

**CIVIL RIGHTS DIVISION
UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO**

**SUMMARY OF FINDINGS
ALBUQUERQUE POLICE DEPARTMENT**

INTRODUCTION

Following a comprehensive investigation, the Justice Department today announced its findings that the Albuquerque Police Department has engaged in a pattern or practice of excessive force, including deadly force. The pattern and practice is the result of serious systemic deficiencies in policy, training, supervision and accountability. The police department's failure to ensure that officers respect the Constitution undermines public trust. Constitutional policing increases the public's trust, ensures safety, and respects the rights of the city's residents.

DEPARTMENT OF JUSTICE INVESTIGATION

The Findings Letter marks the culmination of the Justice Department's comprehensive investigation of Albuquerque Police Department, which began on November 27, 2012, and was conducted jointly by the Civil Rights Division and the United States Attorney's Office for the District of New Mexico. The Justice Department investigation involved an in-depth review of police department documents, interviews with command staff and rank and file police officers. The Department reviewed thousands of pages of documents, including written policies and procedures, internal reports, data, video footage, and investigative files. The investigative team interviewed hundreds of community members and held four community meetings in which diverse members of the Albuquerque provided their accounts of encounters with officers.

FINDINGS

The Justice Department found reasonable cause to believe that the Albuquerque Police Department engages in a pattern or practice of excessive force in violation of the Fourth Amendment of the United States Constitution. The Justice Department specifically found three patterns of excessive force:

- Officers too frequently use deadly force against people who pose a minimal threat in situations where the conduct of the officers heightens the danger and contributes to the need to use force;
- Officers use less lethal force, including Tasers, on people who are passively resisting, non-threatening, observably unable to comply with orders, or pose only a minimal threat to the officers; and
- Encounters between Albuquerque Police officers and persons with mental illness and in crisis too frequently result in a use of force or a higher level of force than necessary.

The Justice Department also found systemic deficiencies of the police department, which contribute to these three patterns. The causes include deficient policies, failed accountability systems, inadequate training, inadequate supervision, ineffective systems of investigation and adjudication, the absence of a culture of community policing, and a lack of sufficient civilian oversight.

REMEDIAL MEASURES

The Justice Department seeks critical remedial measures to address these deficiencies. These measures are in eight areas:

- Use of Force Policies
- Interacting with Individuals with Mental Illness and other Disabilities
- Tactical Units
- Training
- Internal Investigations and Civilian Complaints
- Management and Supervision
- Recruitment and Selection
- Community Policing and Oversight

NEXT STEPS

The Justice Department looks forward to working with the city and Albuquerque Police Department and the community to timely resolve these findings. Change will not occur overnight, and effective reform of the Albuquerque Police Department requires a durable and sustainable blueprint for reform which will provide the structure, transparency, and accountability necessary to achieve success.