

My Name is Breanna Frazier, thank you for allowing me to speak today.

To understand why justice is a ghost in Albuquerque, we must look at the foundation of this country's legal system. We are still living in the shadow of the Jim Crow era, where 'unchaste' laws were explicitly designed to decide which women were worthy of protection and which were 'fair game.' In Albuquerque, those laws were never truly buried—they were just rebranded as 'prosecutorial discretion.

"This legacy is written in the soil of our city. It is in the West Mesa 11, where eleven women were discarded and ignored because the system deemed their lives 'high-risk' and therefore low-priority. It is in the epidemic of Missing and Murdered Indigenous Women whose families are met with shrugs by investigators. And it is in the rampant history of sexual misconduct within the Albuquerque Police Department itself, where the line between protector and predator is repeatedly blurred.

"I am a living survivor of this poisonous tree. In 2014, I encountered **Detective Mandy Abernathy**. The media calls her a hero and a whistleblower, but I am here to name her as a facilitator of discrimination. She took one look at a teenage survivor and labeled me 'athletic and promiscuous.' —a 21st-century update of the 'unchaste' trope. She didn't see a crime; she saw a 'bad witness.'

She was supported by Albuquerque's District Attorney Office, I remember DA **Natalie Lyon** personally telling my mother, "the DA's office only takes cases they can 'win.'" This is the 'scuttling' of justice. When the state chooses to only prosecute predators of 'perfect' victims, they are effectively legalizing rape for the rest of us. They are sending a message that if you are not the 'right' kind of victim, your body belongs to the city's predators."

"The organizations meant to catch us when we fall have instead become the gatekeepers of this rot. ABQ SANE, the Rape Crisis Center, and the Family Advocacy Center are the sheep following APD and the District Attorney's agenda.

- **The Family Advocacy Center** intimidates the vulnerable with a physical location that sits in the lap of an APD division. This eliminates the idea of safe space or sanctuary for the local majority of victims and survivors like the undocumented, unhoused or any other minority who has a reasonable fear of police presence.
- **ABQ SANE** and the **Rape Crisis Center** barred me from services for three years because I had a 'hysteric' trauma response. A single complaint from a white nurse and transplant to this city was enough to ban me from care. In a cruel irony that defines this system's priorities, I was arrested for the very trauma reaction I suffered while fleeing a gang

rape. Instead of receiving medical intervention for shock, I was criminalized for it. I was denied a rape kit, by both APD and Albuquerque SANE whom violated my Survivor Bill of Rights, by denying me a rape kit forcing me to sit in the bodily fluids of my perpetrators for five days in a jail cell only to be told when I got out. I couldn't get a rape kit because the 120 hours had elapsed. The system didn't fail me—it worked exactly as it was intended to."

Their sheepish corruption was proven in November 2025. After years of being blacklisted, Representative **Pamela Herndon** made a simple inquiry into my status. Within mere hours—without any new evidence or a change in policy—I received calls from **Alexandria Taylor and Kim Stark** stating I could suddenly receive services. No explanation. No apology. Just the sudden realization that their gatekeeping couldn't survive the light of an inquiry.

"This culture of 'scuttling' is a legal liability. In *Doe v. Chicago*, the courts recognized that failing to investigate sexual assaults is a violation of the 14th Amendment. We are seeing official misconduct and 'scuttling' being prosecuted in Illinois with their *Sexual Assault Incident Procedure Act* which was passed specifically to stop the "scuttling" of cases by mandate. And in California who set legal precedent in cases like the *State of California v. George Gascon* where the intentional sinking of viable cases is being treated as a crime. I am putting this Commission on notice: Albuquerque's 2% conviction rate is not a resource issue; it is a civil rights violation."

I call on this commission to

1. Investigate and Audit the Racial Disparities in Sentencing and Prosecution
2. Move the Family Advocacy Center out of police territory.
3. Demand Criminal Accountability for Misconduct: Stop treating facilitators like **Mandy Abernathy** as heroes and treat the 'scuttling' of cases as the official misconduct it is."

Finally, Rape is arguably the most expensive and detrimental crime in this city and while Albuquerque pours millions into 'quality of life' crimes and substance abuse units our Sex Crimes Unit is left with a skeleton crew. Finding the money for the 'optics' of a clean city, but failing to see the value of thousands of victims of the most violent crimes and allowing them to rot in the backlog or disappear all together

I am here because I am inspired by survivors like **Teresa Garcia** who demonstrate their refusal to be bullied, and because leadership like **Cecily Barker** gives me hope that the old guard's time is finally up! The 2% conviction rate is your grade. It is a failing grade. It is time to dig up the poisonous tree."