

Albuquerque authorities seek to dampen public outrage over police violence

D. Lencho
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The city of Albuquerque, New Mexico held the first in a series of community meetings on October 21 aimed at defusing continuing public anger over shootings by Albuquerque Police Department (APD) officers. The meetings, ten in all, are scheduled to stretch out until the middle of February 2015.

Billed as the “Albuquerque Collaborative on Police-Community Relations,” they are the latest in a number of damage control measures pursued both locally and on the national level.

The introductory meeting, held at the Albuquerque Convention Center and attended by between 80 and 120 people, gave a foretaste of future meetings. More than 20 of those in attendance were uniformed police officers. Mayor Richard Berry talked of “challenges” and “opportunities” and “collaborative effort.”

Police chief Gorden Eden, notorious for stonewalling and defending the most egregious police misconduct, said, “It’s so important for us to make sure that we are fully engaged with our community.”

Public comment was not allowed, and community input was limited to questions.

The upcoming discussions will be just as tightly controlled and limited to one topic at a time, and will require the attendees to break out into small focus groups to discuss the topic.

Participants at later meetings will allegedly be able to voice their concerns, but only in the small groups and within the parameters of the preselected topic. For those who have the persistence and intestinal fortitude to endure four months of these police-dominated meetings, there is no guarantee of any substantive or even cosmetic changes.

According to an *Albuquerque Journal* report, “About half of the \$150,000 the city of Albuquerque plans to spend on upcoming police forums will go to

independent facilitators at the meetings and the University of New Mexico to study the information obtained at the events and make a report.”

The remaining money will be spent on advertising, supplies and renting the venues, though Gilbert Montañó, the city’s deputy chief administrative officer, told the *Journal* that there could be added expenses.

Extreme violence by Albuquerque police has been an issue in the city for decades, going back to the killings of Chicano and Native American activists in the 1970s. Violence has spiked in recent years, in line with a rise in police violence and militarization around the country.

Since 2010, APD officers have shot more than 40 people—an astounding statistic given the relatively small size of the city—with most of the victims being unarmed and mentally ill. Twenty-six of those shootings have been fatal.

Public anger boiled over following the March 16 police killing of mentally ill homeless man James Boyd. The cold-blooded murder was captured on video and went viral on the Internet. The shooting, and APD police chief Eden’s justification of it, sparked a number of protests in Albuquerque’s streets, city council chambers and mayor’s office, resulting in dozens of arrests.

Keith Sandy, one of the two officers who killed James Boyd, has been on paid leave since March. The other officer, Dominique Perez, remains on desk duty.

In late September, two recordings of Sandy were released. In one, a dashcam audio recording with a State Police sergeant at the site of the shooting, Sandy describes Boyd as a “f***ing lunatic,” then tells the sergeant, “I’m gonna shoot him with a (unintelligible) shotgun here in a minute.” In the other, an interview with an APD detective, Sandy first freely admitted that

he had said, “Jokingly; just kind of locker room banter,” that he would “shoot him in the pecker and call it good.” He abruptly changed his story later in the interview, claiming that he had never used the phrase.

Local news channel KRQE reported October 23 that a federal prosecution of Sandy and Perez is growing increasingly unlikely, as DOJ officials claim that their investigations have not yielded the necessary evidence. Nor does Bernalillo County District Attorney Kari Brandenberg appear likely to prosecute the two officers.

The egregiousness of the shooting, the fact that it was caught on video, and the widespread protests compelled the federal authorities to intervene to restore the credibility of the police department. On April 10, the US Department of Justice (DOJ) released a summary of findings—described by the media as “scathing”—that leveled numerous criticisms against the APD’s use of excessive force, trampling on constitutional rights and subsequent official exonerations of multiple shootings and beatings as “within policy guidelines.”

The report was followed later that month by the resignations of three civilian members of the city’s six-member Police Oversight Commission (POC). In letters peppered with such terms as “stymied,” “rubber-stamp” and “complete mockery,” they complained that they had no real power to influence APD policy. The city has since announced that it is taking applications for a new nine-member Police Oversight Board as part of a US Department of Justice plan.

The DOJ held public meetings the last three evenings of April over its findings. The Obama administration representatives adamantly refused to consider prosecution of individual officers, instead channeling focus group discussions into the signing of a consent decree between the DOJ and the city.

The meetings came between the fatal shootings of 19-year-old Mary Hawkes on April 19 and of 50-year-old veteran Armand Martin on May 3. In the Hawkes case in particular, Eden’s evasions concerning the supposed “malfunctioning” of lapel cameras and his failure to produce the actual gun that Mary Hawkes was reported to have pulled on the officers further undermined APD credibility.

On June 27, the family of James Boyd filed a lawsuit against the APD and the city of Albuquerque that targeted the shooting as well as APD hiring practices,

unconstitutional policies and inadequate training.

The APD has been far from chastened by the protests, lawsuit and criticisms. In July, it was reported that the department had contracted to purchase at least 350 AR-15 assault rifles—the same as those used to kill James Boyd—at a cost of \$1,000 each. The purchase was a blatant provocation, designed to send a message to the public that the police would not be deterred by the public outcry.

In August, APD announced that it was getting rid of the MRAP (Mine Resistant Ambush Protected vehicle) that it had received free from the federal government—but only to replace it with a Rook, which “looks like a small tank without a mounted gun” and “has various attachments such as a battering ram and giant claw,” according to an *Albuquerque Journal* report.

The APD also applied for a grant to buy a MedCat, which “has a similar function to the MRAP, but is smaller and carries medical equipment on board,” the report added.

The cost of the two vehicles is about \$600,000. Added to the \$350,000-plus price tag for the AR-15s, the total comes to around one million dollars—this in a city and state with rampant poverty and chronically underfunded social services.



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