said. "I felt it was important to get (some information) out there immediately." Eden said he used social media instead of discussing the case with local media or at a press conference because he wasn't going to answer any questions. It doesn't mean we're changing policy or procedures within the department," Eden said of the YouTube post. "All it means is that we are using social media as an avenue to provide information. After being briefed by police, Mayor Richard Berry said he was confident that Eden made the right decision with the YouTube post. "It's always a balance. We tried something new," Berry said. "Maybe there's some lessons there ... that we can do better next time."

From: Chavez, Reynaldo L. [mailto:chavezr@cabq.gov]

Sent: Wednesday, April 08, 2015 9:36 AM

To: Dellansi@comcast.net

Subject: Completed and Closed 4/8/2015 IPRA/CIT/DELL'ANGELA/Taxpayer cost to honor officer John Kelly and his autopsy report

Dear Mr. Dell'Angela,

This email will acknowledge completion of your public records request dated April 3, 2015 in which you requested the following:

1. IAW the NM IPRA, request you provide me with the cost to taxpayers including the sources of those funds to honor John Kelly over the past week.
2. Also provide a copy of his autopsy report showing Kelly's cause of death before he was cremated, something that would reveal whether he had a known heart condition that should have contributed to his sudden death since he was never under stress.

There is no responsive information available for Item #1.

As far as Item #2, you may wish to contact OMI.

Please do not hesitate to contact me if you have any questions or comments.

Kind regards,

Reynaldo L. Chavez
APD Records Custodian/IPRA Manager
Office: (505) 768-2007
Cell: (505) 235-2160
chavezr@cabq.gov

From: Silvio Dell'Angela <Dellansi@comcast.net>
Date: April 4, 2015 at 2:24:23 PM MDT
To: "Torres, David L." <dltorres@cabq.gov>
Cc: "Chavez, Reynaldo L." <chavezr@cabq.gov>, "Chief Gorden Eden, APD" <geden@cabq.gov>, <cityclerk@cabq.gov>, <info@nmfog.org>
Subject: RE: IPRA/CIT/DELL'ANGELA/Taxpayer cost to honor officer John Kelly and his autopsy report

You know I have no case number. You have it. Don't insult me with this B.S. reply.

From: Torres, David L. [<mailto:dltorres@cabq.gov>]
Sent: Friday, April 03, 2015 3:07 PM
To: Dellansi@comcast.net
Cc: Chavez, Reynaldo L.
Subject: IPRA/CIT/DELL'ANGELA/Taxpayer cost to honor officer John Kelly and his autopsy report

Mr. Dell'Agnela, (It's Dell'Angela or can't you read?)

This email will acknowledge receipt of your public records request ***dated April 3rd, 2015.*** Please be advised we are reviewing your request to determine what public records are responsive and whether any exceptions to their production apply. We will continue our review and contact you prior to the expiration of fifteen (15) days from the receipt of your request. Please do not hesitate to contact me if you have any questions or comments.

Please note: providing a case number with your request will help expedite the retrieval and provision of the requested material.

Please do not hesitate to contact me if you have any questions or comments.

Kind regards,

Office of the APD Records Custodian
Reynaldo Chavez
APD Records Custodian/IPRA Manager
400 Roma Avenue NW, Alb., NM 87102
Office (505) 768-2007
City Cell (505) 235-2160
FAX (505) 768-2540
chavezr@cabq.gov
rey_chavez@iCloud.com

Meet the Czar of APD Records, The Man Without a Boss

BY DAN VUKELICH



Apparently, there is a man at the Albuquerque Police Department, sitting alone at his desk, talking to no one else in his organization, denying public records requests

from the public and news media.

Some of these denials are for records requested by investigative reporters. Some denials come in response to requests by lawyers, including lawyers for the ACLU. Others come in response to people with individual grievances against the police.

According to this man, these denials happen without consultation with his police superiors — lieutenants, commanders, deputy chiefs, assistant chief or the chief.

They also occur without his consulting with anyone over at City Hall, including the Mayor's office, the Chief Administrative Officer or even — except in rare instances — lawyers at the City Attorney's office.

In his time on the job, this man has handled 2,000 to 3,000 Inspection Public Records Act requests per year, he says.

His training for handling these requests, he says, was an intensive "one-on-one" with former City Clerk Amy Bailey on public records laws.

The training may have also included — although he's not sure — attending an IPRA training program. He says he is "vaguely" aware such training exists and "may" have actually attended such a session or something "related closely to it."

This man, who has been on the job for four years, has cost the city tens of thousands of dollars in legal settlements over those records denials.

And he gets to keep his job.

Meet Reynaldo Chavez.

If Chavez's testimony in a deposition is to be believed, he is the sole arbiter, the judge, the doctor, the Supreme Court, the czar, the Caesar, the King Louis XIV of what we are allowed to know about

Chavez's deposition in late October came in a lawsuit filed last winter by this newspaper and independent journalist Peter St. Cyr. Before ABQ Free Press published its first issue, we sought an inventory of APD's military weapons and equipment. Chavez denied our IPRA request.

Nothing about the sensitivity of a records request by news media or the public influences his decision, he testified. Nor does the sensitive nature of any request compel him to seek counsel from his police superiors or others in City Hall or from city lawyers, he said.

That's Reynaldo Chavez's story about how he handles the six or seven requests he gets, on average, each day, every day of the week, 365 days a year.

So, he must be one of the most powerful people in city government.

We have yet to get the weapons inventory, even though we know it exists and even though we know it must be reported to the New Mexico Department of Public Safety and to the Department of Defense, whose weapons and equipment are on loan to APD.

In our case, Chavez decided that telling us

about the military weapons inventory would help terrorists. So, out came his big, red block-letter "DENIED" rubber stamp (I'm speaking rhetorically here).

We believe that when the weapons inventory is finally made public, it will show that APD has lost some of the DOD equipment — including, as we report in this issue, an M16 assault rifle.

Maybe Reynaldo Chavez's denials reflect the "old" APD and not the "new" APD that Mayor Richard Berry and Chief Gordon Eden say is committed to constitutional policing in this town.

Maybe he'll see the light and realize how much his big, red rubber stamp is costing APD in public trust and taxpayer dollars.

And maybe we'll get to see how APD has accounted for all the military weapons and equipment it has grown so fond of.

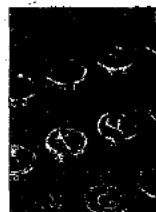
We doubt it.

Because while some things may be changing at APD, a lot is not at City Hall.

Dan Vukelich is the ABQ Free Press' s APD expert.

APD Records Stonewalling Costs ABQ Big Money

BY DAN VUKELICH



Before this newspaper published its first issue back in April, ABQ Free Press and Peter St. Cyr, an independent journalist who periodically writes for us, asked for

the Albuquerque Police Department's inventory of its military-style weapons.

When we were refused, we sued APD under the provisions of the New Mexico Inspection of Public Records Act. The case has been percolating along for months, but quite shortly, depositions will be taken — by both sides.

The public records law, commonly called IPRA, has protections built in to protect the public from unreasonable denial of public records. If found by a judge or jury to have wrongly withheld records, a governmental entity — like the City of Albuquerque and APD — can be liable for payment of the requesters' attorneys' fees, costs, and up to \$100 a day in damages.

Since we filed our case, KRQE Channel 13 filed a broader case. The TV station's suit alleges that APD has engaged in a pattern of wrongly withholding public records, including: lapel-camera video; records related to the James Boyd shooting; correspondence relating to the U.S. Department of Justice's probe of APD; records regarding APD shootings since 1994; APD's dealings with former APD Chief Ray Schultz and Taser; APD's 2013 review of its use-of-force policy; SWAT team reports of various incidents; surveillance video of the Mayor's Office during a protest and sit-in; crime-scene photos; dash-cam footage; and an inventory of APD weapons.

The TV station asked for more records than I can list here — but you get the idea.

In all cases, APD refused to release the requested information or was not fully responsive in what it did release. Some of the KRQE cases go back more than a year.

When totaled up, should the city be found in violation of the records act, APD — or, more properly, Albuquerque taxpayers — could be on the hook for well over \$100,000 for the KRQE case alone.

This pattern of refusal to release public records is being used against the public, as well as the news media. Reports of settlements and case dispositions that

Council shows the city paid more than \$49,000 in damages in three citizens' records cases between Oct. 1, 2013, and June 30, 2014.

Colin Hunter, an attorney with the Barnett Law Firm, who is representing this newspaper in its IPRA case against APD, said the denials are part of a legal strategy by APD and the city.

"They are making a PR and calculated risk assessment decision in denying these requests," Hunter said, "hoping that the requestors go away and that only one in 10 will actually sue."

Hunter said he believes the city will seek to dismiss the newspaper as a plaintiff and cut its exposure under the bad-faith portion of the IPRA statute, which calls for damages to be paid to all plaintiffs wrongfully denied records.

The records denials are a stick in APD's carrot-and-stick strategy in dealing with the news media — which is play ball with us and we'll spoon-feed you access, stories, video, mug shots and story leads; ask difficult questions and get the stick — no cooperation, no access and a big "no comment."

To be fair, other agencies do the same thing. The governor's people don't answer questions they don't like. Hell, they don't even return phone calls from media outlets they don't like.

But the APD records situation has become intolerable for a population that requires spin-free information to hold a troubled police department accountable. Case law is against APD and the civilians directing its policy. Taxpayers are paying the financial price, but eventually, someone's going to pay a political price.

This issue marks our sixth month of publication. Our readership is growing and, just as importantly, our advertising is picking up. People have told us they've been looking for another media voice in our community. We hope we're providing that voice.

We could use your help in identifying high-traffic business locations that would benefit both you and them if ABQ Free Press were allowed to place a wire rack inside or a weatherproof box outside their premises.

We'll gladly accept your suggestions. All you need to do is talk to the manager or owner and ask them if they'd be willing to let us to distribute there. Send us an e-mail with the business name, address and the person you talked to and we'll get it done.

jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Thursday, April 30, 2015 8:51 AM
To: "Beth Mohr" <cabq.pob.mohr@gmail.com>; "David Ring" <dzt3@juno.com>; "Eric H. Cruz" <eric.huizar.cruz@gmail.com>; "Hammer, Robin" <rhammer@cabq.gov>; "Jeannette V. Baca" <jvbaca.pob@gmail.com>; "Joanne Fine" <joannefine413@gmail.com>; "Leonard Waites" <phamason.lw@gmail.com>; "Moirra Amado-McCoy" <amadomeccoy.pob@gmail.com>; "Scott S. Wilson" <jswilsonpob@outlook.com>; <susanne.brown37@gmail.com>
Attach: albuquerque civilian oversight commission with logo.pptx
Subject: FW: Here is the presentation

POB Members:

Attached is the PowerPoint presentation from last night's Open Meetings Act training. We videotaped the training. We also made a separate audio-only recording. Once I have copies of the video and audio-only recordings available, I will let you know.

Thanks,
Robin

Robin S. Hammer, Esq.

Acting Executive Director
Civilian Police Oversight Agency
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103
(505) 924-3774
Fax: (505) 924-3775
<http://www.cabq.gov/cpoa>

From: Susan Boe [mailto:director@nmfog.org]
Sent: Wednesday, April 29, 2015 8:47 PM
To: Hammer, Robin
Subject: Here is the presentation

Robin,

Thank you for inviting me to speak to the Civilian Oversight Group this evening. I felt they are committed to doing the right thing.

Here is my presentation.

Never hesitate to contact me or FOG about issues.

Best,

Susan

Susan Boe
Executive Director
New Mexico Foundation for Open Government
115 Gold Ave. SW
Albuquerque, NM 87102
www.nmfog.org
(505) 764-3750
(888) 843-9121 toll-free



jswilsonPOB@outlook.com

From: "Beth A. Mohr" <cabq.pob.mohr@gmail.com>
Date: Thursday, April 30, 2015 6:09 PM
To: "Leonard Waites" <phamason.lw@gmail.com>; "Moira Amado-McCoy" <amadamccoy.pob@gmail.com>;
 "Jeffrey Scott Wilson" <jswilsonpob@outlook.com>
Attach: CPOA INITIAL OFFICE PROCESS OVERVIEW (PMC).docx; CPOA PROCESS OVERVIEW.docx
Subject: Fwd: Flow Charts

All: These are Robin's "flow charts" of the CPC process. Generally flow charts have a beginning and an end, along with timeline and due dates, not to mention areas of responsibility. The personnel subcommittee asked her for a swim lane flow chart. Just Google it if you aren't familiar. Thanks, -B

Beth A. Mohr
 Acting Chair
 Albuquerque Police Oversight Board

Never interrupt someone doing what you said couldn't be done. ~Amelia Earhart

Sent with haste from my "smart" phone.

Notice: This email may be subject to disclosure as public record. Please be thoughtful when forwarding or replying to this email.

----- Original Message -----

Subject: Flow Charts

From: "Hammer, Robin" <rhammer@cabq.gov>

To: Beth Mohr <cabq.pob.mohr@gmail.com>, David Ring <dzt3@juno.com>, "Eric H. Cruz" <eric.huizar.cruz@gmail.com>, "Hammer, Robin" <rhammer@cabq.gov>, "Jeannette V. Baca" <jvbaca.pob@gmail.com>, Joanne Fine <joannefine413@gmail.com>, Leonard Waites <phamason.lw@gmail.com>, Moira Amado-McCoy <amadamccoy.pob@gmail.com>, "Scott S. Wilson" <jswilsonpob@outlook.com>

CC: "Bullock, Nicholas" <nbullock@cabq.gov>, "Cash, Paul" <pcash@cabq.gov>, "Contreras, Michelle" <mcontreras@cabq.gov>, "Davidson, Christopher" <christopherdavidson@cabq.gov>, "McDermott, Diane L." <dmcdermott@cabq.gov>, "O'Neil, Erin" <eoneil@cabq.gov>, "Skotchdopole, Paul A." <pskotchdopole@cabq.gov>, "Davila, Natalee Z" <ndavila@cabq.gov>, "Funes, Ana R." <afunes@cabq.gov>, "Gonzalez, Arturo E." <aegonzalez@cabq.gov>, "Medrano, Michael V." <mmedrano@cabq.gov>

POB Members:

Attached are two flow chart. One reflects the initial review of Citizen Police Complaint (CPC) Cases through the CPOA Administrative Office. The second is a flow chart which you received at your February training which explains an overview of the CPOA process for Citizen Police Complaint Cases.

Please let me know if you have any questions.

M002746

Thanks,

Robin

Robin S. Hammer, Esq.

Acting Executive Director

Civilian Police Oversight Agency

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87103

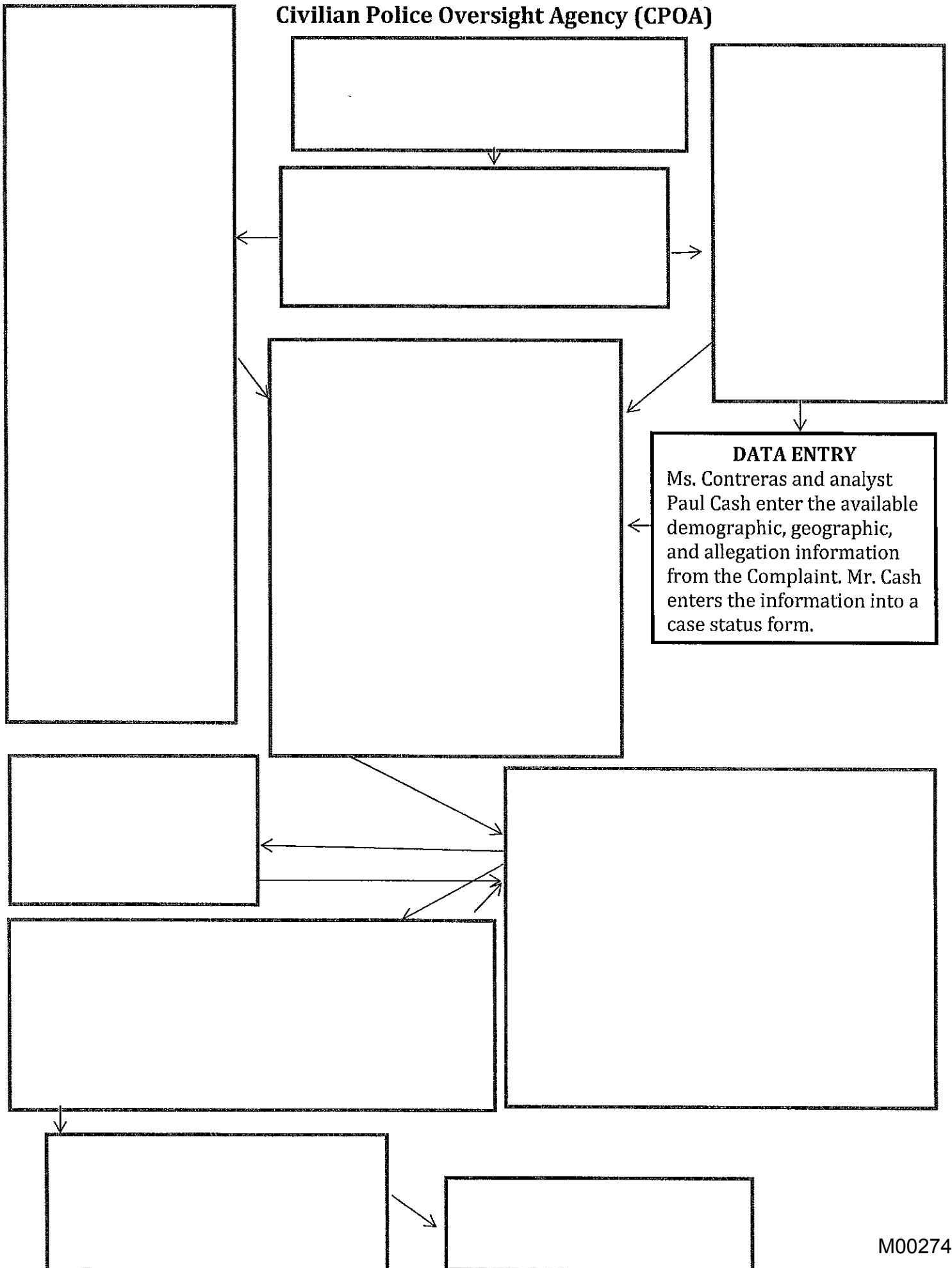
(505) 924-3770

Fax: (505) 924-3775

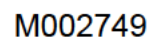
<http://www.cabq.gov/cpoa>

OVERVIEW OF THE INITIAL OFFICE COMPLAINT PROCESS

Civilian Police Oversight Agency (CPOA)



Civilian Police Oversight Agency (CPOA)



jswilsonPOB@outlook.com

From: "Hammer, Robin" <rhammer@cabq.gov>
Date: Thursday, April 30, 2015 10:14 PM
To: "Scott S. Wilson" <jswilsonpob@outlook.com>
Subject: Re: Coffee

What about Monday? I would like to touch base before the Case Review meeting. We could chat on the phone, if nothing else.

Thanks for getting back to me.

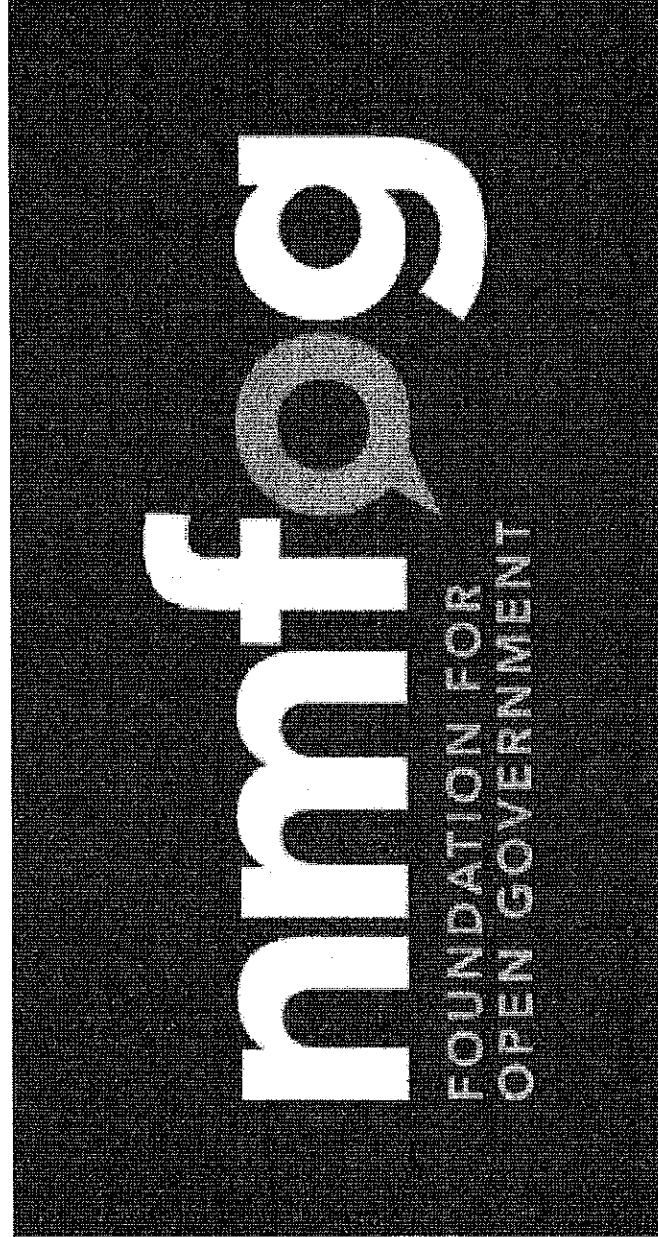
Regards,
Robin

Robin S. Hammer, Esq.
Acting Executive Director
Civilian Police Oversight Agency

Sent from my iPhone

> On Apr 30, 2015, at 7:35 PM, Scott Wilson <jswilsonpob@outlook.com> wrote:
>
> Robin, I have to cover my boss's calendar tomorrow while she is out of the office.
> Maybe another time.
>
> Scott

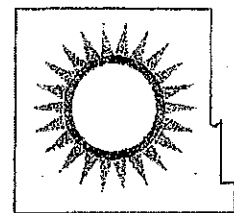
Albuquerque Civilian Police Oversight Agency



First Amendment

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

**NO SECRET
MEETINGS.
NO SECRET
VOTES.**



What is a public body?

- Board, commission, administrative adjudicatory body or other policy making body of any state agency, any agency or authority of any county, municipality, district or any county, municipality, district or any political subdivision held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action....

Why have open meetings?

- Formation of public policy needs to be done in the sunshine—meetings behind doors breed mistrust.
- A representative government is dependent upon an informed electorate so the public policy of the state is that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them.

Is it a Meeting?

YES, if a quorum is...

Formulating
policy

Discussing
public
business

Taking
action

Public notice

- Public bodies **MUST** provide notice to newspapers of general circulation that request notice in writing
- Every public body adopts an **Open Meetings Resolution** every year.
- Tells you how, when, where they will post meeting notices

Public notice

- How soon must notice be given?
- Where should notices be posted?
- What about special meetings?
- What is an emergency meeting? (Unforeseen circumstances if not addressed immediately by the public body will likely result in injury or damage to persons or property or substantial financial loss to the public body.)

The agenda

- Final agenda must be available 72 hours in advance. FOG was instrumental in extending that deadline
- Public body shall take action only on those items appearing on the final agenda
- Discussion items may be added during the meeting, provided the discussion is somewhat limited.
- Reasonable specificity

Closing a meeting

- ✿ aka “Executive Session”
- ✿ Most common: limited personnel matters, pending or threatened litigation if subject to the attorney-client privilege, collective bargaining, property purchase/sale
- ✿ Procedure
 1. Take a roll-call vote to close the meeting
 2. State authority for closure AND subject(s) of discussion
 3. Afterward, state for the minutes that only the specified subjects were discussed

Public Forums

- The public has a right to attend and listen
- No right to speak at a meeting
- Most public bodies provide a public comment period
- Can be at any point in meeting
- Once create a limited public forum, First Amendment principles apply
- Reasonable time, place, manner limits

Beware of closed meetings pitfalls

- Discussing topics other than the stated reason for closing the meeting, even if such matters can be discussed in a closed meeting.
- Not taking final action in the public meeting.
- Failing to post notice and an agenda for a closed meeting.

DEALING WITH VIOLATIONS

- ❁ If you see a violation:
 - ❁ Ask for permission to speak
 - ❁ Notify the chair that the body's actions are in violation of the Open Meetings Act; explain why
 - ❁ Notify the chair that any action taken in an illegal meeting is invalid
 - ❁ Notify the chair that if he/she proceeds, you will lodge a complaint

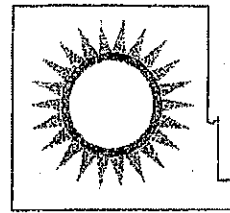
DEALING WITH VIOLATIONS, Step 2

- Send written notice to the public body
- Wait 15 days
- If body does nothing or denies claim, notify the AG and local DA
- Call the Foundation for Open Government @ 764-3750.
- There are misdemeanor criminal penalties as well as fines but rarely imposed.
- In some states grand juries are convened to indict for open meetings violations.

What ifs.....

- Texting other members during the meeting?
- Sidebar conversations
- Social gatherings? Workshops?
- Phone calls or emails to one another when not meeting?
- Meetings of a subcommittee of commission?

The Public has the
right to see public
records.



What's a record?

- ✘ Documents, letters, books, maps, tapes, photographs, recordings and other materials regardless of physical form or characteristics
- ✘ E-mail, metadata, text messages
- ✘ Anything used, created, received, maintained or held by or on behalf of any public body and relating to public business

EXAMPLES OF PUBLIC RECORDS

- Job applications
- Police reports
- Payroll documents
- Contracts
- Invoices and payments
- Correspondence
- Personnel action forms
- Meeting minutes
- Board policies
- Lawsuits & settlements
- Building inspections
- Tort claims
- Travel records
- Corporate reports (PRC)

Issues

- Job applicants
- Database of students with emails
- Police reports
- Video lapels of police officers
- Fired superintendent

HOW TO ASK

- ✿ Every public body must have a records custodian
- ✿ Send a letter or e-mail to preserve your rights
- ✿ Ask “to inspect”
- ✿ Include your name, address and phone number
- ✿ Identify the records you want with “reasonable particularity”
- ✿ You don’t have to say why you want the records

THE DEADLINES

- **Immediately**
 - Provide records if practicable
- **3 business days**
 - Explain when records will be available OR
 - Explain when agency will respond
- **15 calendar days**
 - Provide records OR
 - Issue written denial
 - Notify requestor that request is broad or burdensome

Questions?

New Mexico Foundation for Open Government

www.nmfog.org

(505) 764-3750

(888) 843-9121

info@nmfog.org