



ABQ Blues

Crime and Policing in Albuquerque, NM

By Joe Abbin

2022 Update

What others are saying about this book.

“Anyone interested in our city’s crime and the Albuquerque Police Department must put this book on their to-do reading list. The author gives you insight into the operation of the APD. He shows very graphically that when incarceration goes down, crime goes up. He also touches on the other partners involved in this process, the District Attorney, the Courts, and the Corrections Department.”

E.S. former Albuquerque and federal law enforcement officer

“I found *ABQ Blues* to be highly informative and thought provoking. The author combines his engineering data analysis and problem solving skills with his long term law enforcement experience to provide an insightful guide to fighting crime in Albuquerque. Everybody interested in a safer, higher quality life in our community should read this book.”

W.R. former prosecutor and Chief Justice, NM Supreme Court

“If you want an inside look at what goes on in a police department where police are restrained from enforcing the law, this book will educate and inform you with the truth without all the media bias. The author is one of the most educated, logical, scientific police officers I have ever met. He served as an unpaid volunteer on the Albuquerque Police Department. If all police officers had Joe’s work ethic and genuine care for reducing crime, Albuquerque would not be near the top of the crime list, as it has been for my entire 60 year life here.”

J.M. former defense attorney

“Joe Abbin's recent book (*ABQ Blues*) is probably the best product produced by the Community Policing Councils since their inception in 2014. With his 30 years of experience in Sandia management and 35 years at the bottom of the Albuquerque Police Department (APD reserves), Joe’s book represents the best objective analysis available. The book is a superb example on how to reduce crime in Albuquerque.

R. K. 2018 Chairman, Foothills Community Policing Council

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by

Joseph P. Abbin



ABQ Law Enforcement Associates
Albuquerque, New Mexico

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Layout, design, and editing by Kathleen McCaughey.

Special thanks to editor Kathleen McCaughey. Thanks also to my many brothers and sisters in law enforcement who courageously step up and enforce the law with fairness, respect, and compassion every day.

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Preface

What happens when police are instructed not to arrest or pursue, the District Attorney announces he does not have the resources to prosecute most property crimes (80+% of all Albuquerque crimes), and the judges dismiss over 50% of the cases and release many career criminals with no or low bonds? In addition, the city and county decide to save money by releasing over half of the prisoners in the Metropolitan Detention Center. Local law enforcement does not cooperate fully with federal law enforcement, and criminals who should not be here, are left with instructions to “self deport.” Then in a controversial action, our city enters into an agreement with the Department of Justice that addresses an alleged excessive use of force policing while failing to address public safety. A rational person might predict a city ranked in the US top ten of every major crime category in 2022. That person would be right.

The answer to this situation has been uncovered previously in many cities, including Albuquerque. You deal with all crime. Albuquerque was in awful shape for crime in the nineties. We built a bigger jail and filled it. In the short term, we can reduce crime again by reversing many of the current practices, and deal with criminals by pursuing, arresting, prosecuting, and locking them up! Government should protect its citizens first and the police should enforce the law. Criminal rehabilitation can best take place in jail for repeat offenders. That is my message.

In this book I identify some of the ills associated with the criminal justice system outlined above. It is beyond the scope of this book to address all the problems. I concentrate on what I believe can be done to improve policing and police-community relations on the way to reducing crime in Albuquerque. My target audience includes the citizens of Albuquerque and everyone associated with the criminal justice system.

Substantially reducing crime in Albuquerque will require much more than improving policing. What does it matter if we double the number of police officers and improve their operation, if the rest of the system continues to fail and the criminals are not dealt with? Reducing crime in our city and state will require a team effort involving the city, county, state, and federal participants in our criminal justice system.

Joe Albin

Dedication

I dedicate this book to two of the most influential people in my life, my mom, Lela Abbin, and my grandfather, Mike Abbin. Although both have been gone for many years their memory lives on.

My mom never gave up in the face of much adversity. She had faith that my brother and I would turn out OK even with plenty of evidence to the contrary. Nothing could diminish her pride and loyalty to her sons.

My grandfather, a former New York City police officer, epitomized the qualities found in the best cops. He was strong mentally, physically, and spiritually. My brother and I looked up to the man who kept us safe and treated us like little kings.

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2022 Update Major Changes

Unfortunately, not much has changed in Albuquerque's crime situation since this book was first published in December of 2018. The content of that version is still 100% relevant.

The primary changes involved updating the charts in Chapter 2 to include the latest available statistics for 2020 and 2021, and adding a new Appendix A, which describes New York City's crime reduction efforts in the 1990-2009 timeframe. **That city's remarkable turnaround was attributable to fundamental measures that were/are believed to be adaptable to any city.**

I have not addressed the effects of the COVID pandemic on crime and the criminal justice system. These effects will be debated for years to come and beyond the scope of this book.

My hope is that this book will be a useful reference for those who seek to understand and improve our criminal justice system.

Introduction

This segment introduces the problems and issues associated with crime and policing in Albuquerque. I also briefly describe my purpose in writing this book, my qualifications, and my approach to improving law enforcement and the related quality of life in my city.

Crime and Justice System Problems in Albuquerque

Since approximately 2013, the various crime statistics for Albuquerque have shown a disturbing upward trend. The result is that Albuquerque ranks at or near the top of the nation's violent crime categories such as homicide and rape, as well as property crime, such as auto theft. This increase in crime has resulted in a poor reputation for Albuquerque and a perception of a deteriorating quality of life along with fear for Albuquerque citizens.

Over the same period of time, the Bernalillo County/Albuquerque Metropolitan Detention Center (MDC) population has been reduced by roughly two-thirds for a variety of reasons, the District Attorney is approximately 10,000 cases behind in prosecution, and there are over 110,000 outstanding arrest warrants in Bernalillo County. The criminals are overwhelming the system and flooding the streets.

Likewise in the 2010-2015 time period, the Albuquerque Police Department came under scrutiny for alleged excessive use of force and wrongful deaths resulting in tens of millions in lawsuits against the city. The alleged excessive use of force and wrongful deaths situation led some citizens and the city administration to request oversight and assistance from the US Department of Justice (DOJ). This resulted in the city of Albuquerque and the DOJ entering into a negotiated reform plan for the Albuquerque Police Department (APD) in 2014. This agreement referred to as the CASA (Court Approved Settlement Agreement), contains a detailed plan and timetable for change in the APD, primarily addressing use of force. It does not address the high crime rate.

The agreement includes millions of dollars for reporting and for an independent monitor of conformance to the CASA requirements. See Chapter 5 for discussion.

The Purpose of This Book and My Perspective

My long association with law enforcement and life experience lead me to believe that we can do a better job of fighting crime in Albuquerque. This book is written to share my thoughts on reducing crime. Albuquerque has many problems that are generally outside APD control, such as an inadequately functioning District Attorney's office, a soft on crime judicial and correctional system, a lack of adequate mental health facilities, an unsympathetic media, and criminal immigrants, etc. While these problems are important, I will concentrate on what can be done to reduce crime through improved policing in Albuquerque.

What qualifies me to offer my thoughts? As a 78 year old, I was the oldest and one of the longest serving sworn officer in the Albuquerque Police Department. I served as a reserve officer for almost 36 years, under 12 chiefs of police, and served along with over 300 officers as partners policing Albuquerque streets.

Prior to entering the police department, I had my own minor and major brushes with the law. I grew up in poverty after my dad abandoned our family. He not only failed to support us, but terrorized my mother, brother, and I for years afterward while under the influence of alcohol. I myself am a recovering alcoholic, and a graduate of Albuquerque's DWI school. My early life experience is common to that of many criminals. I have also been a victim of crime on several occasions, including vehicle theft as recently as 2019. I have some understanding of criminal behavior, poverty, and addictive behavior.

In addition to negative interactions with the police, I had many positive interactions that I will describe later. My positive view of the APD inspired me to join the department at the ripe old age of 43, and I graduated from the APD academy in December 1983. As a Reserve Officer, I have been a Patrolman Second Class for my entire time in the department.

As a civilian, I was in management for much of my career at Sandia National Laboratories in Albuquerque, managing efforts that involved hundreds of employees and contractors, expenditures of funds exceeding over a million dollars per week at one point in time, and handled and generated top secret information. Following my retirement from the labs, I founded and managed three small businesses in Albuquerque. I relate these facts to note that my view of the APD has been from the bottom of that organization, but my views have also been shaped by responsible management positions outside the APD.

All of this life experience gives me a unique perspective on living, crime, and policing in Albuquerque.

While based on facts and first-hand experience, much of the material herein may be altered or exaggerated to illustrate principles, suggest approaches, and inspire thoughtful discussion. The names have been changed in many cases, mostly for protection of those involved, including me. This book has not been authorized or sponsored by the police department, or any organization. That's my disclaimer.

Quoting the "blue collar philosopher," Eric Hoffer, "This is not an authoritative textbook. It's a book of thoughts." This is that kind of book.

Preview

In the following chapters I attempt to review the basics of the entire criminal justice system. I will concentrate my observations on crime, criminals, and the police in Albuquerque. A short history of APD is presented to illustrate the changes over time. I recap stories of good cops, bad cops, and police management issues, as I see them. The emphasis is on identifying problems and solutions rather than fixing blame. Hopefully this encourages discussion and suggestions for improvement going forward.

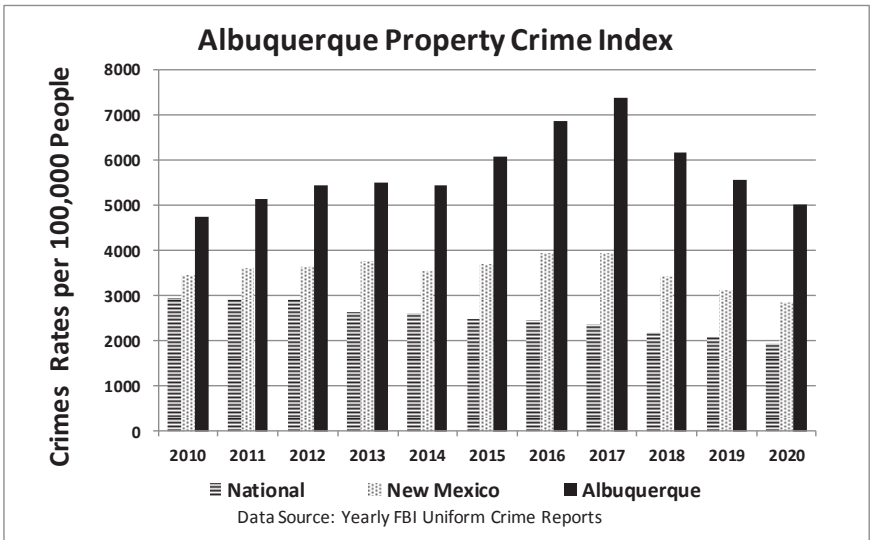
ABQ Crime, Criminals & Criminal Justice System Issues

What is the problem? In this segment, we look at ABQ crime statistics, crime in general, characteristics of criminals, causes of crime, where it occurs, who profits from crime, and other factors in ABQ's crime problem.

ABQ Crime Rates

Unfortunately, ABQ crime rates are in the top ten or worse in the USA in every crime category. Depending on the source, we are ranked with notorious crime centers, such as Detroit, Memphis, and Chicago.

How bad is our crime problem? As shown in the following figures, Albuquerque crime rates are considerably higher than the national averages. Albuquerque averages are also higher than the rest of NM averages. FBI statistics for 2021 will not be available until fall of 2022 but preliminary numbers indicate no improvement. While property crime figures are down for 2020, most peo-



*Figure 2-1: Albuquerque Property Crime Rates
2020 Albuquerque average is 256% of the national average.*

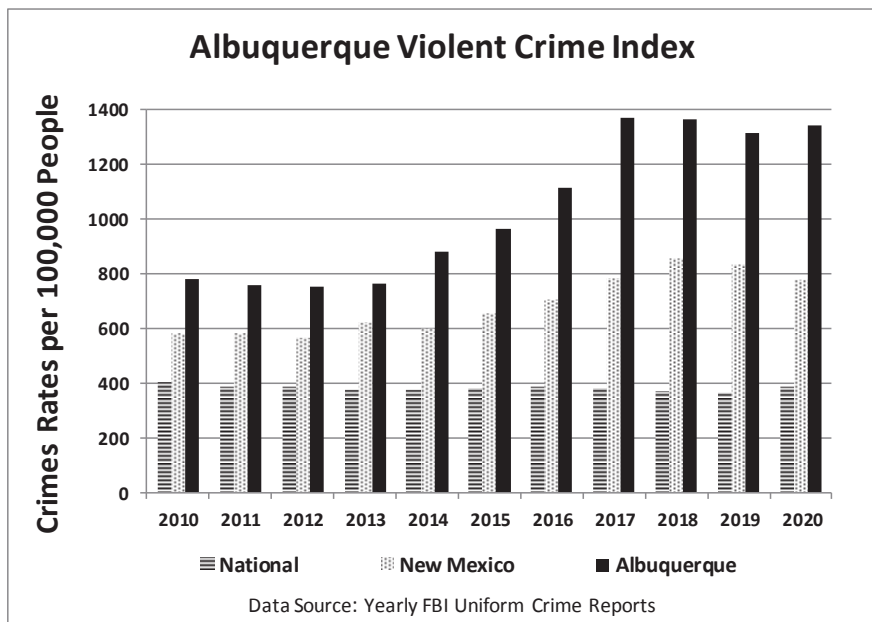


Figure 2-2: Albuquerque Violent Crime Rates by Year
 2020 Albuquerque average is 346% of the national average.

ple would agree that they are still way too high. **Violent crime figures indicate no improvement for the last five years, including preliminary figures for 2021!**

ABQ Incarceration Rates

One glaring reason for ABQ's crime problem is that we simply have more criminals on the street. As we see in Figure 2-3, as Albuquerque's incarceration rates went down, violent crime went up. It has been observed in other cities, such as New York City (see Appendix A). Failure to deal with less serious crime like misdemeanors encourages both misdemeanors and serious felonies, such as homicides. Currently the Metropolitan Detention Center (MDC) population is at about 1200 prisoners, much less than half its capacity. A reasonable conclusion is that more criminals on the street results in more crime. While somewhat effective for first-offenders, various jail diversion programs have been ineffective for repeat offenders. The jail diversion programs are based on the assumption that if the criminals are not in jail, they will go to work, support their children, etc. This has cer-

tainly proven not to be true for repeat offenders. Bernalillo County currently has over 110,000 outstanding warrants, the majority for failure to appear for criminal proceedings. Many prisoners have been released with ankle monitor bracelets. Over 1000 ankle bracelets went missing for 2017 in Bernalillo County at an estimated cost of over a million dollars. Not surprisingly, the bracelet occupants are missing also. This seems like poor value for the tax payer, but a good deal for bracelet suppliers.

Figure 2-3 indicates almost perfect correlation between the average jail population vs. violent crime. No surprise to most cops! The message is clear, more criminals should be locked up. This is not rocket science. The city and county officials may pride themselves on saving money by not incarcerating criminals, but at what cost to the community? Bernalillo county cost estimates for incarceration range from \$80-\$120 per person per day. Most stolen vehicles cost about \$20,000-\$40,000. An average burglary results in a \$3000 loss. Many of the perpetrators of these crimes commit multiple offenses daily. You don't have to be an accountant to conclude that incarceration is a reasonable financial trade

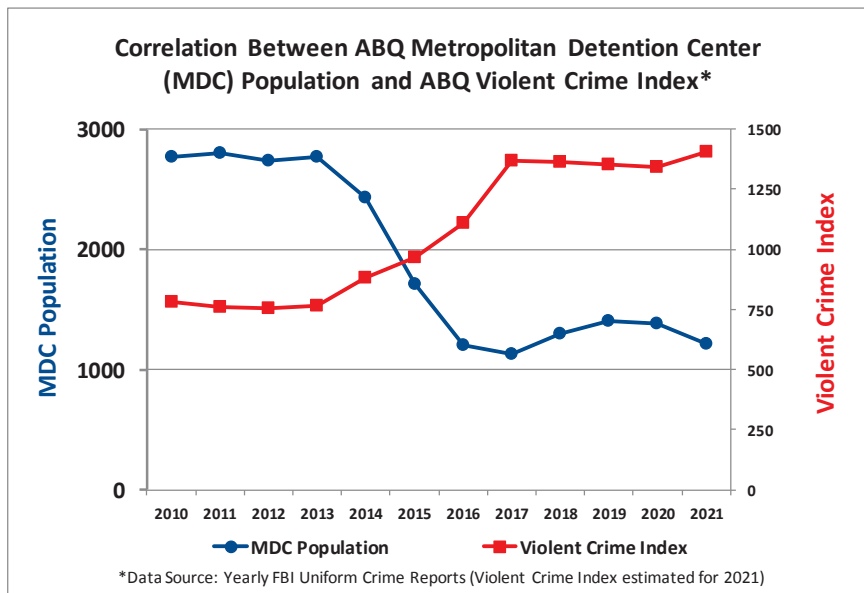


Figure 2-3: Violent Crime (homicides, aggravated assault, robbery, rape) Index (per 100,000 population) vs. Bernalillo Metropolitan Detention Center Population.

off. The loss to homicide victims and their families is immeasurable. The cost of community fear and distrust are difficult to measure. The cost of a poor city reputation is priceless.

Types of Criminals

There are many classifications of criminals, based mostly on the nature of their crimes. “Street” criminals commit the majority of property crimes and crimes against persons, violent or not. “White collar” criminals commit crimes such as bank fraud and stock market Ponzi schemes. These criminals are generally quite different and usually much smarter than garden variety street criminals. I will only deal with street criminals, because they are the ones I know best.

Characteristics of Street Criminals

After years of observation, some of it close-up as part of my police work, I conclude that many street criminals share some general characteristics. First, they are uneducated, mostly by choice, and many times stupid. They often have mental issues such as retardation, and cognitive or reasoning difficulty. Many have even more severe mental illnesses and/or substance abuse problems. Their conversations and decisions confirm their faulty reasoning processes. Their bad behavior is repetitive. Recidivism is rampant. Second, street criminals are lazy. Most are unemployed by choice, and have a record of non-achievement. Third, they are liars. Their dishonesty permeates their conversations, mostly consisting of hot air. They often have bogus excuses for their activities and non-achievements, and you often find their accounts of almost anything don't jive with reality. They often portray themselves as victims. Fourth, street criminals are often cowards. They favor weak victims for crimes against persons, such as children, women, and seniors. Faced with superior force, they fold like a wet newspaper and cry like babies. They are usually male, but not real men.

What Causes Crime

Based on the observed attributes of street criminals outlined in the previous paragraphs we could conclude that ignorant, lazy,

dishonest bullies may have a propensity to be criminals. We won't be far wrong in our assessment. There are many other factors that can contribute to criminal behavior, such as those described below.

Drugs and alcohol certainly can inhibit learning and contribute to bad judgement. Ignorance and bad judgement often lead to criminal behavior. Untreated mentally and/or physically ill people frequently try to self-medicate with alcohol and illegal drugs. They may feel temporary relief but become physically and mentally addicted. Even generally mentally healthy, recreational users can become reliant on their drug of choice. Opioid addiction, however acquired, fuels an appetite for legal and illegal drugs. All of these groups may turn to criminal activity to support their habit. Dealing with the drug problem is beyond the scope of this book, but certainly education and proper treatment can help. My experience indicates that bad behavior of any kind only stops when it becomes too painful to continue. Court ordered treatment, including during incarceration, works for many.

Poverty is often cited as a major cause of crime. What about poverty? Does it cause crime? This is not a simple question to answer because street crime and poverty often co-exist, but is poverty the cause or the effect? "Birds-of-a-feather flock together" is an old saying. Thus, a community or neighborhood with many street criminals is almost always poor. Who wants to build a business or hire employees from a community that consists of low intelligence, lazy, liars? Thus crime and poverty feed on each other in a downward spiral. The poor who are able and motivated, get educated, find employment, and move out of the poverty pockets.

Poverty pockets with high crime are often found in the bigger cities. The bigger cities provide more victims, more hiding places, and more free "stuff." Many small towns are poor but the residents know their neighbors, and do not tolerate criminals. FBI major crime statistics indicate that crime rates are comparable for most large cities and only show a significant decline in towns or communities of less than about 2000 residents.

Culture also differentiates criminals. Asians and East Indians are often superior students and career achievers even starting out in poverty. Certain other ethnic groups are over-represented in the number of criminals and victims. Why this is so has not been satisfactorily explained. Unfortunately, some ethnic groups value a gangster culture that is hard to understand. Although most of us are reluctant to talk honestly about this, I know we must if we hope to improve matters.

One thing I am certain of, based on my own experience, is that police bias is generally not the cause of these cultural differences. Even though profiling is an effective law enforcement tool, keeping an open mind, and rising above any bias and prejudice is mandatory for effective policing. We can not accurately judge folks by their color, age, sex, or any other attribute that I know of. Criminals should be judged by their **actions** as supported by the totality of evidence.

Does Crime Pay?

When most of us think about whom benefits from crime, we immediately think about criminals. Property crimes such as theft/larceny and fraud result in the transfer of assets from the owners to the criminals. The criminals obviously appear to be the beneficiaries in these crimes.

Criminals are not the only ones who stand to make their living from crime, however. There are many other segments of society who indirectly or directly benefit from criminal activity. Whenever a criminal is arrested, there are police officers and correction officers involved. There are often multiple lawyers involved, the prosecutors, the defense lawyers, and the judges. All these people derive a great deal of their livelihood from the processing of criminals. If we somehow stop criminal activity, all of the aforementioned people are severely threatened economically. If we lock up the criminals, only the correction officers and other prison employees benefit. Parole officers stand to benefit if/when the criminals are released.

Secondary beneficiaries of criminal activity include pawn shops, auto salvage yards, and flea markets, which all serve to provide

outlets for stolen goods. Others who benefit are security hardware suppliers, such as those who provide alarm systems, security doors and windows, wrought iron, fencing, and other items to deter auto thieves, such as the “Club” and “boots.”

It doesn't stop with the above. We can also include those who provide private security services, and other protection such as guard dogs. Also, we note that a significant part of insurance sales are to protect against theft and vandalism losses, as well as health insurance to compensate for personal injury due to criminal acts.

The list goes on and on. Bondsmen, bounty hunters, and counselors (for criminals and their victims) also benefit from criminal activity. How about those who sell replacement goods for criminal damage and theft? A friend of mine in the appliances business estimates that 40% of his electronic sales are for replacement of stolen TV's, computers, stereos, etc. His cynical comment was “what's the big deal, the crook gets a new TV, and you get a new TV.” He lives in a gated community, which is a product of peoples' fear and insecurity.

We note that crime is a big business for a lot of folks besides the obvious criminals. The street signs in part of downtown Albuquerque include an image of blind Justice holding the scales of justice. My impression is that processing criminals is a major “industry” in Albuquerque.

It seems obvious that most people and businesses suffer both directly and indirectly from criminal activity. There are some in business and government, which benefit from crime, as outlined previously. Most of these individuals, etc. are not criminals and do not condone crime but they can be conflicted and passively allow crime to continue. Their livelihood depends on having active criminals on the street. Therefore, no matter what the emotional, spiritual, and physical cost is to Albuquerque citizens in general, some in our community appear to have chosen to allow the crooks to remain on the street. “Catch and release” is good for criminals and for certain others. **The answer for the rest of us - take the criminals off the street and lock them up!** Protecting the public from these predators takes priority. While serial

offenders are incarcerated, we can and should make all reasonable efforts to rehabilitate them. While rehabilitation without incarceration has been effective for many first offenders, this has not proven to be true for career criminals.

Study after study has shown that as incarceration goes up, crime goes down. Revisit Figure 2-3, and see Appendix A. Nobody can argue with the premise that if all the criminals are locked up, the crime rate will be zero.

Other Contributors to ABQ Crime - Prosecution Bottlenecks

During his first election campaign, current District Attorney Raul Torres pointed out the abysmal performance of his predecessor who had a backlog of over 6000 criminal cases remaining to be prosecuted at the end of her term. After his election in December 2016, the backlog had swelled to over 7000 cases by September 2017, and over 10,000 cases later. **Mr. Torres stated that his state-funded DA's office was grossly underfunded and understaffed and that "it would not make any difference if Albuquerque doubled the number of police officers and arrests, his office couldn't handle the prosecutions. The funnel would get bigger at the top, but the output wouldn't change."** This problem is being worked but there is a long way to go. Obviously all levels of government have to work together to reduce crime.

NM Constitutional Amendment One (2016)

In 2016 the NM constitution was amended by a ballot initiative to allow criminals to be held without bond if circumstances warranted, e.g. if the risk to the public was too great if the defendant were free while awaiting trial. The NM Judiciary Committee then supplemented this amendment with "rules." The key paragraphs of the subject amendment follow.

- a) Bail may be denied by a court of record pending trial for a defendant charged with a felony if the **prosecuting authority requests a hearing and proves by clear and convincing evidence** that no release conditions will reasonably protect the safety of any other person or the community.

- b) A person who is not detainable on the grounds of dangerousness nor a flight risk in the absence of bond and is otherwise eligible for bail **shall not be detained solely because of financial inability to post a money or property bond.** A defendant who is neither a danger nor a flight risk and who has a financial inability to post a money or property bond may file a motion with the court requesting relief from the requirement to post bond.

Thus paragraph a) of the amendment does indeed allow holding dangerous prisoners without bond but the prosecuting attorney must request a hearing (action required with tight time constraints), and provide clear and convincing evidence (very high standard) that holding the accused prior to trial is necessary for public safety. The prosecutors have apparently had trouble meeting the time constraints and the standard is considered unreasonable by some. The result is that about 50% of the requests for pre-trial detention are denied. A lesser but sufficient standard for holding a prisoner without bond might be a preponderance of evidence.

Paragraph b) allows judges to release supposedly less dangerous and less flight prone prisoners without posting bond before release, if the accused couldn't **afford** the bond. One problem is that the judges often do not have sufficient information to accurately determine dangerousness or flight risk. Another problem is that most street criminals are unemployed, declare no income, and thus most are eligible for no bond. Opponents of bail bonds contend that the bond system didn't work anyway. I would contend that bondsmen and bounty hunters do serve a useful purpose in returning criminals for trial (expenses paid by the criminals not the public). **Paragraph b) essentially eliminates bail.**

Many judges seem to feel that their hands are tied and they can't exercise their own judgment. This appears to be an excuse for poor judgment in many notable cases. Unfortunately it is difficult to find statistics for each judges' poor decisions.

The net result of all this is that too many criminals are freed before trial, go on to commit more crimes, and then don't show

up for trial either. Arrest records, outstanding warrants, and missing bracelet statistics bear this out. Catch and release for repeat offenders has not worked and contributes to chaos in the community.

A twenty four to forty eight hour hold for all arrestees, and a speedy trial (e.g. next day or two after arrest) for minor crimes could eliminate superfluous court actions, extended incarceration, or bonding altogether in many of these cases. First offenders are generally released anyway. Instead, the court system is jammed up with endless delays, recusals, pre-trial hearings, etc. Who benefits? The whole process needs a basic streamlining analysis that keeps public and criminal rights in balance.

It seems to me that the constitutional amendment and the rules need to be rewritten with **safety of the public as first priority**.

The Federal Model for Pre-Trial Detention -18 U.S. Code §3142

The NM pre-trial detainment system emphasizes criminal rights over public safety, whereas the federal model does the reverse.

The federal model essentially requires that in the case of certain violent offenders and others as described in §3142, a **rebuttable presumption** arises that no condition or combination of conditions for release will reasonably assure the safety of any other person and the community. It is up to the defense attorney to convince the judge otherwise. The factors to be considered include the charged offense, the weight of the evidence against the person, the history and characteristics of the person, and the nature and seriousness of the danger to any person or the community that would be posed by the person's release.

Thus the public's right to safety takes priority over a defendant's right to freedom and presumption of innocence until trial where appropriate. This philosophy certainly supports the right to a defendant's speedy trial to minimize unjust harm to him and his family. Since **the federal pre-trial detention system has obviously been constitutionally tested, it is recommended for New Mexico**.

The Criminal Justice System and the Police

In this segment, we will review the criminal justice system, the police role, and the challenges involved in recruiting and retaining good cops. We will also introduce the community policing concept.

The Criminal Justice System Participants

The criminal justice system includes several groups: those who make the laws (legislators), and those who enforce the laws (cops, sheriffs, marshals, etc.). Then there are those who interpret and administer the law (judges, juries), those who prosecute those charged with a crime (district attorneys, prosecutors), and those who defend those charged with a crime (defense attorneys). There are also others including those in the correctional system (jailers, guards, parole officers, etc.), and administrative clerks, bailiffs, etc.

There are also other, generally unwilling participants in the system - the victims of crime, and the perpetrators of crimes (also known as crooks, criminals, defendants, law breakers, etc.).

Not to be lost in all of this is **the primary mission of the legislators, the police, and the prosecutors, is to represent and protect the public, not the criminals.** Those charged with a crime are represented by defense attorneys (often provided by the state). Judges and juries are charged with deciding guilt or innocence and penalties in accordance with the written law.

The Role of the Police

A police officer's primary job is to **enforce the law**, thereby protecting the law-abiding public and preserving the peace. The police do this by apprehending criminals, interrupting and thwarting crimes in progress, and most effectively, by preventing crime. The police are positioned very well to help prevent crime. They are embedded in the community where the crime occurs. If the officers are physically present in their beats, their very presence

often discourages criminals and provides a dampening effect on anti-social behavior (e.g. reckless driving) in general. If the beat cops work with and cultivate acquaintances and friends within their beat, they will automatically have good intelligence on what's going on, both good and bad around them. Community friends and acquaintances of the police can often also provide mutual moral and physical support. The police are regularly called upon to provide comfort, first aid and counseling in difficult situations. Cops are often expected to provide Good Samaritan duty such as jump starting autos, clearing obstacles in the roadway, removing cats from trees, reading to school kids, etc. This public-police partnership is generally referred to as **community policing**.

What Motivates People to Become Cops, or Not

As we might guess, there are many reasons why people become cops. After observing hundreds of cops at close range, I conclude



Figure 3-1: Mike Abbin, My Grandfather, Practicing Community Policing in Brooklyn, NY, ca.1905.

that most, including myself, want to make a positive difference in the community. With many officers, the greatest job satisfaction comes from catching the “bad guys.” We want to be the “good guys,” the guardians, the defenders, the gladiators willing to go to the mat with the bad guys. This requires a unique personality that is mentally and morally strong, assertive but not overly aggressive, and courageous. To do it right, the best officers are also intelligent, mature, and compassionate. A tall order!

Good cops often think like bad guys to anticipate crime and apprehend the bad guys. Unfortunately, some cops think like bad guys because they are bad guys. These are not only bad cops, they are worse than no cops. More on them later.

Other cops are motivated by the money, the power, and the “perks.” These folks often couldn’t get another job, and often contribute the bare minimum to the job, or worse. They serve unhappily in the job, and show it. Many have a short career because the effort and danger outweigh the money.

Requirements For Becoming an APD Officer

The requirements to become an APD officer have changed greatly over time. APD hiring qualifications no longer include college or armed service experience. Requirements still include minimum math and writing skills, minimum physical fitness standards (no minimum height or weight since 1974), basic psychological fitness, acceptable criminal and credit histories, polygraph testing, and an oral board examination that evaluates communication skills, maturity, attitude, judgment, etc. In addition, the candidate’s associates are interviewed for independent evaluation of their qualifications.

The current requirements, academy specifics, salaries, retirement info, etc. can be found at www.apdonline.com. Overall, the requirements are tough but reasonable. The benefits are competitive with other similar cities, especially if the cost of living is considered.

Changing the requirements to get more cops should be a very thoughtful process. Lowering the requirements in cities such as

New Orleans and Washington DC, has had disastrous results. A few good cops are much more desirable than a lot of bad cops! In fact, experience has shown that even one bad cop can “contaminate” several good cops.

Gender and Race of APD Officers

In general, the racial makeup of the APD mirrors that of the community. An August 2017 APD study reported that 56% of the officers identified as Anglo, 39% as Hispanic, 3% as African American, and about 1% as Native American. About 1% declined to state.

The major demographic difference with respect to the community is in the gender makeup of the department. The study above reported that 88% of the sworn officers were male, and 12% were female.

What Keeps Interested People from Becoming Cops

Recruiting good cops, and not hiring bad cops, is a tough job. APD’s rigorous hiring process (see preceding paragraphs) often starts with a thousand people indicating interest, but only 30 candidates or less being accepted at the academy.

In 2015, a “typical” APD graduating class experienced the following:

- 1108 people filled out interest cards, and of these,
- 124 actually showed up for initial fitness and written testing, and of these,
- 108 passed the physical and a 9th grade written exam, and of these,
- 54 passed background criminal and credit checks, and of these,
- 41 passed a background polygraph test, and of these,
- 25 passed a mental health and psychological evaluation, and of these,
- 20 passed an oral board evaluation and were accepted to the academy.
- 19 graduated to the field, and of these
- 17 survived the four month on-the-job training and evaluation.

Assuming the above example is typical, the big fallout, about 90%, came between the first and second steps. Initially interested persons dropped out, deciding that they really couldn't meet the requirements, or that they just were not cut out for the job, or too lazy to take the test, etc. Since the group is so large to start, it would be worthwhile to do follow up interviews to find out exactly why so many people decide not to proceed with the process.

Retaining Good Cops and Getting Rid of Bad Cops

Salary and benefits are important. However, job satisfaction is at least as important for most good cops. As discussed before, good cops like to catch bad guys. It only follows that if the department and/or the community does not support this activity, it frustrates and drives good cops out of the profession. Likewise, if criminals are not held accountable, or not held or processed properly after an arrest, the police job seems pointless. Specifically, good cops (and the public) are frustrated with the current arrest and release process. Why should the police risk their safety, career, and personal liability, to effect a futile arrest?

Other factors make a tough job tougher, such as questionable leadership, excess paper work and documentation, and complex rules and operating procedures. These factors can drive even well paid, good people out. In the 80's, the Standard Operating Procedure (SOP) for the APD was about 115 pages, and fit in a 6"x9" binder, along with the city traffic code. It is now over 2500, 8.5"x11" pages! It is not surprising that officers can be out of compliance with their guidelines in fast developing and/or complex incidents.

APD officers are currently discouraged from arrest and pursuit in all but the most egregious circumstances. We are discouraged from using even our non-lethal tools (e.g. the Taser), and instead are encouraged go hand-to-hand in effecting a difficult arrest. Hand-to-hand combat often works poorly and can be very dangerous, especially if there is a significant size and/or skill disparity in favor of the bad guy.

Documentation and review of even casual use of force is extensive. In my opinion, the totality of conditions that current APD officers must work under will continue to make it difficult to attract and retain good cops in Albuquerque.

Dealing with bad cops is a major problem since even a very few can greatly degrade community relations, and cost the city a lot of money that should be spent more productively. Bad cops in the ranks also erode unit cohesion and morale. Cops tend to give other cops a lot of slack since at some point their life may depend on the other cop. Thus cops are sometimes not very keen on policing their peers. Sorting out the bad cops is a management challenge, and APD management and the union have historically not done this very well. More on this and other APD management issues will be addressed in the following chapters.

Albuquerque City and Police Department Historical Background

This segment reviews selected milestones of ABQ and APD history and looks at notable personnel, both good and bad. The evolution of police tools and special units is also reviewed. See References in Appendix C for partial authorized histories of the APD.

The Early Days Before Statehood

The Spanish explorer Coronado passed through the area that later became Albuquerque in 1540. Albuquerque itself has existed in one form or another since 1706. Law enforcement and public safety were spotty for years thereafter and it was essentially every person's responsibility to fend for themselves. Albuquerque had a reputation for being a tough town with legal gambling and a well known red-light district. Albuquerque specific law enforcement was formalized somewhat in 1881 with the election of Milton Yarberry as the Town Marshall. He is considered by some to be the first Chief of Police, even though that title was not used until 1885, and was not formally adopted until 1912.

Yarberry ran into a major snag two months after he was elected when he shot a love rival multiple times. Yarberry claimed self-defense even though his rival was unarmed. Yarberry was acquitted shortly thereafter. Three months later he supposedly outdrew and shot another man, and again claimed self-defense. This time he was convicted of first degree murder and sentenced to be hanged. He escaped from custody twice but was eventually hanged in 1883. Yarberry was the first and last peace officer to be executed for his crime in what later became New Mexico.

A later Town Marshall successor, Al Marsh, was named in 1885 and served for less than a year before he resigned for a better job. Marsh's Chief Deputy, Bob McGuire was appointed to fill the position (the first interim chief?). He was killed in the line of duty eight months later. Albuquerque was, and still is, a rough town!

Skipping ahead to 1912, New Mexico became a state on January 12. On the same day, Albuquerque police officer, Al Knapp, was fatally shot while transporting a prisoner. Also in 1912, the police department moved to a new City Hall on 2nd & Tijeras. Thomas McMillan was named the first Chief following statehood by the new City Manager. McMillan had previously been Town Marshall from 1898 until he was named Chief in 1912. He led a force of 6 officers to police a town of about 11,000 residents.

ABQ & APD Milestones After 1912

- 1915 APD buys a horse, the department's first transportation (first horse unit?).
- 1916 John Galusha named APD chief. He later resigned suddenly via telegram from Mexico noting he had married a Mexican woman there and wouldn't be back.
- 1924 APD buys its first motorcycle.
- 1925 Pat O'Grady named APD chief.
- 1930 ABQ population was 26,750. APD had 19 officers.
- 1940 ABQ population was 35,449.
- 1942 APD officer shot to death by APD acting chief Pat Dugan in a parking lot dispute. Dugan became chief in 1945. ABQ now considered a clean city and a good place to live.
- 1948 Paul Shaver named APD chief. He went on to serve 23 years.
- 1950 ABQ population was 96,815. First APD Academy class graduated 6 men.
- 1951 APD Officer Donald Redfern killed. Fraternal Order of Police founded.
- 1954 APD Officers Eugene Casey and Frank Sjolander were shot during an investigation and Sjolander later died.
- 1955 APD and ABQ joined the Public Employees Retirement Association.
- 1956 ABQ 250th Anniversary.
- 1958 APD Officer Richard Armijo died in an on-duty motorcycle accident.
- 1959 APD Officer Max Oldham - same as above.
- 1960 ABQ population was 201,189.

- 1961 Big I completed. Winrock Mall completed. Construction started on Coronado Mall.
- 1969 Albuquerque Police Officers Association (APOA) police union established. APD auto theft unit formed.
- 1970 ABQ population was 243,751.
- 1971 Riots originate in Roosevelt Park. NM National Guard deployed to aid APD. First APD school units are deployed in high schools. Donald Byrd, a former Dallas police lieutenant was named APD chief.
- 1972 More riots originate at UNM, again requiring the National Guard. APD buys first airplane.
- 1973 Bob Stover named APD chief for his first term.
- 1974 APD K-9 unit formed. APD female officers go on patrol for first time. The Police Athletic League (PAL) for kids established. APD minimum height and weight requirements eliminated.
- 1975 APD goes on wildcat strike lasting 16 days. APD Reserve Unit graduates its first academy class. APD ACT unit (forerunner of SWAT) formed.
- 1976 APD Bomb Unit formed. APD initiates Crime Stoppers program (first in the country, lauded as one of the all-time great crime fighting tools).
- 1977 APD Horse unit formed. First APD substation opened on the Westside. First protective screens and push bumpers on police vehicles. APD Public Safety Aid (PSA) program established. A similar program existed from 1969-1975.
- 1980 Officer Phil Chacon killed off-duty while chasing robbery suspects. ABQ population was 332,920. Whitey Hansen named APD chief.
- 1983 Officer Gerald Kline killed responding to an armed suspicious person call.
- 1985 Sam Baca named APD chief.
- 1986 Officer Shawn McWethy killed by pardoned felon, Vincent Paul Candelaria, following an armed robbery. APD Computer Aided Dispatch system entered service about this time.
- 1987 Officer John Carrillo killed after responding to a domestic violence call.

- 1989 APD transitioned from revolvers to automatic pistols for duty issue. APD academy requires 924 hours for graduation.
- 1990 ABQ population was 384,915. Bob Stover named APD chief for the second time. APD Bicycle unit formed.
- 1992 APD FY92 budget was \$52M. There were 740 sworn officers, 370 civilian employees, and there were 1.3 million calls for service.
- 1994 Joe Polisar named APD chief.
- 1995 APD Citizen's Police Academy established,
- 1997 Chris Padilla named interim chief from December 1997 to May 1998.
- 1998 Gerald Galvin hired from out of state as APD chief.
- 2000 ABQ population was 448,386. APD adopts Tazers.
- 2002 Gil Gallegos named APD chief. He later resigned in the midst of an evidence room scandal involving missing money and narcotics.
- 2003 Current Metropolitan Detention Center opened.
- 2005 Ray Shultz named APD chief. APD Officers Mike King and Richard Smith killed responding to a mental health pickup call.
- 2010 ABQ population was 545,852. There were 1074 sworn APD officers.
- 2011 APD mandates body worn cameras.
- 2012 APD Real Time Crime Center (RTCC) established to provide better intelligence. The RTCC was modeled after NY City's successful program.
- 2013 Allen Banks named interim chief from August through November.
- 2014 APD and ABQ enter into an agreement with the DOJ (CASA). Gordon Eden is named APD chief. Police killing of James Boyd brings national attention.
- 2015 APD Officer Dan Webster killed during a traffic stop.
- 2016 APD releases new Use of Force policy.
- 2017 Michael Geier named interim APD chief 12/17. APD has about 850 sworn officers. The ABQ population is about 562,572. APD establishes the Analysis-Led Recidivism Team (ALeRT) to identify repeat offenders.

- 2018 Michael Geier named permanent APD chief in March. APD establishes a Compliance Bureau to better address and document CASA implementation.
- 2019 APD under-reports 2019 city crime statistics.
- 2020 APD Chief Geier retires under pressure. Harold Medina named interim chief. Reserve Unit deactivated. ABQ population was 560,849. There were 939 sworn APD officers.
- 2021 Harold Medina named permanent APD Chief. Four APD officers wounded in shootout at Dutch Brothers Coffee Shop. Record number of homicides in Albuquerque (114).

Good Cops and Bad Cops - A Historical Perspective

As in any workforce group there are good and bad participants. We will review some historical APD bad cops and good cops. In many cases there is wide disagreement as to what is good or bad. Over the last several years there have been many controversial events involving APD officers. Since 2010, APD officers have been involved in over 40 shootings and hundreds of tazings and other uses of force. None of these have resulted in criminal

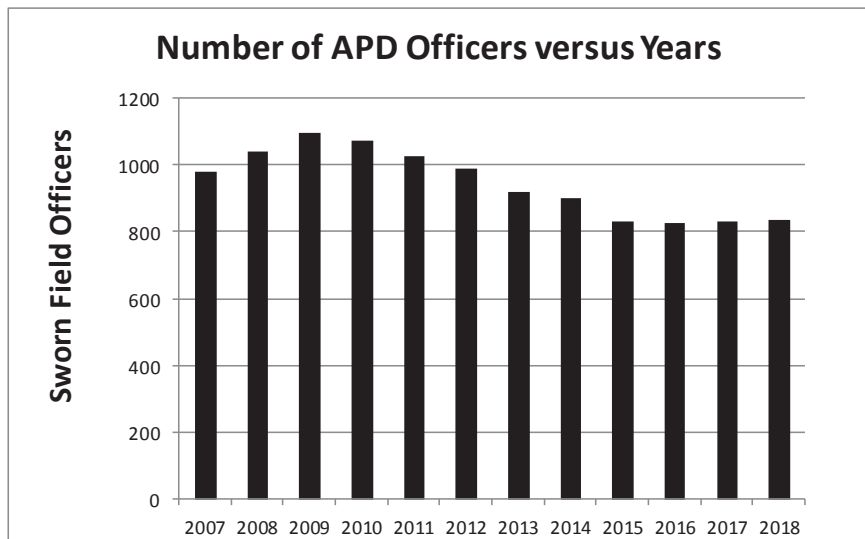


Figure 4-1: Number of APD Officers Over Time. A 2015 independent staffing study concluded that APD will be adequately staffed at a level of 1000 sworn personnel.

convictions for the officers involved, yet the city has paid out millions of dollars in civil judgments. Looking back might offer some insights.

During my reserve service I have worked with over 300 officers and most performed at a high level and were a credit to the department and the city. Some were extraordinarily dedicated, courageous, and hard working. A notable exception was Matt Griffin, APD's only convicted murderer in recent years. See following section. Griffin was a tragic example of the department and the union not dealing appropriately with problem officers. **Overall, the majority of the officers I have served with were/are good, solid performers.**

Bad APD Cops

The all-time baddest of the APD bad cops has to be Robert E. "Bob" Davis. Davis graduated from the APD academy in 1969. He was fired in 1976. Davis is alleged to have committed over two thousand burglaries and auto thefts, representing over a million dollars in property losses. He was also alleged to be involved in five murders including that of Gene Mays, a well know Albuquerque business man and pawn shop owner. Davis's crime spree took place in seven states, and continued until he was incarcerated in the early 80's. Many of his crimes took pace while he was an APD burglary detective, and allegedly involved other detectives in the burglary unit. He was sentenced for the property crimes in 1981 to a total of 69 years. He then escaped twice from NM prisons, and was eventually transferred to a maximum security prison in California where he currently resides serving his 69 year sentence. He was never charged with any of the murders, but allegedly confessed to at least one, as part of a plea deal.

Another APD bad cop was Matthew "Matt" Griffin. Griffin and another unidentified APD officer, robbed several banks in Albuquerque between 1987 and 1989. Griffin was dubbed the "Ninja Bandit" because of his attire, and the physical agility he demonstrated while robbing the banks. He graduated from the APD academy in 1985. He was fired and rehired in 1988, then fired again in 1989, when he was charged with the bank robberies, and

the murder of Michael Howard. Mr. Howard was killed while trying to keep his car from being stolen by Griffin for use as a get-away car for a bank robbery planned the following day. Griffin is currently serving an 80 year prison term for his crimes.

I had occasion to work with Griffin in late 1985. We were assigned as partners in the South Valley area command. Almost immediately after swing shift briefing, we were called to a drive-off theft at the Monte Carlo Lounge at the intersection of Central Ave and Atrisco Blvd. The owner was very upset that two men drove off from the liquor store with a case of beer without paying for it. While the owner was explaining to us what happened, Griffin began poking him in the chest with his finger, and informing him that he was a dumb ass for providing beer before payment. The owner became even more agitated, his eyes bugging out, and his face turning distinctly purple. Fearing an imminent, unnecessary fight, I asked Matt to come around to the front of the bar, and out of earshot of the owner. Once there, I said, "Let this guy vent, and we can get out of here." Matt replied, "You don't like how I'm handling this call?" I replied, "I sure don't." He advanced on me, almost face to face, and said, "What are you going to do about it?" Not knowing what to say, and clearly getting the message he wanted to fight, I said, "I'm going to pull your ____ing head off if you touch me." He jumped back three feet, and squared off for the fight. Then after a few seconds of silence, he dropped his hands and announced "Let's get out of here, and agree not to work together again." I said "fine," and we left.

Griffin allegedly generated a mountain of complaints in the following years with similar behavior, generating more problems upon his arrival at calls than what existed before he got there.

About a year later, I was working with one of Matt's friends in the northeast. This officer and Griffin shared several things in common: visually impressive both in their person and their vehicles, both wore "gun-slinger" gloves (thin leather, no fingers), and both overly aggressive and abusive to just about everyone we came in contact with. Officer "Unfriendly" and I stopped to eat at Arby's on Juan Tabo, where Unfriendly immediately challenged a group of teenagers with "What are you jerks looking at?" When

this went unanswered, we ordered and ate. After eating, Unfriendly got severely sick to his stomach, and called the sergeant, who directed him to go home, and sent a replacement to pick me up. Guess who? Matt Griffin.

Griffin and I elected to work together again without mention of our previous partnership. Unfortunately, Griffin had not changed his operational mode, and our first call that evening consumed the rest of our shift, and nearly resulted in both of us being attacked by a large number of patrons at “Studebaker’s,” a well-known night club at the time. More on that call later.

To this day, I regret not bringing Griffin’s behavior to management’s attention. I did not for reasons already stated, i.e. my life may have depended on his response to my call in some future event. Griffin was a time bomb from the beginning and his behavior was consistently psychopathic. Griffin would have killed a fellow officer just as easily as his murder victim, Michael Howard.

Another bad cop was Officer “Otto,” an auto theft detective, who was also an auto thief. He graduated from the APD academy in the early 60’s, and was fired in the mid 70’s. He allegedly stole or kept recovered Corvettes and other vehicles in partnership with a wrecking yard, and a police employee in the NCIC records unit. The wrecking yard provided legitimate VIN tags from wrecked vehicles to corresponding vehicles stolen or recovered by Otto. The NCIC record entry clerk entered stolen vehicle VIN’s and plate numbers incorrectly, thus inhibiting recovery of the vehicles. Otto’s misdeeds were capped when an FBI investigation discovered a stolen Lincoln from Texas in Otto’s possession. He was fined and fired, but not incarcerated for possession of the Lincoln, or any of the other alleged stolen vehicles or recoveries that were not returned to the owners. The NCIC clerk came under investigation when it was found that the license plate and VIN numbers from my own stolen Harley Davidson motorcycle were misentered in 1971. This was judged to be a mistake and not malfeasance at the time. My Harley, and many other stolen vehicles from that time, have never been recovered.

The above examples of bad cops are all distant history, but in my opinion are representative of bad cops that came before and after them, in APD and probably every large police department. Were these cops corrupted by the job, or did they enter the profession to enable their dirty work? I think both. In either case, it is management's job to root them out. How did management miss all the red flags the bad cops raised over periods of years? Where was the quality control? Nobody should look the other way, management or not. The union actually vigorously defended Matt Griffin.

Good APD Cops

Based on my association with hundreds of APD officers, I have only met a handful who I considered lacking, or not fit for service. This number includes APD's only convicted murderer, Matt Griffin, discussed previously, and others who had poor people skills, were lazy, or just plain incompetent. Altogether, I would say that the vast majority of the cops I have worked with were qualified and competent, and perhaps 10% were/are truly outstanding. Most of the good, and great cops have not received the same publicity as the bad cops.

In recent years, perhaps a dozen officers have been awarded major recognition, such as the Medal of Valor. Seven officers have been killed, and others have suffered severe injuries on the job. All of these men and women performed well above the call of duty.

When police answer calls for service, they are often the first responders at truly terrible accidents, suicides, or crime scenes. They are often the answer to the prayers of the injured and threatened citizens involved. They are expected to take charge of the situation, offer first aid, deal with the bad guys, and comfort the scared and injured. To the good citizens, these cops are all heroes.

When I was a twelve year old kid, my own estranged father was trying to break down my mom's front door, while threatening to harm her, and terrifying my younger brother and me. A neighbor, APD Sgt. Herbert Hardin responded, subdued my father, and ar-

rested him. Later, my father (who had abandoned the family years before the previously cited incident) was arrested again, and sentenced to 6 months in jail for attacking one of his co-workers. He was fired by Mountain Bell, his employer, for that incident. When he was released, Sgt. Hardin successfully sponsored my father for a position in the City of Albuquerque traffic engineering department, giving him a chance for rehabilitation as a self-supporting citizen. Sgt. Hardin also successfully sponsored my brother and I to attend a summer camp for disadvantaged kids, run by the Fraternal Order of Police. Sgt. Hardin's actions personified protection and service, and left a lasting positive impression of the Albuquerque Police Department on me, and our family. He was seven feet tall to my brother and me.

Some of the outstanding ABQ police officers are enshrined on the walls of the hallway leading to the Chief's office. I knew several personally, and they stick out in my mind. Shawn McWethy and I had worked together several times before he was gunned down by a pardoned killer, Vincent Paul Candelaria. Candelaria had just robbed a nearby auto parts store on Broadway. As Candelaria was making his escape, he spotted McWethy in his car. Candelaria approached the squad car, and fatally shot McWethy through the driver's window. Shawn was a great young man, and a true good cop. He was studying at UNM after hours with the goal of joining the FBI after graduating.

Another two names on the wall, which I knew personally, are John Carrillo, and John Messimer. The two officers responded to a domestic violence call in 1987 at the home of Merrill Chamberlain. Chamberlain shot and killed John Carrillo after the officers were admitted into the house to investigate a 911 hang-up call. John Messimer returned fire, and attempted to pull John Carrillo to safety. Unfortunately, Carrillo was already dead. Eventually Chamberlain surrendered and was arrested. Messimer was awarded the Medal of Valor in 1987 for his actions, and went on to have a distinguished career with APD. Unfortunately John Messimer never really recovered from the incident with Carrillo, and died in 2015 at the age of 53. Many believed Messimer's early death was due to his self-medication of a severe case of

PTSD resulting from the Carrillo incident trauma. Both Carrillo and Messimer were good young cops, who had their lives shortened by their encounter with Merrill Chamberlain. I also knew Chamberlain, who was a physicist at Sandia Laboratories. Apparently he had severe psychological and alcohol problems, which he kept well hidden.

APD has spawned hundreds of “hero cops,” who do their job very well, but with minimum public recognition. Good deeds don’t sell papers! There are notable APD officers that have been recognized, however. Many people are not aware that an APD detective, Greg MacAleese, originated “Crime Stoppers,” an internationally recognized crime fighting program. Another APD officer, Ryan Holets, along with his wife Rebecca, stood with President Trump at the 2018 State of the Union address in recognition for adopting an addict’s daughter. For the most part however, the vast majority of APD outstanding work does not receive the recognition or reward the good work deserves. Instead the APD system rewards good and bad work the same. More in Chapter 6.

APD Special Units

As noted in the history section, APD has established several special units over time. Chief Bob Stover established many important special units during his two tenures, many formed during the seventies. These specialized units included the K-9, Horse, Bicycle, DWI, Reserve, and Air units. These units, and others established later, have provided tools and flexibility for dealing with a variety of police responsibilities. All of these units have demonstrated their value as components of modern policing and reducing crime.

APD Use of Force Issues

Police work sometimes requires that force be used to protect innocent citizens (including self), effect lawful arrests, and/or stop illegal activity. In this segment we will review the constitutional foundation of this authorization to use force and the limits. We will also review problems and remedies associated with the use of force by APD.

The US Constitution, APD Operating Procedures & the CASA

US citizens are protected against “unreasonable searches and seizures” (i.e. arrest and any associated use of force) by the 4th Amendment to the Constitution. Later court interpretations further required “probable cause” be demonstrated for search and arrest. Police use of force is most often associated with arrest, and the force can include everything from verbal communication to lethal (capable of causing death) force. The constitutional authorization for police use of force was clarified by the US Supreme Court decision in *Graham vs. Connor* in 1989. The court authorized police use of force and “qualified” immunity from prosecution, if such use was “objectively reasonable,” considering the “totality of circumstances.” The totality of circumstances includes the severity of the crime, the level of threat, the resistance, the probability and consequences of evading arrest, etc. The APD Standard Operating Procedures (SOPs) are consistent with the *Graham* decision and also require that police use of force must be reasonable. The APD SOPs further require that all use of force be minimized.

From 2010 to 2014, the Albuquerque Police Department was involved in approximately 40 incidents involving deadly force resulting in 28 deaths and millions in lawsuit claims against the city of Albuquerque. Activist groups and citizens vigorously protested this level of police use of force and petitioned the Department of Justice (DOJ) to investigate. The DOJ investigated and concluded that the “APD engages in a pattern or practice of use of excessive force, including deadly force, in violation of the Fourth

Amendment,” and had a culture and practice of over-aggressive policing. The findings of the DOJ can be reviewed at: https://www.justice.gov/sites/default/files/crt/legacy/2014/04/10/apd_findings_4-10-14.pdf.

The DOJ then negotiated a four year agreement with ABQ City representatives to reform the APD. This agreement is titled the “Court Approved Settlement Agreement” (CASA). The CASA, associated reports, and other documents may be viewed at <http://www.cabq.gov/police/documents-related-to-apds-settlement-agreement>.

An early summary describes the CASA well, and is quoted below.

On November 14, 2014, the United States Department of Justice entered into a settlement agreement (SA) with the City regarding changes the Parties agreed to make in the management and operations of the APD. This agreement consisted of 276 requirements accruing to the APD, the City of Albuquerque, and related entities, including, for example, the City of Albuquerque’s Citizens’ Police Oversight Agency (CPOA), and the City of Albuquerque’s Police Oversight Board (POB). After approval of the Settlement Agreement by the Court in November 2014, on January 14, 2015, the Parties selected an independent monitor to oversee and evaluate the APD’s response to the requirements of the CASA. Dr. James Ginger (CEO of Public Management Resources), and his team of policing subject matter experts (SMEs) in the areas of police use of force, police training, police supervision and management, internal affairs, police-community relations, crisis intervention, and special units were tasked with the responsibility of developing and implementing a monitoring methodology designed to, where possible, evaluate quantitatively each of the 276 individual requirements of the CASA. The monitoring team’s proposed methodology was submitted to the parties (The USDOJ, the City of Albuquerque, the APD, and the Albuquerque Police Officers’ Association) in March 2015. The Parties reviewed and commented on the draft. The monitor revised the methodology document and suggested an improved version in terms of accuracy, un-

derstandability, and style. A Court Order modifying deadlines for the CASA was approved by the Court and filed on September 24, 2015.

Dr. Ginger, the Monitor referenced above, has issued fourteen reports as of this writing. The reports have not been particularly positive until recently, but have indicated substantial progress in the reform process. Section 4.1 (compliance) of the sixth report lists 97% compliance with the CASA in the area of policy, 71% in the area of training, but only 53% in the operational requirements, particularly in the supervisory area concerning use of force reporting. Paragraph 3.2.2 of the sixth report states that APD, up through command level, “has difficulty knowing an improper use of force.” The eighth report issued November 2018 showed improved scores (100%, 75%, 59%). The November 2021 (14th) report shows (100%, 82%, 62%). The monitor notes very little change after three years and that APD “leadership and supervision is lacking.” A big issue is the backlog of over 660 open APD misconduct investigations.

APD Efforts to Reduce Use of Force After the CASA

My perception is that prior to the CASA, the APD may not have had an actual culture of excessive force and over-aggressive policing, but there was certainly no reluctance to use force to get the job done as quickly as possible. The prevailing philosophy was to do whatever it took to get home safely. “Better to be tried by 12 than carried by 6.” Training often emphasized street survival and combat skills, including shooting. Although not as heavily emphasized, APD has trained in de-escalation and negotiation techniques for years (e.g. “Verbal Judo” and “Hostage Negotiation” classes). Following the CASA, the training emphasis has definitely flipped to emphasize de-escalation and minimum use of force, including “hands-on” over other options.

Also since the CASA, APD has greatly increased training on dealing with the mentally ill as an integral part of teaching effective de-escalation skills. Since 2016, all APD officers have had to complete a 40 hour class in crisis intervention along with other in-service training that promotes effective interaction with men-

tally challenged people. This course work, the course materials, and the excellent training staff, have received positive national recognition.

Prior to the CASA, APD had instituted other measures to reduce the use of force incidents. The most important of these was a 2011 mandate requiring the use of on-body recording devices (e.g. cameras) to be worn by the officers. The purpose was to help document what really happened in police-public encounters, particularly those that involved force or bad behavior by either party. The cameras have mostly served that purpose, but their use has also raised public privacy concerns and questions regarding the forfeiture of police officers' Fifth Amendment rights. Another negative to the cameras is their initial and associated long term data storage costs, not to mention the manpower bureaucracy. Nevertheless, the cameras appear here to stay. It is ironic that Mayor Chavez banned the "Cops" TV show photographers from filming APD in action, noting that "they were giving the city a bad reputation."

At the street level, the CASA has resulted in a major expansion and overhaul of the APD Standard Operating Procedures (SOPs) concerning use of force. There has been a major increase in officer use of force training as noted previously, and a huge expansion of use of force reporting and investigation requirements. A substantial source of APD's critical press has been due to poor police reports. The officer's reports did not clearly or adequately articulate the story of the encounters or provide enough information to judge the reasonableness of their actions. Likewise, supervisory review, investigation and follow-up of uses of force were deemed inadequate and not timely.

After seven years under the terms of the CASA, it is difficult to determine the benefit of the reforms. From 2010 to 2014, there were 28 fatal police shootings as noted previously, or an average of about 5.6 per year. There have been 43 fatal police shootings from 2015 through 2021, for an average of about 6.2 per year. Almost no change. However, the ABQ crime rates substantially increased during this period, indicating more criminal activity and occasions for more violent criminal-police encounters. Unfortu-

nately, more detailed analysis is difficult because the numbers for police use of force incidents and lawsuits versus time has not been widely publicized.

The monitor stated in March 2018 that a complete “reset” of APD’s compliance efforts was in order. I think this reset has happened particularly with respect to APD management attitude. The excellent training for officers on how to deal with the mentally ill and other reform efforts are good news, but have generally been under-reported. Hopefully these and other reforms will prove to be productive going forward.

The bad news with the reform effort is that the greatly expanded bureaucracy (particularly reporting) has contributed to the difficulty of the officers and their supervisors to do their job, low officer morale, low retention of officers, and difficulty in recruiting. Low level police staffing and inaction along with other important factors, such as prosecution backlogs and a “revolving door” criminal incarceration policy, have contributed to a significant increase in ABQ crime. NM Constitutional Amendment One (2016) and the associated “rules” are major factors in the revolving door problem. The result is more criminals on the streets. See Chapter 2.

APD Standard Operating Procedures (SOPs) Regarding Use of Force

The primary APD SOP regarding use of force is section 2-52, which covers use of force policy, definitions, requirements, and training. Use of force reporting and investigations are covered in a separate section, 2-54. These sections have been subject to almost continuous review and periodic change. The current versions of the APD SOPs may be viewed online at <http://www.cabq.gov/police/standard-operating-procedures/standard-operating-procedures-manual>.

Some definitions and comments on use of force from the SOPs are necessary for understanding the issues involved. The levels of use of force are outlined below.

- 1) Show of Force. This includes officer presence, verbal

communication of the consequences for failure to comply, brandishing a weapon (e.g. Taser, chemical spray, firearm) without pointing, and minor use of hand control (e.g. handcuffing) without injury or complaint of injury. These are reportable on an incident report and must be approved by the chain of command.

- 2) **Low Level Use of Force and Investigable Show of Force** (pointing a firearm, laser “painting” a target with a Taser). There is no potential for tissue damage at this level. Low Level use of force must be documented in a report by the officers involved to include justification and reasonableness. First level supervision was also required to write a report on their investigation of the incident, which includes their determination of the level of force classification. Many first level supervisors believed that the requirements for their report were excessive and comparable to a “mini-homicide” investigation as one described it, including interviews of witnesses, video recording and review, etc. First level reports must then be approved up through the chain of command. The use of force particulars must be entered into Blue Team, a record keeping software file system. Past requirements did not include a supervisor’s classification or separate report of the incident at this level in most cases.
- 3) **Intermediate Use of Force.** This level has the potential for non-serious tissue damage and includes empty hand force tactics, use of chemical spray, baton, Taser, and bean bag (or other non-lethal) shotgun rounds. This level of force requires reporting similar to that for low level use of force but upon determination by first level supervision that the use of force is intermediate level or higher, the incident must be further investigated by the Critical Incident Review Team (CIRT) for compliance with the administrative aspects of the relevant SOPs, by the Force Investigation Team (FIT) and Internal Affairs (IA) for compliance with constitutional law and to determine if there is criminal police conduct. This level of force is also subject to review by the civilian Police Oversight Board (POB) and the Civilian Police Oversight Agency (CPOA).

- 4) **Serious Use of Force.** This level can result in serious injury or death and includes the use of the Taser for more than 15 seconds total, K-9 bites, neck holds, head strikes, and any use of a deadly weapon (e.g. shooting). The investigation and reporting are similar to the former level, but may include additional investigation by the coroner, the homicide unit, the District Attorney and others.

The multiple investigations and documentation requirements for lower level use of force incidents resulted in an unsustainable manpower drain. One supervisor noted that it appeared that more cops were investigating other cops than were investigating crime at large.

An amended CASA was approved 3/5/18. The changes essentially combined the Show of Force with the Low Level Force classification (three levels remain now), and eliminates the sergeant's investigative report in these incidents. The changes still require the sergeant's review and approval of the officer's report, **and** that the sergeant properly classify the force level. For the higher levels of use of force, the newly formed Internal Affairs Bureau will take over the sergeant's investigations. Stay tuned for more changes in the SOPs and the CASA.

It is important to note that the extensive CASA reforms focus almost entirely on police use of force and associated documentation, but have almost no direct focus on reducing crime. In fact, the opposite could be argued, i.e. the use of force restrictions, the extensive investigations and the documentation required by the CASA reforms have inhibited legitimate/conventional law enforcement with a resulting increase in crime.

APD Community Policing and Communication Issues

The police are an integral part of the community, and this relationship must be very strong for effective policing and crime prevention. Good communication is essential to fight and reduce crime. We will look at APD performance in this area and possible improvements.

Albuquerque has many problems that are generally outside APD control as noted before. However, APD does have management issues that can be addressed internally to improve policing and the crime situation in Albuquerque. These management issues are generally focused around two areas: 1) practicing community policing well and improving communication both within and outside the department and 2) improving management “systems” to promote excellence, accountability, and trust. I will touch on communications in this chapter and general management in the next.

APD Communication with the Community

Any community requires strong inter-connectivity to be effective in promoting the common good. Cops must be involved in their community and the citizens must be involved with their police.

Most people in Albuquerque do not have any police officers as friends or even acquaintances. Likewise most police officers hang around with other officers, and are not generally heavily involved with the community in a civilian capacity. This is not a healthy situation and it promotes an “us against them” mentality and mutual distrust. APD and the city have been working hard in recent years to overcome this lack of communication with several programs such as the Reserve Unit, the DARE program (and other school resource programs), the Civilian Police Academy, the Community Policing Councils, Coffee with a Cop, etc. In the past, the Fraternal Order of Police and the union also promoted community involvement. These efforts are fine but obviously still not enough. The media has been on an unbalanced negative APD

publicity crusade for several years with plenty of negative material on police management, police misdeeds, bad manners, poor driving, wasteful practices, and a general lack of responsiveness to criticism. Some of this negativity is justified and is often left unanswered by an appropriate response. There seem to be few features published on exemplary officer service. There are few articles or even letters to the editor penned by APD officers or management. It seems the APD public information officers are constantly on the defensive and struggle to articulate positive action and changes within the department.

To eliminate the “us against them” mentality and mutual distrust, APD has to become more heavily involved and participate in community affairs. That means doubling down on participation in existing programs such as school resource officers (and other school based activities), etc. listed above, and explore new opportunities for interaction with youth. The Fraternal Order of Police and the Police Athletic League used to be much more involved with the community and could be again. The union needs to drastically improve its image to be accepted as a partner in the community. The media needs to be provided with plenty of positive material on exemplary officer service. APD officers and management should be more active in civic groups. APD public information officers should present the good as well as the bad news. The chief should be the primary Public Information Officer and perhaps provide a weekly recap of police related news.

Police Substations are Not Conducive to Public Interaction

Police substations are primarily places for police work, and should provide privacy and security for the officers. As a consequence, most substations are relatively isolated from the general public.

However, APD currently maintains small substations in Coronado and Cottonwood Malls, which have the potential to become centers of community policing. These malls attract thousands of people daily. These co-located substations could serve as police good will centers if they were advertised as being stocked with city facility passes (for pools, museums, animal exhibits, etc.),

McGruff badges, and other giveaways popular with kids and their parents. Recruiting, public safety info, and report forms, would also be available as they are now. Special events, such as Operation ID for kids and vehicles, and special exhibits, could be hosted at these locations on a revolving basis. The malls themselves would likely cooperate with additional space for tables in the walkways immediately outside these subs for special events. Volunteers could greatly leverage police manpower in the public relations tasks.

Finally, police recruiting personnel could maintain a popular continuing presence in these locations. The idea is to put the police where the people are rather than have the people find the police.

Police Mini-Substations in Public Places

At one time APD had “mini-substations” scattered around the area commands in shopping centers and otherwise. There were mini-substations in 7-11 type stores and other public places because they were crime “hot spots.” These consisted of little more than rooms with desks to write reports. I don’t know of any of this type today. Although these were handy for officers in some cases, none of these were intended to or had any particular attraction for kids or adults.

Mini-substations at more attractive locations such as city community/multi-generational centers would **automatically put officers in friendly direct contact with the users of these centers**, mostly kids and seniors. These centers are generally safe, include sports and playground equipment, and often have Wi-Fi and kitchen facilities. Some are co-located with parks. Even if not regularly manned by field officers, these “mini-subs” could be manned by volunteers and stocked with city giveaways popular with kids and their parents, as noted in the preceding section on Mall sub-stations. The idea is to promote information sharing with the public, discourage crime, and promote good will. These centers are already owned and operated by the city. Incorporating police operations would require cooperation among several city departments including Parks & Recreation, Office of Senior

Affairs, etc. as well as the Police Department. The Mayor is probably the only one who could make this happen.

Top Management is Often Disconnected from the Field Officers

Time will tell how effective the current APD and City management will communicate. Many times in the past, I have perceived a lack of visible top management leadership and a management disconnect from the field. The current situation is hopeful in these areas.

I have worked under twelve different police chiefs. The two best former chiefs during my career were Bob Stover and Gerald Galvin. Both were leaders, as well as effective managers. Both chiefs made mistakes, but earned respect as tough but fair leaders who were in touch with their officers. **It was common to see them in the field in more than a ceremonial capacity.** On one occasion, Bob Stover showed up at a fatal accident in the Valley at 11:00 pm in his old motorman's uniform on APD's only remaining Harley. The call involved a stolen Corvette occupied by two Rio Grande High School students who were speeding, and failed to negotiate a turn. The driver was killed when the vehicle flipped, and he was cut in half exiting through the open T-Top. Stover did not interfere with the scene but observed how it was handled and by whom. This was not unusual as he often showed up at calls all over the city during all shifts. He was known to call in units so he could ride along, always asking how the department could be improved, and what he could do to enable the officers to do their job better.

Chief Stover also often spoke and listened to civic and business groups to understand their needs and concerns. At one invited presentation to almost a thousand persons at Sandia Labs, he was loudly applauded after a contentious Q&A session following the talk. His presentation was arguably politically incorrect at several points and often profane, but it got high marks because "he spoke clearly and directly, and there was no question what he meant" as several commented. Although Stover was held in high esteem by his officers and the general public, he was often at odds with the mayor and his own management staff. After his first retirement as

Chief of Police, he was elected sheriff for two terms in 1982 and 1984. As further evidence of his management skills, Mayor Harry Kinney chose Stover to be the city Chief Executive Officer in 1985. He was a leader and a manager.

Like Stover, Gerald Galvin was in touch with his officers in the field. He showed up one night during the State Fair and patrolled on foot with me for several hours discussing his job as well as mine. During this shift, he assisted in breaking up a large gang fight with his duty issue pepper spray and helped eject the fight participants from the fair grounds. Galvin showed up at many other calls and neighborhood events. He personally took command during a major power failure in the NE area when the Captain could not be found. Galvin expected his Captains to meet once a week with him to describe activity in their area commands and what they were doing about it. He did not believe in a large number of management layers or deputies because he felt they insulated him from the work and what was going on. He once stated that he only wanted one Deputy Chief to “kiss the babies while he was unavailable.” His efforts to clean out the “Fifth Floor” made him less than popular with the displaced management, but certainly caused a needed re-evaluation of responsibility.

Some departments require the command staff to actually take calls for one shift a month! At the very least, the command staff should ride along or work alongside field officers for a half shift or more a month, and write their own reports. I’ll bet the number of forms, the poor software, the ponderous SOP’s, and the complex reporting requirements would be greatly simplified and improved if the brass had to use them. As stated before, the current SOP’s consist of over 2500 8-1/2"x11" pages and attempt to **prescribe** good policing and management with very little leeway for judgment. When I started, the SOP was about 115 pages and fit in a 6"x9" binder along with the city traffic code. The optimum is probably somewhere in-between these extremes. No matter how large the SOPs grow, they will never cover all situations. **Unnecessary complexity leads to disuse and ignorance.**

While the chief serves at the mayor’s pleasure, the chief should

not be perceived as a figure head for the Chamber of Commerce, or a puppet for the city administration. Management and staff “blowback” should be constructive and is fundamental to an effective organization. Perhaps the Police Chief should be elected.

There are Limited Opportunities for Upward Communication

Police departments, including APD, are paramilitary organizations that are not known to be flexible or receptive to new ideas or upward communication. A longstanding comment within APD is that there are no suggestion boxes at the substations. Why not?

Enforcing the Law as a Community Communication Tool

Doing the police job of enforcing the law in a highly visible way, such as traffic enforcement and warrant pursuit, promotes face-to-face communication with the community, and can be quite positive.

Traffic enforcement is important to further traffic safety of course, but also serves to establish police presence in a very visible way. Nothing signals police presence like flashing red and blue lights! This has the immediate payoff in crime prevention, and discourages other traffic law violators. In particular, red light violations, and various other careless or reckless driving violations, pose a significant hazard to other drivers. Secondary benefits are possible apprehension of drivers with outstanding warrants, recovery of stolen or contraband property, including the vehicles themselves in some cases, and removing unsafe vehicles and impaired drivers from the streets.

A traffic stop also provides a positive opportunity for the officers to meet ordinary citizens in their beat. A warning for minor violations, such as a burnt out tail light, provides a service to the driver, while also providing a chance to discuss areas of concern to both parties, etc.

Like traffic enforcement, serving warrants is important to public safety and also serves to establish police presence in a very visible way. Traffic enforcement and warrants are often connected. One officer I know used to say “show me a cracked windshield,

and I'll show you a driver with a warrant." Pursuing people with warrants has an immediate payoff in crime prevention, and discourages other absconders. With over 110,000 (yes, you read that right) outstanding warrants in Bernalillo County, encountering wanted persons in Albuquerque is not a rare event. Most of these warrants are for misdemeanors such as shoplifting, traffic offenses and generally for failure to appear for some court event. Perhaps 10% are for serious offenders and parole violators, who are wanted for crimes, or who violated their conditions of release.

Most of these wanted persons are encountered and arrested in the course of unrelated (to the warrant) police actions such as traffic stops. During a routine traffic stop it is customary to check the wanted status of the driver and possibly the passengers using NCIC. While not as common, some warrants are served in directed efforts, such as individual raids or targeted sweeps. Serving misdemeanor warrants is considered low priority and even boring by some officers, but can greatly affect crime by letting criminals, their associates, and others know they are actively being pursued and subject to arrest. One officer I worked with, Kent Parsons, routinely obtained a printout of all outstanding warrants and then sorted the ones in his beat and actively pursued them. If the offender was found, they would be arrested or directed how to surrender on their own. If they had moved or died, they were removed from the list. If the offender was not found but associates (e.g. spouses, parents, co-workers) were found, the associates were presented with a form letter to the offender listing the warrant and where they could call or visit to take care of the warrant. The memo ended with a nicely worded warning that another attempt at arrest was in order if they had not taken care of the matter in a week (i.e. they were on next week's list). This is an example of very effective pro-active policing. Knowing they had been found, many absconders took care of the warrant on their own as they should have to begin with. The word also gets around fast in the neighborhood, which makes wanted persons and bad guys uncomfortable, and good folks feel like the cops are doing their job. At one point, we had cleared all outstanding warrants in my home beat.



Figure 6-1. Reserve Officers Employed by Sandia National Laboratories in 1988. From left to right, they are Jim Blankenship, Phil Forbes, Marty Gonzales, Paul Justice, Kent Parsons and Joe Abbin. Not pictured are Erv Jaros and Bill Talley.

It seems incredible, but when we made an arrest and transported a prisoner to the MDC, we often served as many as six warrants on prisoners who were already in custody! Officer Parsons identified these prisoners by doing a merge of two data bases, the county in-custody list, and the NCIC outstanding warrants list. Newspaper reports indicate that this is still not uncommon when we read that wanted persons with outstanding warrants already in custody are released “accidentally” either through lack of diligence, inadequate, or incompatible data access systems.

Part Time Officers, Reserve Officers, and Other Volunteers as Police Ambassadors

Paid part-time officers are scarce in APD, but could be a major source of manpower. Young officers, who are also parents or caretakers, and older officers easing into retirement, are just two examples of groups that would find part time employment desirable, just as part timers in the commercial world have. Any legal

barriers are easily remedied and would certainly be supported by smaller departments. Who would argue against more cops to fight crime?

One powerful communication and involvement tool that has been neglected for years is the use of volunteers in general, and the APD Reserve Unit as noted in the following section. Volunteers can provide a sorely needed capability, as well as, a **vital linkage with the community** outside of law enforcement. A recent survey of volunteer utilization within APD found only token use. Supposedly, APD has a potential pool of over 200 volunteers from the Citizens Police Academy and other sources. APD has 1500 paid employees, yet we currently only use about 35 volunteers. People want to help fight crime - why not put them to work?

APD Reserve Unit - What Happened?

The Albuquerque Police Department Reserve Unit was established in 1974 by Chief Stover. The Reserve Unit was once highly valued by the department and the community, and was considered a model for community policing. In recent years, the program is non-existent and forgotten both inside and outside the department. The question is why?

The original purpose of the unit was to augment the regular force in normal service while providing a reserve capability in emergencies. In many cities and states, the reserve units number approximately 10% of the regular force numbers. The anti-war riots in Albuquerque in the early seventies demonstrated that the city and the police were woefully and inadequately prepared to deal with a major insurrection and riot. Coping with those riots at the time required the callout of the NM National Guard. The Guard provided the needed manpower, but the help came with problems of its own. The troops were combat trained and armed, but not well prepared for dealing with the local rioting US citizens. These citizens were a mixed group that included destructive and larcenous criminals, as well as legitimate protestors who were exercising their constitutional rights. De-escalation techniques were seemingly unknown to all parties. Thus the Reserve unit

was formed to provide a trained overload police capability.

The Reserve Unit yielded additional benefits over and above providing sprint and specialized capability for the regular force. **Since Reserve officers are recruited from the general population and serve only part time, they provide a valuable imbedded link between ordinary citizens and the police department.** Many of the reservists were employed full time by companies that often provided specialized equipment and expertise to the department, as well as time-off for their citizen cops. Sandia Labs was particularly helpful in the areas of explosives, forensic computer analysis, and robotics. Companies such as Sandia, PNM, US West, and other companies employing reserves, were often the source of free positive press for APD as well as public safety publicity.

Another benefit of the Reserve unit was as a recruiting tool for the regular force. Many reserves went on to become regular officers. At least half of the early reserve attrition was due to migration to the regular force. The reserve program allowed high quality people who were interested in police work the opportunity to determine on-the-job if police work was their calling, and to provide public service without having to give up another career. The reserve program likewise provided the department a look at the reservist's suitability for police work. At one time perhaps 10-20% of the regular force was made up of former reservists. Former reservists also contributed to the management pool. In 2000, the Reserve Unit had almost 100 officers but dwindled to less than a half dozen in 2018. There had not been a reserve academy since 2005 no meetings after 2016. The reserve unit was deactivated in 2020.

In recent years, the reserve unit incorporated retired full time officers. They were an excellent addition to the program by providing their experience and expertise. After 2018, no retired officers were accepted into the reserve unit. The reserve unit should again be re-activated and incorporate retired full time officers. Why not?

With all of the above benefits, why did APD abandon their re-

serves? One express concern was “liability.” However, history does not support this concern. The facts are that there have been no lawsuits that I am aware of involving APD reservists in Albuquerque. At the same time members of the rest of the department have been involved in tens of millions of dollars in lawsuits. Reservists tended to be older and more mature than many of the regular officers, particularly the reservists who were former full-time APD officers. Also, reservists were usually part of two person units that benefit from the enhanced force posture and the joint judgment that comes with a team. Two person units obviously provide a safety advantage over a single officer whether on patrol or answering a call.

Legitimate concerns with the reserves include cost and certain intangibles. Even though the APD reserves serve without pay, there are costs associated with training and management. Intangibles include unfounded fear of the reserves displacing overtime for the regulars, serving as strike breakers, or serving as snitches for management. I have not seen nor heard complaints of any of these concerns from the officers I worked with. In fact, almost all of 300 or so partners that I have worked with over the years have thanked me for my service, and many of us worked together multiple times by mutual agreement. A notable exception was Matt Griffin discussed previously.

In my view, the reserve program provides benefits in enhanced officer safety and additional crime fighting capability that heavily outweigh the costs. The program should be re-activated and greatly expanded. See Chapters 7 & 8. The Reserves provide an excellent opportunity for community policing at its finest.



Figure 6-2. John F. Kennedy as a Kid “Cop.” Most kids, especially boys, start out wanting to be cowboys, cops, and super-heros. Becoming a police officer is a realistic career choice, and police officers should be role models for these kids and interact with them.

APD General Management and Personnel Issues

This segment will address APD internal management issues that are less than optimal or counter-productive to doing the job, i.e. enforcing the law. We will also discuss police performance, including how we define performance, how we measure it, and how we reward it. Identifying the problems may suggest possible improvements.

As we noted in the previous chapters, there are many problems that are not generally under Albuquerque Police Department control but there are factors that a world class police department can positively influence. To become world class, **APD management has to be the change agent** that addresses the deficiencies noted previously that **are** under their control. We addressed communication deficiency issues in the last chapter. In this chapter, we will address APD's **internal practices that contribute to less than the best performance. In addition, we will explore options to attract and retain the best officers with a "system" that promotes excellence and accountability.**

We will address the issues identified below and in previous chapters, and summarize possible improvements in the next chapter.

Performance

Measuring department and individual police performance is crucial to satisfying public (the "customer") expectations and improvement. Before we can measure performance, we must be able to define the job at all levels, and identify the requirements to do the job. After defining the job and the requirements, then we can develop metrics and goals that will define what constitutes a great department and a great officer.

The process generally starts at the top of the organization. Why does the police department exist? What is the purpose of each unit and how does that unit contribute to the department's mission?

What are the key measurements (“metrics”) at each level that we should measure that would help us define success and/or relative performance?

As noted previously, I believe APD's primary job is to **enforce the law**, thereby reducing crime, and protecting the community. To keep track of our job performance we must determine and use meaningful metrics. Hard metrics would include the city crime statistics, the “clearance” rates (perpetrators arrested, property recovered, etc.), and our ranking compared with other cities in every category thereof. Hard metrics must also include those associated with use of force as mandated by the CASA. Soft metrics might include independent surveys of public sentiment. The previously available (prior to 11/2017) APD on-line monthly reports reported on key crime statistics, and were a good example of a data driven policing tool.

At the department level we can visit www.apdonline.com and review the most current mission statement, goals (none currently), values, etc. What I have found online is that these items are currently vague and mixed up. For example the mission “is to preserve the peace and protect our community through community oriented policing, with fairness, integrity, pride and respect.” How about enforcing the law? How about reducing crime? What is “community oriented policing”? Why are “values” part of the mission statement? Unfortunately this lack of focus, vagueness and wordiness pervades much of the APD documentation. It also seems to me that we are missing clear and meaningful goals at the department level. How about targets related to the job of enforcing the law such as number of arrests, percentages of cases cleared (solved, material recovered, etc.), traffic citations, warrants cleared, etc.? How do the area commands compare?

Reporting and measurement requirements related to the use of force are pretty well specified by the CASA. Target levels for acceptable use of force incidents or percentages have not been worked out with the DOJ. What percentage of service calls that resulted in officer involved shootings are acceptable? What was the effect on the crime rate?

Goals and standards for performance at the individual officer level are job description dependent. Standards for traffic officers would be expected to be much different than those for impact detectives, for example. What would be considered high and low performance can only be determined by establishing appropriate metrics and comparing the measurements for people in similar jobs. This has been done to some extent in the past.

Meaningful and important goals related to big items like the crime rates and incarceration rates would have to be joint with the county and state.

When we talk about performance elsewhere in this document, I will assume that the jobs have been defined, that appropriate metrics and standards have been established, and that performance against those metrics is actually being measured. APD has defined the job assignments and policy well in many cases. Defining and identifying performance metrics and measurements, not so much.

Performance and Pay Not Linked

A major APD issue in my view is that an officer's pay and their opportunity for promotion are not directly linked to performance. Time in service and testing skill are the key determinants of compensation and promotions. I agree that experience and knowledge are very important. However, moral standards, courage, initiative, perseverance, work ethic, customer service, maturity, and **particularly judgment** are also important. **No great organization/industry could operate with a reward system like APD's that does not reward excellence and often fails to deal with incompetence.** See more below on linking pay with performance below.

High Performance is Not Adequately Rewarded

Nominal money and recognition awards are awarded for "Officer of the Month," etc. Currently these awards are passed around to different units so nobody/no unit is skipped. I've never seen an officer, unit, etc. get the same reward in two consecutive months, or even twice in the same year. I suggest each unit or

team award their highest performers each month (or other time period). This would obviously result in more awards, and hopefully contribute to sustained high performance.

Only the “best of the best” would then go on to be considered for “Officer of the Year, Quarter,” etc. These rewards should be increased monetarily with an accompanying greater public recognition. This would be referred to as non-permanent compensation in industry.

There Should be a Dual Ladder Career/Reward System

Promotion to management, and time in service, are currently the only paths to increasing base pay for field officers. Pay is not directly linked to an officer’s performance record, as noted previously.

Sustained high performance in the field should be rewarded with a non-management promotion that only requires a record of excellent police/public service. As most organizations have found, not every excellent performer in grade is suitable for a management position, or even wants to be in management. These highly valued employees could qualify for a non-management position such as “Distinguished Officer/Detective.” Only 10% of the field force could occupy this position at any time, and they would be compensated on a level with a management position such as sergeant or lieutenant. To qualify, they should have achieved the “Officer of the Month” two or more times in two years, no reprimands in the last two years, etc. A point reward system might be highly motivational. This is referred to as a Dual Ladder promotion/reward approach in industry.

The Bid System

Officers currently bid for assignments/jobs once a year. The jobs have associated work location, time of day shifts, and days off. Officers generally bid in order of seniority. The present bid system is conducive to perpetuation of cultures both good and bad. Management bids first for the job, shift, and/or area assignments, then officers bid next. This system can promote a “good

old boy” culture that is often a negative. Experienced officers and new officers are often segregated. Lax management tends to attract lax officers. A better system in my view would be to reverse the bid order, i.e. management bids after the officers.

In addition, each squad would require at least one new officer, and no squad would consist of all new officers.

Working Hours, Shifts, and Overtime

Police work is somewhat unique in that the workload is often unpredictable and capability must be maintained 24/7. Five day a week, eight hour shifts are standard in industry, but police officers in the field require shift overlap, shift overtime, meal time, weekend work, night work, court time, etc. to accommodate the non-standard criminal work schedule, accident frequency, special events, etc. APD has experimented with numerous work schedules. Ten hour shifts seem to make sense for field work. Twelve hour shifts in industry have demonstrated lower productivity and higher accident and error rates. Part time and reserve officers could provide much needed staffing, flexibility, and retention (e.g. working mothers, officers nearing retirement, and retirees). We have less than 1% part time and no reserve officers in the field today. Why?

While overtime is valued for enhancing the officer’s income and department flexibility, excess overtime contributes to unnecessary stress for the officers and their families by reducing individual quality time, as well as, quality time with friends, family and the community. Money matters, but so does rest and relaxation in improving job effectiveness, quality of life, job satisfaction, attitude, etc. How much is too much overtime? For many, eight hours or one shift per week is more than enough. The Department of Transportation limits truck drivers to 11 hours of driving per 24 day. Police work would certainly seem to require similar restrictions.

A time/bid limit for working in certain assignments such as vice, auto theft, etc. would serve to discourage criminal dynasties in the department such as experienced in the past (see bad cops in

Chapter 4) and other departments (e.g. rogue officers in the Ramparts Division of the Los Angeles Police Department).

The Union

The union is considered desirable, or at least tolerable by most officers, because it serves to protect them legally, and also represents them in resource competition with other city workers' unions. Most of the management up through lieutenant is also part of the same union. **This is highly undesirable in most work situations**, since it promotes a “good old boy” culture where performance cannot be managed effectively when management is mostly accountable to their co-workers, and not to their upper management or their ultimate customers (e.g. the citizens of Albuquerque). **The roles of management and those who are managed are quite different.** Management has responsibility for getting the job done and allocation of resources rather than doing the job.

This same management-worker union scenario would be considered bad practice and a conflict of interest in most organizations. At the very least, management should have their own union (if any). We should note that the military (most police departments are para-military) discourages fraternization between management (officers) and line (enlisted) personnel because it inhibits impartial and effective management.

Training

APD does a good job of training in my opinion. APD runs its own academy for initial training of new officers, and for continuing in-service training (maintenance of education, referred to as MOE within the department). Indeed, even the DOJ has given APD a decent (82% in 2021) for compliance with the training requirements of the CASA. APD's training on subjects related to mental health, dealing with mentally ill people, and general de-escalation skills has been both excellent and extensive. The effectiveness of this training in reducing the use of force and the crime rate remains to be evaluated.

One area for training improvement is online. APD uses online training now, but could use more, in my view. APD classroom training takes officers off the street, does not lend itself to easy review or reference, and tends to emphasize hours rather than content and actual learning. Some “hands on” training, such as defensive tactics, hand cuffing techniques, reality based training, etc. needs to be presented and practiced “live” of course, but even these could have on-line review modules. Other training such as legal updates, case law, etc. would be far better presented and tested on-line. Any training that consists primarily of videos should absolutely be on-line rather than forcing officers to endure in the classroom.

Some current APD on-line training is presented in modules with a test at the end of each module. You can’t take the tests without viewing the appropriate modules first, and you have to get all the questions right before you can go on to the next module. At completion in some courses, you get on-line credit and can print out a certificate for your own records. An officer can take the course anytime, in any place, and record keeping is automatic. On-line training should include an expert contact/live instructor for questions on the subject matter.

Consideration should be given to having an academy after normal working hours to provide training opportunities for working part time and reserve officers, and perhaps regular officer trainees who wish to keep their current jobs while training. More on-line training would facilitate this.

Quality Control, Assurance, & Audit

The APD has a newly formed Compliance Bureau to keep track of compliance issues associated with the CASA and the SOPs. This bureau includes two Internal Affairs Divisions dealing with officer misconduct and use of force. These organizations are quality control tools for police behavior, but this APD area has had its own personnel and integrity issues at all levels in the past. This could be mitigated to some extent by staffing these units with outstanding management, line officers and others approaching retirement. Outstanding officers who have already retired should

also be considered for internal affairs investigations. This would mitigate threats of retaliation or any negative career influence. Extra pay or other perks should be considered to make this generally unpleasant work more palatable.

A less formal tool that would enhance public perception of police diligence and yield important management feedback on officer performance is a simple call back process. Management would follow-up selected incidents with telephone calls to citizens involved, particularly victims. The questions might include; “Were you satisfied with the way officers handled the call?” and “Do you have any further information APD should be aware of?” A log or journal of the responses could provide vital crime fighting information and help identify patterns of good and bad performance. A sample basis would be sufficient in many cases. Such a process might even reduce the need for management to be on site at many incidents.

Data Driven Policing and Management

Before we can improve however, we must clearly define our job (what we are trying to improve), and define meaningful metrics for how well we are doing our job. Next we must establish goals for how well we want to do the job. Then we need to develop an implementation plan to meet our goals. Finally, we must use our metrics (ways of measuring) to evaluate where we are now, and to continually measure our performance. From past experience I can predict that whatever we measure, will improve.

The Albuquerque Police Department (APD) defines the job to some extent as we can read at <http://apdonline.com/our-mission.aspx>. Missing are a current strategic plan, operational goals, and definable metrics in many cases. We can do much better.

For years officers have been writing reports and generating data related to the circumstances, locations, people involved, etc. as part of the process of taking and documenting service calls. In the not too distant past, much of that information was not easily

retrievable. The widespread availability of computers and data storage makes this data much more available and analyzable. Data analysis allows for better management of resources, discovery of trends, identity and associations of people and places, identification of hazards, etc. APD's recently established Real Time Crime Center (RTCC) can provide timely information to aid officers and management to do their jobs more effectively and safely before arriving at a call or taking action. The challenge is to collect the right (useful) data.

The right data can also be a powerful management tool to assess the department, the area commands, each unit, and each officer with regard to performance, and enforcing the law more effectively. Measuring performance will improve performance. Measuring improvements in achieving "public safety (e.g. crime rates)," and "constitutional policing" (e.g. number of lawsuits, complaints) are a direct measure of the effectiveness of leadership and management.

Summary

Recommendations for ABQ & APD Going Forward

Top Line Recommendations

Just so the message doesn't get lost - **short term, we need more cops, more arrests, more prosecutions, and more incarcerations where appropriate to stem the current crime wave.** The recommendation paragraphs below address these needs. This will require a city, county, state, and federal team effort to reverse the tide and make Albuquerque safe.

Concurrently and longer term, we must continue to work on contributory chronic problems, which are often not criminal justice system issues. These include substance abuse, mental illness, poor education, poor parenting, poverty, etc. In the meantime we have to deal with the current runaway crime.

Short term APD specific recommendations follow.

More Cops, More Arrests

We must recruit and retain more police officers if we are to make more arrests and remove criminals from the streets. The current goal of 1200 officers seems like a minimum given the significant number of officers directly assigned to meeting the investigative and reporting requirements of the CASA (Chapter 5). APD has lowered the requirements and raised the salaries and incentives for officers to aid recruiting and retention and yet has not come anywhere near the 1200 officers. **I believe this will continue to be the case under current conditions.** Surveys have confirmed that officer morale, retention, and productivity are low as a result the CASA related use of force, discipline, and reporting requirements; the lack of public and management support; the lack of accountability for criminals, etc. Money is a poor substitute for low job satisfaction. Most police officers want to do the job, i.e. serve the public and enforce the law.

As a start we must renegotiate the CASA to achieve a better

balance between job requirements and job performance. In my view the CASA requirements were almost totally created by lawyers without sufficient police input.

Several of the following recommendations relate to the CASA requirements. Many of these remedial efforts are currently in progress.

Use of Force Recommendations (Chapter 5 discusses the issues)

Require more than report approval from supervision. Encourage after-event direct management contact with the public involved for follow-up after an incident, at least on a sample basis.

Work to reduce, clarify, and simplify the SOPs. Use more outlines, flow charts, diagrams, and examples to make the SOPs more user friendly. A concise “Pocket Guide” to use of force would be very useful for the officers and the public.

Take maximum advantage of the DOJ and Independent Monitor expertise to actually import best practices from other departments to improve function within the department, rather than just adding to the administrative load.

Community Policing/Communication (Chapter 6 discusses the issues)

Increase police presence and take back the streets by increasing traffic enforcement and warrant apprehensions. Arrest for misdemeanor offenders to discourage future crimes.

Utilize more part-time officers, reserve officers, and volunteers. These are potentially huge resources as well as vital links to the community.

Bring the police to the public. Broaden the role of the mall substations and other public locations to make them centers of community-police involvement. Stock these “mini-sub” with city swimming passes, zoo passes, hero cards, McGruff badges, and other giveaways to encourage public visits from kids and their parents.

Use more independent (instead of union or management)

surveys and interviews to answer questions of interest to management, the field, and the public. Exit interviews for terminating employees could be very useful for identifying problems and solutions.

Expand youth oriented programs including the Public Safety Aide (PSA) program, the DARE program, the Police Athletic League (PAL), the Camp Fearless (summer camp) program, etc.

Establish “suggestion boxes” (or equivalent) at the substations for anonymous feedback to upper management from the field officers and the public. Pay for good ideas.

Re-establish and expand the previously available APD public monthly reports to include use of force, arrest, warrants, traffic citations, and manpower statistics with commentary. A historical comparison of key crime statistics would provide perspective. Annual independent audits of statistics would provide some measure of quality control.

Consider a public **APD YouTube** channel similar to the internal APD TV channel, the “Daily 49.” This would be in addition to the APD website, and (or instead of) the APD Facebook page, which has privacy concerns.

APD General Management (Chapter 7 discusses the issues)

Set clear, concise department goals and metrics so that APD management and the public can discern how well the department is doing the job. These goals and metrics should be readily available to everyone.

Clearly define job descriptions at all levels, and determine how performance will be assessed, and follow through on doing the assessments. Each officer should understand what is expected of them, and how their job contributes to the department goals.

Give much more weight to an officer’s service record and leadership potential in consideration for promotion and pay.

Initiate a dual ladder career path system to reward consistent outstanding performers who may not be management material.

Reward more excellent performers. Award officer of the month candidates from each area command and special unit, and recognize with nominal awards as at present. Choose an Officer of the Quarter from the Officer of the Month award winners (“Best of the Best”), and substantially increase financial awards and perks.

Connect Top Management with the Field Officers. Put the chief and deputy chiefs in the field once a month. Initiate lunch with the brass to link the bottom of the management chain to the top of the chain on a regular basis.

Staff the Internal Affairs Divisions with retiring (and/or retired) officers to minimize peer and management pressure. These Divisions should also be tasked with conducting special studies and producing “lessons learned” reports on department problems.

Remove all management from the union collective bargaining agreements. In the past, “Captains” were renamed “Commanders” and became “exempt” (non-represented) managers. The same needs to happen with the Lieutenants and Sergeants so they are no longer a part of the union rank and file. A separate board or peer group can be established to represent their management issues.

Bring back the mobile prisoner transport vehicle (“Paddy Wagon”) and utilize temporary detention facilities at the substations to minimize the time transporting prisoners and to maximize the officers’ time on the street.

Do more on-line training. Establish an on-line library of appropriate refresher courses available for viewing at any time by approved personnel.

Prosecution and Incarceration (General issue)

The current “revolving door” or “catch and release” mode of dealing with criminals is a major factor in Albuquerque’s serious crime rates and low police officer morale. It will be of limited value if we only increase the number of police officers and improve their operation, when the rest of the system continues to fail and the criminals are not dealt with. The current bail and prison reform efforts have been a failure locally and nationally.

A reasonable legislative start to reduce crime and protect the

public is to modify or repeal Constitution Amendment One (page 2-8) to incorporate the federal pre-trial guidelines as discussed on page 2-10. Public safety should be first priority.

Even limited incarceration as discussed in Appendix A, has been shown to be a very effective tool for reducing all crime. New York City's use of incarceration for minor crimes drastically reduced major crimes while lowering overall incarceration rates. Albuquerque's similar experience with crime reduction in the past is shown in Fig. 2-3.

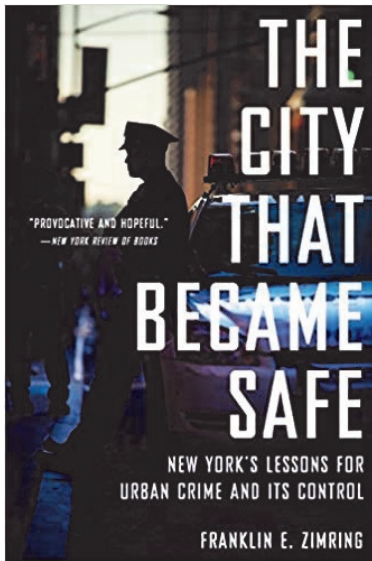
Therefore we should start arresting for all crimes and keep violent offenders in jail until trial using federal "rebuttable presumption" guidelines. Limit jail diversion court access to first time misdemeanor offenders. Many criminals that I have personally dealt with have acknowledged that incarceration was a necessary part of their rehabilitation.

Bottom Line

Albuquerque and New Mexico have been in the US top 20 crime center rankings for over 60 years and in the top 10 for many of those years. Albuquerque has been in the top 5 worst violent crime cities for the last few years, often exceeding the US national violent crime index averages by factors of 3 or more. Criminals cause crime! Whatever their backgrounds, handicaps, and motivations, we have to deal with their behavior. We can do this in a constitutional manner. Accountability and consequences for criminal behavior count!

Pursue, arrest, prosecute, and incarcerate (as appropriate) all criminals.

New York City's Lessons for ABQ Crime Control



I consider this book to be the definitive study of NYC's remarkable turnaround in crime. I recommend the book highly. In this analysis, I liberally draw from the book and identify direct quotes in italics.

The author, Franklin Zimring, is a law professor and Chair of the Criminal Justice Research Program at UC Berkeley. In this book, he takes a deep dive into the NYC statistics and attempts to define which changes were most instrumental in NYC's remarkable crime reduction. He found it difficult because many changes were initiated at about the same time.

Zimring was never a police officer so I have added my own police perspective where I believe helpful.

Introduction

Prior to the early 1990's, New York City (NYC) had runaway crime and quality of life problems. When the city finally addressed the problems between 1990 and 2009, NYC reduced its homicide rate by an astonishing 82%, its auto theft rate by 94%, and all crime rates by a minimum of 63% from their peaks, to become "one of the safest big cities in the world." This improvement was almost double the improvement occurring nationwide during the same period. How NYC did this is described in the book below and throughout this appendix.

Nationwide, the improvements in the 1990's were primarily driven by major crackdowns and reforms at the federal level (e.g.

the Violent Crime Control and Law Enforcement Act of 1994 and later legislation).

“The City That Became Safe” (Reference 12)

Since Albuquerque is currently at record high levels for all crimes, I believe we should take a careful look at NYC’s approach to making these dramatic reductions in crime.

Despite significant and obvious differences between NYC and Albuquerque, the book highlights measures that Zimring and I believe are valuable in reducing crime in any city, including Albuquerque. There are important surprises in the following paragraphs as to which policing and crime factors were found to be important and which were not.

The book concludes that the “NYC Effect” resulted from substantial increases in police manpower, but more importantly from massive changes in police crime fighting policy, tactics, and management. Arrest, prosecution, and incarceration for minor crimes were demonstrated to be effective serious crime fighting tools.

Major Findings from “The City That Became Safe”

In the following paragraphs, I summarize some of the major findings of the book and add my own comments based on my own police experience as a reserve police officer in Albuquerque from 1983 to 2019. I also visited NYC often from 1966-1971 and infrequently later, so I have some firsthand knowledge of the city and their struggle. Direct quotes from the book are in italics and associated page numbers are in parentheses.

“Through 2009, NYC homicides declined 82% from their peak and auto theft declined an astounding 94%! All crimes were reduced from their peak by a minimum of 63%” (page 4).

“None of the declines can be accounted for by significant changes in demographics and immigration (pages 56, 60, and 65), by economic trends (page 65) including unemployment trends (page 68 and 70), poverty alleviation efforts (page 69), other social trends such as the rise of single parent families (page

71) and changes in high school graduation rates (page 71). Likewise NYC achieved its double dose of crime reduction with a “much smaller reliance on incarceration” (page 75).

Zimring does not clearly distinguish between the different levels of arrest and incarceration. Incarceration for over a year usually takes place in prison, and is generally reserved for convicted felons. Incarceration for less than a year usually takes place in jail or detention centers (e.g. our Metropolitan Detention Center or Riker's Island in NYC), and is usually reserved for those arrested and/or convicted of misdemeanor (less serious crime) offenders. Those awaiting trial for both felonies and misdemeanors are also incarcerated in jails instead of prison. As noted previously, misdemeanor incarcerations generally consist of short term confinement, sometimes as short as hours, but not longer than a year.

Per reference 13, as NYC's incarceration rate for misdemeanors went up, the incarceration rate for felonies went down at a faster rate, thus reducing the overall incarceration rates. This is a profound result. Using the opposite approach to incarceration, Albuquerque has utilized little or no incarceration for misdemeanors in recent years! See Figure 2-3. Indeed, the Albuquerque Police Department (APD) has issued special orders and standard operating procedures discouraging arrest or pursuit for most misdemeanors. The result: higher serious and minor crime.

I would further argue for arrest vs. tickets or summons as follows. While under arrest or confinement, the detainees can be assessed and treated for physical injuries and/or mental conditions. They may also take part in, or at least be informed of remedial programs. At the very least they will be positively identified and photographed and it can readily be determined if they are wanted or missing or even endangered. Contrast the effects of the aforementioned arrest/detainment actions with being issued a misdemeanor citation or summons. Which event will make a greater impression or be likely to initiate positive results going forward?

Incredibly, in the middle of a major crime wave, the Albuquerque/Bernalillo County Metropolitan Detention Center (MDC) is

more than half empty, the previous West Side overflow detention facility has been re-purposed, and the older Bernalillo County Detention Center (BCDC) was demolished. ABQ is far from jail overcrowding or “mass incarceration.” Meanwhile, the criminals are on the streets!

NYC’s findings in the 1990-2009 period are extraordinary and upend much of the current conventional “wisdom” as to the causes and remedies for crime.

More on What Did Account for the Major Crime Reduction in NYC (Reference 12)

“There was real and substantial change in the number of police, in the mission and tactics of street policing, and in the way that the nation’s largest police force was organized and governed” (page 100). Even though NYC and ABQ differ in important ways, we can study their changes to determine if they might be achievable in Albuquerque and have similar outcomes.

In 1994, NYPD Police Commissioner William Bratton, and Jack Maple, his deputy, *“initiated the COMPSTAT process (short for COMPare STATistics) to collect and analyze crime data and other police performance measures, to create and implement best-practice strategies to address identifiable issues, and to hold police managers and employees accountable for their performance. The wide variety of NYPD strategic and tactical changes originating from this process are credited with much of NYC’s crime fighting success”* (page 117). The APD has adopted their version of COMPSTAT, which has yet to demonstrate its effectiveness, but seems to be a step forward from previous crime analysis efforts. A major part of NYC’s success resulted from holding upper police management accountable for crime fighting success in their area commands. This seems to be lacking in the APD, especially at the lower levels of management. Field officers are not adequately held accountable or rewarded for their individual performance (or lack thereof). Officers are no longer responsible for a beat (designated neighborhoods within an area command), but are considered area wide assets (which they always were to a

large extent, but they had primary responsibility for a much smaller area). This diffuses responsibility and evaluation of results. APD's reward system does not promote excellence. Mid-level management belongs to the same union as line officers, which greatly inhibits effective management. See Chapters 6 and 7 in ABQ Blues. Operational compliance to DOJ mandated police reforms has been lagging. See Compliance Levels of the APD and the City of ABQ with the Requirements of the CASA, IMR-14, 9/21 (Reference 7) and earlier versions.

"A further shift worthy of independent mention was emphasis and rewards for aggressiveness in street policing.....the basic methodology is to take control of potentially threatening situations by street stopsand by making arrests for minor offenses as a way to remove perceived risks from the street and to identify persons wanted for other crimes" (page 118). The APD has taken the opposite approach, and is essentially de-policing in an effort to avoid use of force. Arrest and pursuit are actively discouraged. Citations are recommended for minor crimes, but many citations result in failures to appear generating over one hundred thousand outstanding warrants. This is an important factor in ABQ's high crime rates and guarantees results counter to NYC's results.

Reference 12 often notes that while incarceration was not the dominant method of crime control, it concedes that *"even while felony arrests were falling in New York City, misdemeanor arrests continued to increase substantially.... even with a lower crime rate and a somewhat smaller police force"* (page 170).

"While total felony arrests dropped, the volume of misdemeanor arrests more than doubled in 2009..... and the crime rate set world records for decline" (page 210). These statistics back up the value of misdemeanor arrests. ABQ has chosen issuing citations/summons instead of arrests for most misdemeanors. Our city's poor performance demonstrates that this approach doesn't work.

One might conclude that if you make minor crime accountable, you will deter major crime. The emphasis is on arrest, not the duration of incarceration. Most arrests involve at least limited

incarceration with accompanying identification of the arrestee and contact info. As noted before, misdemeanors by definition require that any jail sentence will be a year or less, unlike felony prison sentences which can be a year or more, including life. Again, NYC's and my own experience demonstrate that arrests, not necessarily the duration of confinement, are an important aspect of crime deterrent/control.

Zimring goes on to say, “...most criminal offenders seem responsive to modest and even temporary alterations in the environment of the city.....small changes in their environments could produce big changes in the number of serious crimes they commit” (page 195). This is related to the preceding paragraphs. Criminals and the public take notice when the police are active and appear to be in charge. Everybody in the neighborhood notices when arrests are being made, whether associated with a current crime or for past crime warrants. The word gets around fast in my experience.

Dealing with certain previously designated “broken windows” offenses such as gambling and prostitution did **not** merit large police resources or deter more serious crime in NYC. **This led some criminologists to declare that the “broken windows” philosophy had been debunked.** However, Zimring disagrees, “... broken windows policing (dealing with minor crime) reduces felony crime” (page 229). Dealing with other seemingly minor offenses such as subway turnstile jumping and petty theft, greatly discouraged more serious crime in NYC. The analogs in ABQ would be traffic enforcement and arrest for most other misdemeanors including shop lifting. In addition, serving outstanding warrants lets criminals know we haven't forgotten them.

“The rate of misdemeanor arrests has a significant impact on two offenses, auto theft and robbery” (page 230). This is a major finding that is directly relevant to ABQ. ABQ is in the major city top five for both auto theft and robbery crime rates.

“There is a serious problem that is inherent when police are responsible for collecting and auditing crime statistics because they are also interested parties in the outcome. Outside scrutiny is ab-

solutely essential, and may not be enough,” APD’s preliminary misstatement of our crime rates for 2019 demonstrated that this is true.

“Homicides and auto thefts are the most easily verified” (page 233). The FBI, the Washington Post (WaPo) and the National Insurance Crime Bureau (NICB) provide semi-independent data bases for all crimes, police killings and auto thefts respectively.

Unfortunately in the last two years, NYC has backpedaled on their 1990 - 2009 approach to crime and has suffered predictably poor results. On January 1, 2020 NYC released 3800 prisoners from Riker's Island (NYC jail) as part of Prison Reform and Bail Reform efforts. James O'Neil, the NYC Police Commissioner quit on the same day predicting disaster. The disaster materialized immediately and is gaining momentum. *“New York City’s homicide rate has hit a five-year high as the amount of people shot has jumped 42 percent compared to last year on the heels of an implosion of the city’s judicial system.....”*, and *“we cannot keep people safe without keeping bad, dangerous, people off the streets”* per current NYPD Commissioner Dermot Shea (Reference 15). Just a year earlier, O'Neil and Mayor DeBlasio visited ABQ touting NYC as the *“safest big city in the world”* due in large part to their policing and incarceration strategies.

NYC is apparently trying to re-learn what works or doesn't. They/we forgot valuable lessons. Soft on crime has never worked in the past, so why are NYC and ABQ pursuing this approach again? The cost to society is far greater than the cost of incarceration of criminals. Read on!

The Really Good News

“The most important lesson of the last two decades (1991-2009) is that very high rates of violent crime are not hard-wired into the populations, cultures, and institutions of big cities in the US” (page xi).

“New York’s experience proves that targeted violence-prevention policies can reduce drug violence and reclaim public areas from drug anarchy without all-out drug wars” (page xi).

“The New York difference attributable to policing is an achievable target for major cities all over the country....” (page 158).

“We now know that life threatening crime is not an incurable urban disease in the United States” (page 217).

In other words, any city can drastically reduce crime like NYC did! My personal opinion and experience indicates that Albuquerque can do this in a Constitutional manner.

ABQ can be the safest city in the Southwest. We have little to lose, and so much to gain!

-B- Police Stories

In this segment, I present a series of stories that illustrate some of the situations and challenges encountered in police work. Some are just strange, some are funny, and some are tragic. All of these stories have a point. I found that a short novel could be written about what happened on almost every patrol shift.

The Feet under the Table

Officers were dispatched to a disturbance call at a house in the North Valley off of 2nd Street and Candelaria. Upon arrival at the house a large amount of blood-like splatter was observed on the concrete area near the front door. What appeared to be a human tooth was also seen in the same area. The storm door glass was cracked and pulled partially out with hair stuck in the crack, as if someone's head had impacted and broken the glass then withdrawn trapping the hair. A mid-twenties male answered our knock and explained that a neighbor had visited requesting a short term beer loan. When refused the visitor became violent. The male occupant stated that he and two friends, who had been watching a football game, "kicked the visitor's ass" and chased him off with no further problems. When we asked to look around inside, the occupant reluctantly allowed us in where we observed two males watching TV, and enjoying snacks and cocktails. Everything appeared normal until my eyes adjusted to the dim light. I observed two feet protruding from under the long coffee table in front of the couch where the game viewers were seated. Further investigation revealed that the house occupants had indeed kicked the visitor's ass resulting in his death. They then drug the victim inside, and the plan was to dispose of the body in the nearby irrigation ditch after the game.

Late Dinner

Officers were dispatched to a disturbance call at a North Valley mobile home park, the "Talley Ho" on 4th street. Neighbor's had complained of intense screaming coming from one of the

residences. I recognized the name associated with the address as belonging to Roger, a gay man who worked at Jim's Liquors near my house. Roger was a likeable guy, known as a cruiser who picked up various male mutts for short term romantic interludes. When we approached the front of the residence, the inner entrance door was open, and a male (not Roger) could be observed through the screen door watching TV and drinking a beer. When we were admitted by the male, we discovered Roger stabbed to death in the kitchen.

Protection for Picnickers

Officers were dispatched to San Gabriel Park in the South Valley with a complaint from a family that a group of men had coerced them into paying \$10 for protection and safe exit during their stay at the park. San Gabriel was situated near the river at the current site of the BioPark. The park had a single entrance/exit leading to individual picnic stations and the open field. The park was one of three parks in the city that allowed alcohol consumption, and the only such park in the valley area, so it was a popular spot for playing ball and picnics. Unfortunately it was also a favorite spot for gang activity. We located a car matching the description of the offenders' vehicle, and approached the five males at a picnic table adjacent to the car. When we approached to talk to the subjects, they stood up and it was observed that one had a small automatic handgun prominently displayed in his waistband. Out came our guns, and the males were ordered to put their hands on the car with their feet spread. We called for help, and my partner approached the man with the gun to disarm, frisk, and handcuff him. The man suddenly turned, pulled out the gun, and pulled the trigger inches from my partner's face. I would have shot but I was poorly positioned and my partner was in the way.

The gun misfired! My partner instantly grabbed the barrel, twisted it upward accompanied by screams of pain from the male whose finger was trapped in the trigger guard, and the man was disarmed in one movement. Help arrived and all the males were arrested with no further guns found.

My partner resigned within the next week, haunted to this day by his near death experience. In another incident, an officer I know was actually shot in the face and survived. He returned to work. Not a job for everybody.

San Gabriel Revisited

Years after the San Gabriel Park incident, I was at the gym working out late at night with only a few people nearby. I heard a whisper, "I hate ____ing cops." I looked around and noted only one male nearby exercising on a machine, but not seeming to be looking at or talking to me. Puzzled, I continued my routine but I heard it again. This time I addressed the nearby guy, and asked if he was talking to me. He started laughing, and asked if I recognized him. I did not recognize him. He identified himself as Matthew, one of the males from the park incident. He recounted, and I remembered that I had told one of the males, apparently him, that he seemed smarter than the others, and that he should choose his friends more carefully and straighten up. He said he ignored my advice, and eventually went to prison for eleven years for other crimes. He stated that he never forgot what I had told him however, and he had thought about it for all those years in jail. When he got out, he started a janitorial service, married, and started a family. He went on to introduce me to his lovely wife, and I regularly see his business ads with a picture of him and his kids.

A New Tie

Officers were dispatched to the Casa Grande Lounge in the South Valley near San Gabriel Park with a report of a down-and-out person in the parking lot. The man was a Hispanic male dressed in cowboy attire with lizard skin boots and a large belt buckle favored by the Cubans at the time. His throat had been slit from ear to ear, and his tongue had been pulled through the slit. I later learned this was called a "Columbian Necktie." Needless to say, he was deceased and the message was clear...he talked too much.

Thinking like a Crook

The call was for an armed robbery at Shakey's Pizza Parlor near Louisiana and Central Ave. The clerk reported that a man had entered the business to pick up an order for four large pizzas. He then declined to pay, and instead pulled a revolver and demanded the money from the register. The robber then left with the pizzas and the money. Witnesses stated that he was on foot before they lost sight of his departure. My partner, Rich, said this guy was probably at a nearby party, and was drafted or volunteered to buy the pizzas. Rich proposed that the guy didn't have the money, but did have the pistol and thought he could fix two problems at once. Since he was last seen on foot, we left the restaurant in the squad car and circled the restaurant in an ever expanding radius. Sure enough, we heard salsa music loudly playing in an apartment several blocks away near Chico and Copper. There we observed a group of men on the second floor talking and singing at a railing, and two Shakey's boxes lying in the parking lot. Other officers quickly responded. One of the men matched the description of the robber who quietly surrendered when instructed to do so over the car PA system. He became convinced that there was only one way out, and he would be risking his life if he did other than instructed. His friends helped in the negotiations, also fearing for their safety. This could have gone badly, but didn't.

Safe Escort

Rich (the same officer as above) and I were dispatched to meet a woman who had broken up with her boyfriend, and wanted to retrieve her personal items from the small house they shared on Chama near Lomas. We approached the front door that was partly open, and observed a large man in a baseball uniform sleeping on the couch. We knocked, the man got up, came to the door, and we explained why we were there. He was clearly intoxicated, apparently the result of an after game tailgate party. I noted a baseball bat near the couch. He refused to let us enter, and launched into an angry tirade stating that Jane wasn't going to be retrieving anything, and that he was going "to give her what she deserved." He

then further told Rich to remove his badge, and that he was going to find out if Rich was man enough to pursue the escort duty. The man was at least a foot taller than Rich and much bigger. Rich calmly asked the man to step outside and stated that he (Rich) “was hard of hearing” and wanted the man to confirm that “he was threatening a police officer.” Rich further added that if the man was threatening a police officer, he would push the red button on his walkie-talkie, officers would respond from all over town, and that he would shortly require hospitalization before he was delivered to jail. The man had stepped outside and I had positioned myself behind him with my baton in hand. The baseball player looked around, noted that he was surrounded, appeared to be thinking, and then slurred that Rich “must have misunderstood him.” After assurances that Jane would not be taking the TV or his dog, he allowed her to retrieve her clothes, etc.

Waiting for the Bus

Officers were dispatched to the bus stop at the corner of San Pedro and Central. The bus company had received complaints of several drunks occupying the bench on that corner, and harassing, making lewd comments, and threatening the people waiting for the bus. When we arrived, there were four or five males sitting on the bench and enjoying cocktails while the bus patrons stood at a distance. We instructed the bench sitters to “leave and don’t come back.” After a brief, but heated verbal exchange the men left to the cheers of the bus patrons.

An hour or two later, the men were again at the stop and harassing a new group of bus patrons. We pulled up to the curb, opened the passenger side window, and pepper sprayed the bench occupants. Chaos ensued temporarily and the loudly protesting celebrants left. Upon departure, we hollered “don’t come back.” They didn’t.

Mother with Four Kids

I was dispatched to the apartment of a young mother who was breaking up with her boyfriend and needed a restraint order info packet. She was 26 years old and had four children, all by differ-

ent fathers. I asked her if she had ever considered getting married, or forming a more permanent relationship with any of the dads. She said “no, because I don’t want to get tied down.”

The Adobe Brothers

When Matt Griffin and I worked together the second time, we were dispatched to a nightclub where a female patron had slapped the female bartender. The patron, Ms. Wolverine, was judged intoxicated, and was refused further service, which initiating the slapping. The two bouncers, Mutt and Jeff were attempting to control Wolverine when Matt and I arrived. Jeff, the tall bouncer, was dropped by an accurately placed kick to his groin when he approached Ms. Wolverine. Mutt, the short stocky bouncer noted Jeff’s plight, and approached Wolverine from the rear restraining her with a successful bear hug. Wolverine was refused her keys, escorted to a taxi, and literally thrown in the back of the cab by Mutt. She then entered into a no-holds barred slugfest with the cab driver when Matt and I intervened. We removed her from the cab (easy), and successfully handcuffed and shackled her (hard) while sustaining minimal injuries to Wolverine and ourselves. Her handcuffs and shackles were connected by a third pair of handcuffs, and she was transported to the squad car being carried lunch box style in the restraints. During all the attempts to restrain her, and while being carried to the car, her favorite phrase was “excuse me mother-_____.” Matt seemed irritated by this, lifted her about two feet off the ground and dropped her, adding “well excuse me mother-_____.” The crowd of about 200 people outside the club witnessed all this, and their mood changed from support to ugly. Matt, I, and Wolverine made a hasty exit to the car for transport to the jail.

Once at jail, Wolverine, still in chains, was placed prone on the floor in a line with other prisoners waiting to be processed. Looking much the worse for wear, she remained in fine voice repeating her favorite phrase. The Adobe Brothers were in line behind Wolverine. Unfortunately one of the brothers had to urinate, which he did on the spot producing a puddle, partially soaking himself and Wolverine before anyone noticed. When Wolverine’s

turn at the admitting window came, we cautiously removed her restraints and positioned her with hands on the counter leaning forward at about a 45 degree angle with her feet spread. At this point, Helga the female correction officer entered and announced to Wolverine that she was about to be searched. Wolverine responded, "you touch me you c___ and I'll kick your ass." As Wolverine tried to turn, Helga kicked her feet out from under her, resulting in further wear and tear on Wolverine. This prompted the urine soaked Adobe Brother to address Wolverine with, "I don't know about you lady, but I think I would try to make the best of this." Well said.

Officer and Prisoner Down

My partner and I were on the way to the jail with our talkative drunk driving prisoner, when we heard a frantic radio plea for help from a female officer at the East gate of the Fairgrounds. She apparently had run over her partner in a traffic stop gone bad, and he was still trapped under the car. When we arrived (along with most of the SE officers), we found a badly burned officer trapped under the still hot catalytic converter of the squad car. There were enough officers to tilt the car off the trapped officer and pull him to safety with his pants melted onto his legs. The med techs had arrived by this time, and removed what was left of the injured officer's uniform and leather gear, and he was transported to the hospital. I was given the officer's property for return, and noticed that there were tire tracks in the groin area. Ouch! When my partner and I returned to our unit, we found our prisoner unresponsive. Med techs on scene could not revive him.

Suicide - Leaving a Message

Officers were dispatched to a Taylor Ranch residence where a male had committed suicide. He was estranged from his wife and had returned to their home to retrieve personal items while she was at a neighbor's house with their son. He went into the son's room with a shotgun, put the open end of the barrel into his mouth, and pulled the trigger with his big toe. The top of his head ended up on top of the curtain valence and there was blood and

tissue matter everywhere. This was a particularly brutal and permanent solution to a temporary problem.

Bikers at the Cooperage

Officers were dispatched to the Cooperage restaurant to remove combative customers who had refused to leave or pay their tab. My partner and I arrived and observed the rowdy customers who were seated next to the salad bar in the middle of a bunch of people. One was big with a large knife on his belt. The other man was much smaller. Both were dressed in typical biker apparel, including full leathers.

My partner suggested I should take down the big guy while she would deal with the little guy, and we would arrest them both for non-payment.

I asked the hostess to invite the little guy to the lobby to meet a friend out-of-sight of his tablemate. She did, and he was curious, so he came to the lobby where he was quite surprised to see us. I explained (slowly) that the restaurant was not going to serve him any more drinks, and that if he and his friend paid the tab and left, it would be cool with everyone, and that we wouldn't be following them. He returned to the table and a long conversation followed. Both wallets eventually came out, money landed on the table, and they left without looking at us as they exited through the lobby. Whew!

Emptying the Cat Box

We were dispatched to a neighbor's apartment where we interviewed a woman who said she had been stabbed by her husband during an argument in their apartment. When asked to show us where she had been stabbed, she displayed a very tiny red mark on her knee. We were skeptical that this constituted a stabbing, but asked where we could get the husband's side of the story. She said he was still back in their apartment and "by the way he has an outstanding warrant for his arrest." We went a few doors down to their apartment. We knocked and were invited in by a man sitting in an easy chair drinking beer and watching TV. He, the

chair, and the surrounding area were covered with cat litter and cat feces. He admitted to having an argument with his wife, and stated that she had dumped the cat box on his head. Although he was distressed, he had not stabbed or hit her. He was found to have a warrant and we arrested him. Returning to the wife, she recanted the stabbing story when she was informed of the penalty for filing a false report, apparently satisfied with his arrest.

Dumpster Dan

While writing a report next to a dumpster at a Kentucky Fried Chicken at Central and Louisiana, I was quite surprised when a man exited the dumpster right next to my car window. The man, who later identified himself as Dan, stated that he had been dining in the dumpster and that he meant no harm. In further conversation, Dan said he was homeless and had been “off the grid” for as long as he could remember. He said that he had never had a social security card, a draft card, a driver’s license, or even a library card. He said he made his living by foraging and that he had never begged for anything. Checking with the business, it was determined that he was a regular, often bought food, and never bothered anyone. Before we left he said he “felt sorry for us because we could not see the stars when we went to bed.”

Home is Where the Heat Is

The call was for a down-and-out on the roof of a steakhouse in Old Town. Upon investigating, we found a woman passed out, under the vent from the restaurant’s French fries fryer. It was winter, and the woman found a warm spot on the roof, which was easily accessible by a service ladder on the back of the building. The woman, Mary, was a familiar homeless person in the area. We helped her to her feet, and down the ladder. This was difficult because she was covered in grease from the vent. We took her to jail, because she violated a previous criminal trespass order from the business. Upon arrival at the jail, and after the cuffs came off, she pulled down her pants and defecated in front of the processing window.

Hard to Get a Ride

The call was for a down-and-out in the entryway of the Presbyterian Hospital on Central Avenue. Upon arrival, we found a man lying in feces and other unknown material on the floor. He appeared to have a terrible gash type wound in his abdomen. The doctors on site suggested we carry the man and place him in the dumpster. He was a regular hospital visitor, apparently just intoxicated, and was not wearing his colostomy bag. He also claimed and was found to be a veteran. The consensus of those present was that in lieu of the dumpster, he would be taken to the VA hospital. We did not want him in our car, so a commercial cab was called. When the cab arrived, the driver fled upon viewing his potential client. Finally, the VA was persuaded to send their ambulance. The colostomy was the result of injuries sustained in an earlier incident. In that incident, the man was trying to smuggle a prophylactic filled with contraband drugs into jail that burst in his intestines.

Man's Best Friend - Sometimes

Dogs are a great asset for police work. They are excellent for searching for people, drugs, explosives, and even computer disks. We had an alarm call at the Western Wearhouse. A side door was open. No dogs were available, so we thoroughly searched with no success. A dog and handler showed up later, went inside, and seemingly within seconds, the dog finds a suspected burglar concealed in a pile of Levis! Good job dog!

On another occasion, the dog was not much help. The alarm this time was an internal motion sensor at the Hometown Buffet. A search, with the manager, several cops, and a dog, revealed chicken bones on the floor in the Men's Room, and a ceiling tile askew indicating someone or something was in the ceiling crawl space. After several unheeded voice commands on the PA to come down, it was decided to get a ladder, and see what we could do. Only problem was nobody wanted to stick their head into the crawl space. Next we tried to convince the dog to climb the ladder and do the job, although the false ceiling supports looked questionable. The dog refused, even with lots of human help to climb

the ladder. After discussion of the alternatives, we decide to try the PA again, and announced “Come down or we will release the Police Snake.” This upset the man in the crawl space causing him to lose his footing and come crashing through the ceiling. He was apprehended without incident. It turned out he was a recent Asian immigrant employee who was living in the Men’s Room after hours to avoid the motion sensors. He had been stashing food in the crawl space during working hours for later snacks.

Other Police Stories

I have an almost unlimited supply of police stories like those above. In the interest of brevity, I’ve included just the titles of more stories below just to pique the reader’s imagination, and I leave it to the reader to fill in the story. Reality will be much stranger!

Backseat Photo-Op

Bad Decisions

Dead SpaghettiOs

Purifying the City

Man in a Phone Booth

Lazy Bill & His Tree

Western Whorehouse

Inflatable White Girl

Operation ID for Seniors

Extra Terrestrial

Time Flies

King of Kirkland

Man in the Mirror

Are You a Girl?

Transvestites Night Out

APD Hiring Midgets

Bad Juju at the Mall

Vacuuming Goes Quicker with Methamphetamine

Behind on Payments

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-D-
Definitions and Acronyms

Definitions of Selected Legal Terms

Arrest - seize (someone) by legal authority and take into custody.

Law - a rule, or system of rules, that is/are enacted and enforced by social institutions (city, state, federal) to govern behavior.

Lawyer or **attorney** - a person who practices law, as an advocate, attorney, counsel, prosecutor, judge, etc., as defined by the state.

Crime - an unlawful act punishable by a state or other authority.

Arraignment - usually the first part of the criminal procedure that occurs in a courtroom before a judge or magistrate. The purpose of an **arraignment** is to provide the accused with a reading of the crime with which he or she has been charged. In response to arraignment, the accused is expected to enter a plea, e.g. “guilty,” “not guilty,” and any peremptory pleas setting out reasons why a trial cannot proceed.

Indictment - a formal charge or accusation of a serious crime. Historically, in most common law jurisdictions, an indictment was handed up by a grand jury, which returned a “true bill” if it found cause to make the charge, or “no bill” if it did not.

Pretrial hearing - a meeting that occurs before a trial action begins. These are generally attended by the plaintiff, the defendant, the judge, the lawyers, and sometimes other parties. Pretrial hearings aim to resolve some of the legal issues before the trial begins.

Discovery - a pre-trial procedure in which each party can obtain evidence from the other party or parties by means of requests for answers to interrogatories, requests for production of documents, etc.

Trial - a formal examination of evidence before a judge, and typically before a jury, in order to decide guilt or liability in a case of criminal or civil proceedings.

Defendant - a person, company, etc., against whom a claim or charge is brought in a court (opposed to a plaintiff).

Misdemeanor - a lesser type of crime that is usually punished by a monetary fine and/or a jail sentence of less than one year.

Felony - a crime, typically one involving violence, regarded as more serious than a misdemeanor, and usually punishable by imprisonment for more than one year or by death.

Sentence - a decree of punishment of the court in criminal procedure. The sentence can generally involve a decree of imprisonment, a fine, and/or other punishments against a defendant convicted of a crime.

Definitions of Selected Acronyms

ABQ – Albuquerque, NM

ACT – Anti-Crime Team

APD – Albuquerque Police Department

APOA – Albuquerque Patrol Officer's Association (APD union)

CASA – Court Approved Settlement Agreement (ABQ/APD/
APOA/DOJ)

CIRT – Critical Incident Review Team

CIT – Crisis Intervention Team

CPA – Citizen's Police Academy

CPC – Community Policing Council

CPOA – Civilian Police Oversight Agency

DOJ – United States Department of Justice

FIT – Force Investigation Team (APD)

FBI – Federal Bureau of Investigation

FOP – Fraternal Order of Police

MDC – Metropolitan Detention Center (Albuquerque/Bernalillo
County jail)

NCIC – National Crime Information Center (DOJ)

POB – Police Oversight Board

RTCC – Real Time Crime Center (APD)

SOP – Standard Operating Procedure

SWAT – Special Weapons And Tactics Unit (APD)

About the Author

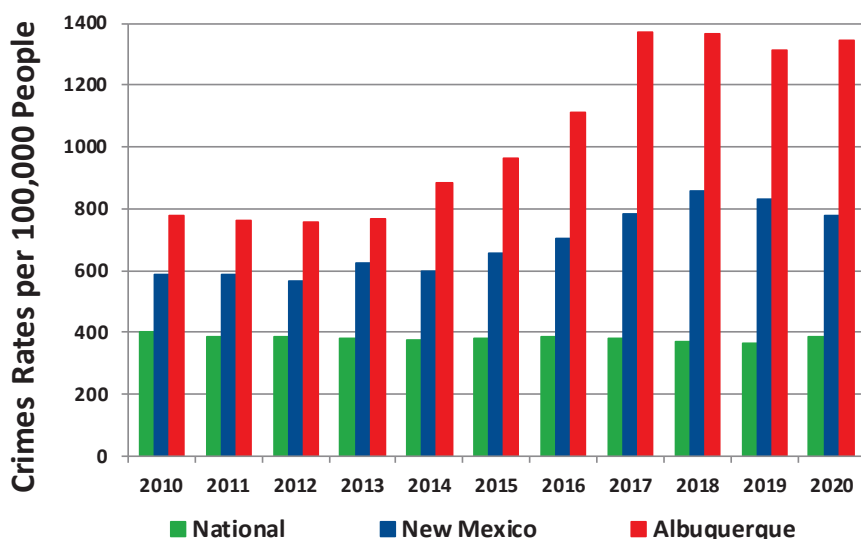


Joe Abbin is a lifelong resident of Albuquerque, NM. He received Bachelor and Master of Science degrees in Mechanical Engineering from the University of New Mexico in 1964 and 1966.

Joe was employed at Sandia National Laboratories in Albuquerque from 1964 until he retired from the Labs in 1994. During this time he worked in and managed activities related to nuclear weapons, national security, and energy systems. Since 1994, he has owned and operated Roadrunner Engineering, specializing in the analysis, design, and sale of high performance equipment and books for automotive applications. He is a registered professional engineer in the state of New Mexico and is the author or co-author of over 40 technical articles and five books. He holds five U.S. patents.

Joe's civic activities include being an Albuquerque Police Department Reserve Officer from 1983-2020. He served on the Foothills Community Policing Council since its inception in 2014 and as Chairman in 2019.

Albuquerque Violent Crime Index



Data Source: Yearly FBI Uniform Crime Reports

What happens when:

- Police are discouraged from arrest and pursuit,
- The District Attorney announces he can not prosecute most property crimes (80+% of all crimes),
- The judges release many career criminals with little or no bond, and
- The city and county release over 1/2 of the prisoners in the Metropolitan Detention Center?

In addition, local law enforcement does not cooperate fully with federal law enforcement, and criminals who should not be here, are instructed to “self deport.” Then in a controversial action, our community enters into an agreement with the federal government that handcuffs the cops with tough restrictions and extensive reporting requirements. A rational person would predict that this would be a city where the criminals are in charge, and crime is rampant. Yes indeed, you are in Albuquerque!

In this book, Joe Abbin, a local author and 36 year veteran of the Albuquerque Police Department, offers his insights on reducing crime and dealing with street criminals in Albuquerque.



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