

BERNALILLO COUNTY
BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE MEETING
Tuesday, August 8, 2017, 5:15 p.m.

VINCENT E. GRIEGO CHAMBERS
ALBUQUERQUE-BERNALILLO COUNTY GOVERNMENT CENTER
ALBUQUERQUE, NEW MEXICO 87102

A P P E A R A N C E S

DEBBIE O'MALLEY, Chair

STEVEN MICHAEL QUEZADA, Vice Chair

MAGGIE HART STEBBINS, Member

LONNIE C. TALBERT, Member

WAYNE A. JOHNSON, Member

LINDA STOVER, County Clerk

BEFORE: Kim Kay Shollenbarger, RPR, CCR #236
PAUL BACA PROFESSIONAL COURT REPORTERS
500 4th Street, Northwest, Suite 105
Albuquerque, New Mexico 87102

1 CHAIRWOMAN O'MALLEY: Good evening, everyone.
2 We will begin the administrative meeting. Thank you
3 all for signing up. Again, welcome, everyone, to the
4 administrative meeting of the Bernalillo County
5 Commission for August 8th will now come to order. So
6 the first item, of course, is THE silent invocation
7 and pledge of allegiance. And if Commissioner Talbert
8 would lead the pledge, I would appreciate it.

9 (Moment of silence and pledge of allegiance)

10 CHAIRWOMAN O'MALLEY: Welcome, County
11 Manager.

12 COUNTY MANAGER BACA: Thank you,
13 Commissioners. So we have some addition and changes
14 to the agenda. So the first one is item 3A, the
15 Department of Justice access to county-operated
16 detention facilities requires a vote today. So it
17 needs to be added to the agenda and will become 11A,
18 as in apple, under adoption of resolution. And then,
19 number 2 is -- or the second change is item 10A, the
20 LEDA for Flagship Food Group North America. It needs
21 to be deferred until August the 22nd, the
22 administrative meeting. However, the ordinance will
23 need to be heard. So this is just the FR. And that's
24 it.

25 CHAIRWOMAN O'MALLEY: So the ordinance, item

1 1, but the item 2 is the one that's deferred.

2 COUNTY MANAGER BACA: Correct.

3 CHAIRWOMAN O'MALLEY: Thank you.

4 COUNTY MANAGER BACA: Thank you.

5 COMMISSIONER HART STEBBINS: Madam Chair.

6 CHAIRWOMAN O'MALLEY: Commissioner Stebbins.

7 COMMISSIONER HART STEBBINS: Thank you. I
8 would also like to ask that item 9C, which is the
9 county attorney's employment agreement, that that be
10 moved off consent and I would assume moved under 12,
11 which would be approvals. That would become 12D.

12 CHAIRWOMAN O'MALLEY: Okay, 12D.

13 COMMISSIONER HART STEBBINS: Yes.

14 COUNTY MANAGER BACA: So I'm not sure about
15 that last one, but I know that a vote is required for
16 the first two.

17 COMMISSIONER HART STEBBINS: Right. There's
18 no vote required to move something off.

19 COUNTY MANAGER BACA: Right.

20 COMMISSIONER HART STEBBINS: But we will need
21 to vote for the other two. And I move that we approve
22 those changes as proposed by the County Manager.

23 COMMISSIONER JOHNSON: Second.

24 CHAIRWOMAN O'MALLEY: There's a motion and a
25 second. All those in favor say aye.

1 MEMBERS: Aye.

2 CHAIRWOMAN O'MALLEY: All oppose say no. The
3 motion carries. That takes us next to proclamations.
4 Commissioner Stebbins.

5 COMMISSIONER HART STEBBINS: Thank you, Madam
6 Chair. And I can't say how -- I can't tell you how
7 pleased I am to sponsor this acknowledgement of
8 Bernalillo County Sheriff's Department Ghost Unit.
9 And I believe the Kyles are here, Kyle Hartsock and
10 Kyle Woods. I would like to ask you to come up to the
11 podium and anyone else who's here that works with you,
12 supports you. So, welcome. Really glad to have you
13 here. So I'm going to read this proclamation, then
14 I'd love to give you the opportunity to talk about
15 what you do. And part of my intent here is to give
16 you the opportunity to inform the Commission about
17 what more we can do to support your work. So with
18 that, this is an acknowledgment by the Bernalillo
19 County Board of Commissioners.

20 We do hereby acknowledge the Bernalillo
21 County Sheriff's Department Ghost Unit.

22 Whereas, Detective Kyle Hartsock and
23 Detective Kyle Woods and their many colleagues in the
24 Bernalillo County Sheriff's Department's Ghost Unit
25 have shown the utmost foresight, courage, compassion,

1 and fortitude in combating sex trafficking, child
2 exploitation, child abductions, and missing person
3 cases.

4 And whereas, most victims of those crimes
5 have a long history of severe sexual, physical, and
6 emotional trauma; are isolated from the rest of
7 society; and are almost always too terrified to come
8 forward as witness without significant support.

9 And whereas, there are an estimated 260
10 vulnerable juveniles in Bernalillo County Sheriff's
11 Department's jurisdiction at any one time, of which
12 approximately 40 fall prey to active traffickers.
13 Traffickers constantly move their victims back and
14 forth across state lines using the I-25/I-40
15 interchange to their advantage, making cases extremely
16 difficult to track.

17 And whereas, in response to the particular
18 challenges of investigating such crimes and the
19 specific needs of their victims, the Ghost Unit was
20 established in 2014 to implement a victim-centered
21 approach to the investigations that gives victims
22 compassionate support and access to services that help
23 them escape the cycle of violence and exploitation.
24 Through that process, the Ghost Unit not only helps
25 victims, but often builds better cases to effectively

1 prosecute perpetrators.

2 And whereas, in 2016, Detectives Hartsock and
3 Woods began training all BCSO deputies to better
4 distinguish potential victims of these crimes from
5 other domestic violence calls. They created the High
6 Risk Victims Unit of seven highly trained uniformed
7 patrol deputies, one of the first such units in the
8 country. Training includes how best to communicate
9 with traumatized young people while identifying signs
10 of exploitation.

11 And whereas, in 2016 alone, the Ghost Unit
12 investigated 16 cases of Internet crimes against
13 children leading to 12 arrests, and have increased
14 child exploitation investigations at BCSO nearly
15 20-fold.

16 And whereas, the Ghost Unit has repeatedly
17 represented the best values of our community through
18 their collaborations with the FBI, Homeland Security
19 and the New Mexico Attorney General's Office, APD, and
20 other law enforcement agencies, leading to numerous
21 successful prosecutions and recognition from the AG's
22 office in May of 2017, for going above and beyond all
23 others on a statewide task force of 87 agencies
24 working on Internet crimes against children.

25 Now, therefore, be it resolved that, for

1 their sincere and heartfelt dedication to crime
2 victims, and their resulting accomplishments, the
3 Bernalillo County Board of Commissioners offers its
4 deepest gratitude to the members of the BCSO Ghost
5 Unit for their dedication and commitment to Bernalillo
6 County's most vulnerable residents.

7 Done this 8th day of August 2017 in
8 Bernalillo County, the State of New Mexico.

9 And this is signed by all four county
10 commissioners. So, again, it's a great honor to have
11 you here. There are times when I'm just so pleased to
12 be associated with Bernalillo County. And, you know,
13 this is one of those times when I learn about the
14 great work that you do. So, thank you for being here.
15 Thank you for your great work.

16 (Applause)

17 DETECTIVE HARTSOCK: Thank you, Chair and
18 County Commissioners, and Commissioner Hart Stebbins
19 for reading that proclamation. We appreciate it. A
20 few things we would just like to, you know, recognize
21 and help educate anyone who's here to listen is, what
22 we try to do different is that we realize that all
23 criminal cases can be hard to investigate, but the
24 better we know our victims, the better we can
25 understand the life they're in and the better we can

1 help them. And the more help our victims get, the
2 better humans they end up becoming, the less chance
3 they go back into this vicious cycle, the better
4 witnesses they can make on the stand one day to put
5 someone in prison, and just a better everything they
6 can make. So we've focused on a particular high-risk
7 population in our county that generally gets the
8 smallest of resources compared to other groups and
9 that's our pre-adolescent and adolescent age group.

10 What we have found is, by trying to build a
11 trusting relationships with these victims, which can
12 be very hard because most of their lives they've been
13 lead to not trust any adults in their life, not a
14 parent, not a grandparent, not a teacher. So it can
15 be a long road for us to try to gain their trust, but
16 if we do and when we do, we have found a high amount
17 of success in stabilizing that kid, getting them on a
18 really good track, and the second part of it, is
19 getting some really bad, bad guys off the streets.

20 So trust in our victims, trust in our
21 community I think is what our department excels at and
22 we've tried to lead this program with the support of
23 the sheriff and our chain of command here to make this
24 happen.

25 The High-Risk Victims Unit, they're not here

1 tonight because they're all on patrol mostly working,
2 but they have been an insane amount of help because
3 they are out -- they're the ones in people's domestic
4 violence calls everyday. They're the ones pulling
5 cars over. They're the ones responding to every kind
6 of dispute you can think of, but now they come in with
7 more training so they can better recognize what a
8 human trafficking or a high-risk victim looks like as
9 opposed to just some drug addicted teenager or just
10 some -- someone else who doesn't want to listen to
11 what we have to say. So they've been an amazing help
12 and we're looking forward to continuing that program.

13 The one big deficiency, I'll tell you, that
14 the whole State of New Mexico has, and that includes
15 Bernalillo County, is that there are no human
16 trafficking-specific programs or treatments anywhere
17 in this state for human trafficking victims. And
18 while they have drug addictions, that's not really
19 their problem. And while they might have some
20 psychiatric conditions, that's not really their
21 problem. When you are controlled by another human
22 being and forced into sex, you've created a trauma
23 bond with them that can be very, very hard to break.
24 When you're also underage and you compound it by the
25 other abuses and trauma they've had through their

1 lives, it's really, really hard to break them out of
2 it.

3 Just today a 16-year-old girl that we rescued
4 out of human trafficking about a month ago, who's been
5 in high-level care, who we got all the approvals and
6 signatures from all the insurance companies with the
7 help of CYFD to get her to an out-of-state human
8 trafficking program, told her doctor that she no
9 longer wants to go because they told her she would
10 have to be gone six to nine months away from her
11 family. While her family is far from perfect in
12 supporting her in all this, her thought of going to a
13 different state that she's never been to before
14 without any familial support has now made her reject
15 that treatment. She's just pulled out of it today.
16 We just got this call. So now we're left to find
17 something closer in state, which means all we have
18 left is a programs that aren't going to be specific to
19 what this victim needs.

20 So that kind of gap is really big. And any
21 help or guidance that the Commission can help her
22 support, at a state level or a county level or a city
23 level or anything like that, we think is very, very
24 important and it's the biggest gap that we face with
25 finding victims and getting them on a good long-term

1 path. Thank you.

2 COMMISSIONER HART STEBBINS: Kyle, let me ask
3 you about that last request. So these specialized
4 services, I'm assuming that most of these victims
5 probably have some kind of behavioral health disorder,
6 either -- you know, resulting from the trauma that
7 they've experienced. So is this something you think
8 that can fall under our behavioral health initiative?

9 DETECTIVE HARTSOCK: I mean, I'm not the
10 expert on what that initiative covers but, to me, they
11 absolutely almost all get diagnosed with some kind of
12 behavioral condition. A lot of it is the result of
13 it, a lot of it is stuff they had before that just got
14 -- you know, made larger by being sex trafficked. But
15 what we see, you know, for a ton of them that the sex
16 trafficking is an absolute low point. They do want to
17 get out of it. They do want treatment. But we're
18 just trying to guide them in that right direction.
19 And sometimes when they go to programs that only
20 address drug addiction, for example, they do really
21 poorly in those programs. They do really bad. They
22 end up leaving those programs. They get kicked out of
23 the programs because what they went through is just
24 completely different. So that's why these programs --
25 and right now we send our victims to Arizona,

1 Colorado, and to Texas most of the time. Those are
2 the three closest states that have treatments for our
3 kids, but it's hit or miss if it's successful because
4 the separation from family is a big issue. The
5 insurance sign-off can be a nightmare. It can take 30
6 to 60 days to get approval from -- you have to get
7 rejected in New Mexico by everyone before insurance
8 will let them go out of state. I think they're trying
9 to get that fixed at the CYFD level.

10 But in the meantime, we can't keep these kids
11 in like runaway shelters for like two months, they
12 won't last. They will leave again. They will want to
13 go back to their trafficker or go back to that group
14 because of that sad trauma bond they've created. So
15 those aren't really answers. Putting them in the D
16 home isn't really an answer and the D home is not
17 supposed to be a protective custody place. Although,
18 sometimes it feels like it's our best chance to
19 actually keep them safe, is to arrest them. We don't
20 like to do that and it's rarely happened, but that's
21 what we're left with doing because there's just no
22 other options.

23 COMMISSIONER HART STEBBINS: What would you
24 say the demand is -- what are the numbers we would be
25 talking about that are -- for a treatment program like

1 that.

2 DETECTIVE HARTSOCK: You went through the
3 numbers yourself. But, you know, kids who run away
4 from shelters are considered much, much higher risk
5 because they are already without family. If they had
6 family they would be with the family. The fact that
7 they're in the shelters is because they don't have
8 that family to go to. And Amistad, which is in the
9 south valley right by our substation, they intake on
10 average, you know, 30 to 40 kids a month. And the
11 latest numbers they gave were about three-quarters are
12 from CYFD. They're guardian placements that come in
13 there. So I think the demand is potentially very
14 high, but it's one of these crimes that victims don't
15 come out and say, "hey, I've been trafficked, help
16 me," that's not -- that's not how it plays out.

17 So it's identifying them, but it's also
18 letting them know, hey, there's a program or
19 treatment, here's a path that we can put you on, we
20 will help guide you there, so will this victim
21 advocate, so will this social worker, so will this
22 doctor, and we'll get you -- like most of them are
23 willing to do it. They want to be better. They don't
24 want to have these thoughts. They don't want to be on
25 drugs. So I think the demand is there. It's hard to

1 put a number on it simply because it's a hard crime to
2 peg.

3 COMMISSIONER HART STEBBINS: Let me just ask
4 the County Manager, so if we were to consider this as
5 -- a program of this nature as part of our behavioral
6 health initiative, would be required? Would you
7 require resolution from the County Commission? Is it
8 something that you can take directly tonight and
9 explore whether or not this is something that could be
10 prioritized under our behavioral health initiative?

11 COUNTY MANAGER BACA: Madam Chair,
12 Commissioner Hart Stebbins, we would probably -- we
13 would take a look at it and we would probably go
14 through our behavioral health committees, so that
15 would probably be the first step. But we'd be happy
16 to do that.

17 COMMISSIONER HART STEBBINS: Again, I can't
18 speak for the whole Commission, I can speak for
19 myself, that that's something I would like to see go
20 through that process and see whether it's something we
21 should be funding. And then second, you know, I know,
22 probably two years ago, we spoke about, you know,
23 another need that you have for a caseworker, a social
24 worker to aid your work with victims. And the County
25 Commission did, several months ago, specifically make

1 an appropriation for that, so I know that's in the
2 works. I've talked with the County Manager recently
3 and our HR department about getting that done. So I
4 hope that will, again, fill a gap. And if that's not
5 enough, I hope you'll come back to us and let us know.

6 DETECTIVE HARTSOCK: Thank you.

7 COMMISSIONER HART STEBBINS: Thank you, Madam
8 Chair.

9 CHAIRWOMAN O'MALLEY: Commissioner Quezada,
10 and then the County Manager wants to say something.

11 VICE CHAIR QUEZADA: Madam Chair, thank you.
12 You know, the reason why we, in the past, the
13 behavioral health taxes to, you know, fund holes
14 within what's not happening in New Mexico, to look for
15 programs that, you know, not to duplicate programs,
16 but to look for programs that we are not taking care
17 of and that we're not doing. So this completely falls
18 under that category. And the purpose of why we ask
19 the taxpayers to, you know, pass that bond, that's
20 what it's for. So, you know, I would completely
21 support us filling that gap. Just so you know, that
22 was the purpose of it. Thank you.

23 CHAIRWOMAN O'MALLEY: Thank you. Madam
24 County Manager.

25 COUNTY MANAGER BACA: I just wanted to let

1 you know that it was brought to my attention, Madam
2 Chair and Commissioner Hart Stebbins, that they are
3 already addressing this issue with Craig Sparks at the
4 Youth Detention Center. So that's already being
5 explored.

6 COMMISSIONER HART STEBBINS: Great.

7 COUNTY MANAGER BACA: So we'll be in touch
8 with you.

9 CHAIRWOMAN O'MALLEY: Thank you. Did you
10 have a certificate that you wanted to -- oh, okay. Do
11 you want to come on up.

12 COMMISSIONER HART STEBBINS: I have a
13 certificate for you, if you will come up.

14 (Presentation of certificate/photo)

15 COUNTY MANAGER BACA: Madam Chair,
16 Commissioners, just really quickly. I just wanted to
17 take a moment to bring up our MDC Chief, Greg Rees.
18 So, Greg, could you please come down, I would like to
19 introduce you to our Commissioners. You already know
20 them, but to the community as well.

21 (Applause)

22 CHAIRWOMAN O'MALLEY: We didn't put you on
23 the spot, did we?

24 CHIEF REES: Just a little bit, Madam, but
25 I'm glad be here. Thank you for the opportunity. And

1 completely surprised about this, so thank you.

2 CHAIRWOMAN O'MALLEY: Sure you're sorry.
3 Commissioner Johnson.

4 COMMISSIONER JOHNSON: Thank you, Madam
5 Chair. Greg, I just wanted to extend my condolation
6 to your new appointment. I know you'll rise to the
7 challenge and it is quite a tough one. So thank you
8 for willing to be -- being willing to accept that
9 challenge.

10 MS. SOLANO: Good evening. The Bernalillo
11 County Manager would like to acknowledge and
12 congratulate the 2017 Bernalillo County Roadeo Team
13 that competed and won first place, again, five years,
14 in the overall team category at the New Mexico
15 Association of Counties annual heavy equipment roadeo.
16 The heavy equipment roadeo showcases county employee
17 operator skills through a series of demonstrations and
18 competitive events. This year's victory marks the
19 fifth consecutive year, again, for the Bernalillo
20 County Roadeo Team. The five-year run is a history
21 making, unprecedented feat. I think it's fair to say
22 that these guys have created a Bernalillo County
23 dynasty. The members of the 2017 Bernalillo County
24 Roadeo Team are: Chris Pacheco, the team captain.
25 Steve Benavidez, the north valley group. We have Mike

1 Rankin in special projects. Not able to be with us
2 tonight are: George Bennett, who is in the south
3 mountains. Julian Chavez is also in the south
4 mountains. Brandon Fuentes is special projects.
5 Angel Maldonado is in our storm drain crew. Adam
6 Olivas, who has recently left us, we're sad. Josh
7 Pacheco in the north valley crew. Allen Serda in the
8 south valley. Pedro Villa, south valley supervisor.
9 Leonard Zamora, who is in the south valley. And Manny
10 Zamora in special projects. So we had a very good
11 team. Congratulations to all of this year's rodeo
12 team members. Thank you.

13 (Applause)

14 CHAIRWOMAN O'MALLEY: That's great.

15 MS. SOLANO: This is the trophy.

16 CHAIRWOMAN O'MALLEY: Oh, cool. Does that
17 get -- well, it didn't get passed around for five
18 years, that's for sure. But is that a new trophy
19 every year or is that the trophy...

20 MS. SOLANO: It's the same trophy and it gets
21 displayed at our Public Works main office. Front
22 office.

23 CHAIRWOMAN O'MALLEY: It hasn't gone
24 anywhere, obviously, for five years.

25 MS. SOLANO: Right. There's a little dust.

1 And there's a little dust on the desk where it sits
2 too. A little dust pattern. Thank you.

3 CHAIRWOMAN O'MALLEY: Commissioner Johnson.

4 COMMISSIONER JOHNSON: Thank you, Madam
5 Chair. And, gentlemen, congratulations. Needless to
6 say, when I run into folks from Public Works in other
7 counties, they hate you guys. They really hate you
8 guys. Bernalillo County is going to win the rodeo
9 again this year. So, congratulations on your work.
10 But I also thought I would take a moment to thank you
11 for the work you do every day. This is outstanding,
12 but it's the work that you do for the citizens of
13 Bernalillo County that really makes you most notable.
14 And I had someone call me just the other day, or shoot
15 me an email, thanking me for the work you've done in
16 Paako and keeping the roads clear during the heavy
17 rain. So thank you very much and this is a great
18 opportunity to thank you for that work.

19 (Applause)

20 CHAIRWOMAN O'MALLEY: Will you please come
21 around so we can have a photograph with you.

22 (Photo/applause)

23 CHAIRWOMAN O'MALLEY: Next we have the
24 treasurer's recognition. Welcome.

25 MS. BEARCE: Thank you, Madam Chair and

1 Members of the Commission. It is my honor to
2 acknowledge this recognition, and I have a short
3 acknowledgment to read.

4 The Bernalillo County Treasurer does hereby
5 acknowledge Veronica Becerra, Patsy McCray and Robert
6 Dean for the professional developmental and advanced
7 education that are crucial qualities of employees
8 prepared to excel in their positions, bringing new and
9 informed ideas to Bernalillo County, and improving
10 customer service to members of the community. At New
11 Mexico State University, the New Mexico EDGE program
12 provides a unique opportunity for public sector
13 employees to further their professional development in
14 government service, public management and a number of
15 other specializations through training and
16 certification.

17 This July, three employees in the Bernalillo
18 County Treasurer's office, Veronica, Patsy and Robert,
19 graduated from the New Mexico EDGE program after
20 completing all requirements to receive designation as
21 certified treasury officials. Receiving designation
22 requires the completion of 21 classes in treasury and
23 public management topics, from payment processing and
24 collections, to risk management and public finance,
25 and also the successful completion of a culminating

1 portfolio uniting all lessons learned in the program.

2 Bernalillo County congratulates Veronica,
3 Patsy and Robert for their accomplishment in achieving
4 this designation, and the County recognizes their
5 personal development and dedication to the residents
6 of Bernalillo County. You've got your certificates.
7 Thank you all so much.

8 (Applause)

9 CHAIRWOMAN O'MALLEY: Madam Treasurer, do you
10 want to come around so we can get a --

11 MS. BEARCE: I would love to. Thank you.

12 (Photo/applause)

13 CHAIRWOMAN O'MALLEY: We go next to item 7,
14 which is public comment. Julie, how many people do we
15 have signed up?

16 MS. BACA: We have 41 signed up.

17 CHAIRWOMAN O'MALLEY: Normally we allow two
18 minutes, but we're going to go ahead and I'm going to
19 -- and that's a call I'm going to make, for a
20 minute-and-a-half testimony. So you will get a little
21 warning at one, that you have 30 minutes -- 30
22 seconds, I'm sorry, to wrap up. So we're going to
23 begin that. Typically, I think what Julie does is,
24 she calls -- she'll call the person, so that the next
25 person can move up here into the seats, that way we

1 can move the process along. Thank you for your
2 cooperation.

3 MS. BACA: When I call your name, please make
4 your way down to the podium. Mike Langner, Julia
5 Ponzio and James Naugle.

6 SPEAKER: Thank you very kindly for allowing
7 me to speak and great thanks for having the hearing
8 working in this room. I have a severe hearing loss
9 and it's great to be able to hear your clear
10 instructions to us all clearly. Thank you very much.
11 I'm the President of the Western Meadows Area Civic
12 Association, it's an area south -- just north of
13 Alameda Boulevard, bounded by the Rio Grande
14 River/Alameda main canal and on the north by Los
15 Casados. It looks like a miniature version of the
16 State of Wisconsin. We have, in recent time in our
17 279 households, canvassed our people through next door
18 neighborhood and confirmed a number of concerns, for
19 which we would like to speak in support of the
20 proposal the sheriff will be bringing you this
21 evening. Bosque fires, there's only one way in and
22 out of our subdivision. If it's blocked, we are going
23 to burn. Conservancy will not give us keys to the
24 ditch, sheriffs have to open it. If no sheriff is
25 available, we're stuck. We have a number of

1 burglaries of recent, copper thefts from a home under
2 construction, a vehicle was found on blocks, all the
3 wheels taken, bicycles gone, a home burglary in which
4 a gun was taken. Our one business, a gas station, had
5 its doors smashed and big windows smashed. Mail
6 stolen from mailboxes with vandalism. So, please,
7 when the sheriff talks to you, support us, your
8 citizens, by helping us be safe in our homes and in
9 our neighborhoods. Thank you very, very much.

10 (Applause)

11 MS. BACA: Julia Ponzio, James Naugle, Wendy
12 Fabian.

13 CHAIRWOMAN O'MALLEY: If you would state your
14 name, please.

15 MS. FABIAN: My name is Wendy Fabian. Good
16 evening, Commissioners. There are so many reasons why
17 I think it is unwise to rescind this document that
18 professes our commitment to fairness and Civil Rights
19 of all our people. One reason is that by encouraging
20 our already taxed police department to take on the
21 enforcement of immigration policy, it blurs the line
22 between a civil offense and a criminal one. It
23 essentially tramples the Civil Rights that are
24 Constitutionally afforded any person regardless of
25 their nationality or status. It encourages racial

1 profiling by our law enforcement officials and drives
2 decent, law-abiding citizens into the arms of
3 corruption for protection. It will serve in this way
4 to make it harder for us to rein in the crime in our
5 communities and many more people will be defenseless
6 against criminality. This attempt of the Trump
7 administration to blackmail the states into trampling
8 Civil Rights, especially those of people of color,
9 sets a precedent for the ever-widening network of
10 federal laws to strangle the balance of power between
11 federal government and states' rights. Last, but not
12 least, there are very few things more disgusting than
13 a bully. One of them is the person that stands in
14 service to them just to cover their own ass, and that,
15 Commissioner Johnson --

16 (Applause)

17 CHAIRWOMAN O'MALLEY: Ma'am. Ma'am, your
18 time is up.

19 MS. FABIAN: That is what I feel you are
20 asking us to do.

21 (Applause)

22 CHAIRWOMAN O'MALLEY: Let's have civil
23 discourse, please.

24 MR. NAUGLE: Madam Chair, my name is James
25 Naugle. I live in the east mountains and I'm here

1 because I'm worried about my kids. We have a crime
2 problem here and we have to do something about it, we
3 cannot ignore it any further. I woke up this morning
4 just down the road from the last deputy-involved
5 shooting this week and fortunately the deputy survived
6 that. And I took my kids to day care 300 meters from
7 where a high-speed chase terminated in a roll-over
8 wreck yesterday morning. And I drove here from my
9 office, along Gibson, past a Dion's where a
10 14-year-old boy who was shot and killed two weeks ago.
11 Everywhere I look I see it. I can't ignore it anymore
12 and I hope that we all stop ignoring it. So we have a
13 problem and beyond. I worry that we're at a tipping
14 point where the violence will damage the economy
15 enough to spiral us into a direction where we, as a
16 community, don't want to go. Now, there's a lot we
17 can't control with that. We can't control the state
18 constitution. We can't control supreme court
19 decisions, but what we, the county, can control and
20 what you as the Commissioners can control is resources
21 to detention operations, to the sheriff's department
22 and possibly to prosecutions. Man, I would like you
23 to focus on that. So the sheriff says he needs nine
24 million people -- excuse me, \$9 million to hire 60
25 people. I'm not an expert in law enforcement, that

1 sounds good to me. I'd like to hire 90, how about
2 that. If he says he needs 60, let's get him 90.
3 Anything he needs, let's get it. Because we can
4 control that. We can control the budget. Thank you.

5 (Applause)

6 MS. BACA: Don Newman, Jessica Rodriguez,
7 Krisin Love. Please make your way down to the podium.
8 Reverend Susan Quass, Marco Nunez, Manuel Sanz.

9 MR. NEWMAN: Commissioners, thank you for the
10 opportunity to speak. My name is Don Newman. I live
11 in the north valley. Let's take a break and think
12 outside the box for a moment. We elected Sheriff
13 Gonzales to fix the problem much as we would go to a
14 doctor. The doctor is giving us his diagnosis and his
15 prognosis. Tonight we know he is right and we should
16 heed his advice. Looking at the county as a patient,
17 aside from crime, how do we keep it healthy. We
18 already know that our law enforcement presence is
19 foremost to prevent crime. By keeping crime under
20 control we can maintain the stability of the county
21 and the neighborhoods. Keeping crime out will
22 maintain the values of homes and businesses.
23 Unfavorable statistics will negatively impact home,
24 business and property taxes, all contributing to
25 further spiraling down of the community and the

1 well-being of the people that live here. It is an
2 endless downward spiral. I feel you all know too well
3 the problem we are facing. I am preaching to the
4 choir, and we all know the problem. Let's find a
5 solution. I leave it up to you with good spirit.
6 Thank you.

7 (Applause)

8 MS. BACA: Jessica Rodriguez, Krisin Love,
9 Susan Quass.

10 TRANSLATOR: May I ask for just a bit of
11 extra time to translate? Thank you.

12 MS. RODRIGUEZ: (Speaking in Spanish)

13 TRANSLATOR: My name is Jessica Rodriguez.
14 I'm the proud mother of two girls, owner of a small
15 company. I'm an active member of El Centro De
16 Igualdad Y Derechose. We're an organization that
17 fights for immigrant rights and workers justice based
18 here in Albuquerque, New Mexico, we have more than
19 4,000 members.

20 MS. RODRIGUEZ: (Speaking in Spanish)

21 TRANSLATOR: We denounce U.S. Attorney
22 General Sessions' attempt to coerce the City of
23 Albuquerque and enforcing Trump's deportation programs
24 by threatening to withhold federal dollars to fight
25 crime.

1 MS. RODRIGUEZ: (Speaking in Spanish)

2 (Applause)

3 TRANSLATOR: The impact that Commissioner
4 Johnson's resolution would have on our communities is
5 not a hypothetical. When I said permanent presence at
6 the Metropolitan Detention Center, and after Mayor
7 Berry invited us to the transportation center, our
8 communities experienced firsthand the devastation that
9 deportation can have on socioeconomic and cultural
10 fabric. We must not go back to that dark time in our
11 history. Immigrants, like all Albuquerqueans, work
12 hard for the welfare of our families and communities.
13 We contribute in countless ways and we try to build
14 communities for justice and equality prevail for all.
15 We cannot normalize deportation for our communities.
16 We urge our elected officials not to allow Trump to
17 play politics with our public safety and to defend the
18 resolution reaffirming Bernalillo County as an
19 immigrant-friendly county. Thank you.

20 (Applause)

21 CHAIRWOMAN O'MALLEY: Thank you. Go ahead.

22 MS. LOVE: Madam Chair and Commissioners, my
23 name is Krisin Love and I'm a staff attorney with the
24 ACLU of New Mexico. I urge the Commission to stand
25 firmly against the Trump administration's latest ploy

1 to bully our community into enforcing its racist and
2 anti-immigrant agenda, which would further undermine
3 public safety and trust in law enforcement in
4 Bernalillo County. Sessions' threat to impose
5 sweeping conditions on the Byrne JAG funding raises
6 serious constitutional concerns under the 10th and 4th
7 Amendments. The 10th Amendment, which enshrines
8 federalism and states' rights, the core libertarian
9 principles of our government, protects the county from
10 bullying by the federal government. The supreme court
11 has repeatedly held that the federal government cannot
12 commandeer local officials by forcing them to enforce
13 federal law, here immigration law. Moreover,
14 immigration detainers, and in many cases notification
15 requests, violate the 4th Amendment. Courts across
16 the U.S. have found that immigration detainers violate
17 the probable cause requirement. In March a federal
18 district court judge here in New Mexico approved a
19 major settlement in a suit against San Juan County for
20 unconstitutional immigration detainers. That county
21 will pay as much as \$724,000. Sessions' vile rhetoric
22 and threats hurt our communities. I urge the
23 Commission to publicly affirm that it rejects the
24 administration's unconstitutional assaults on our
25 communities and on our autonomy and to uphold

1 immigrant justice in our communities. Thank you.

2 (Applause)

3 CHAIRWOMAN O'MALLEY: Welcome.

4 MS. QUASS: Madam Chair, Council Members, and
5 Commissioner Johnson in particular. My name is Susan
6 Quass. I'm the Executive Director of the New Mexico
7 Conference of Churches. As a Christian and as a
8 church leader I am concerned about the welfare and
9 stability of all the families that reside in our
10 county. The United States and our own county rely on
11 families to be the basis of society and we should not
12 throw up obstacles to their unity. I am very
13 concerned when any institution, governmental or
14 otherwise, raises barriers to families living together
15 in peace and security. And people of faith throughout
16 this county believe that the stronger the bonds of
17 family, the greater the chance of a person succeeding
18 in life, the stronger our communities become and the
19 more secure we all are. So I want to affirm and
20 recognize the many contributions that immigrants of
21 all backgrounds have made to our county, to our state
22 and to our nation. It is our duty, as brothers and
23 sisters of humanity, to do all that we can to protect
24 the lives and dignity of all persons. Churches and
25 people of goodwill across the county and throughout

1 the nation are calling for our government to respect
2 the human dignity and human rights of all immigrants
3 regardless of their documented status. Policies that
4 would relegate undocumented migrants to lesser
5 standards of treatment or a higher risk of family
6 disruption are counter to the high values of justice
7 and fairness we hold dear. Thank you so much.

8 (Applause)

9 MS. BACA: Marco Nunez, Manuel Sanz, Adriel
10 Orozco.

11 SPEAKER: Good afternoon. I serve as the
12 Worker Justice Coordinator at El Centro De Igualdad Y
13 Derechos. I, like many here tonight, urge this body
14 not to succumb to federal efforts to undermine our
15 community and create distrust or hostility for our
16 immigrant families. So I meet with immigrant workers
17 pretty much on a daily basis. And the context, I
18 regret, is often a reminder of how broken our
19 immigration system is. You see, I hear cases of
20 unscrupulous employers who intentionally choose not to
21 pay workers because they feel they can threaten them.
22 Resolutions such as the one proposed by Commissioner
23 Johnson, I feel will embold employers such as these.
24 The perception that a county will willing collaborate
25 with ICE officials would have a chilling affect on

1 immigrant workers. Additionally, it will exacerbate
2 an unlevel playing field between responsible employers
3 and those who choose to break the laws. In March of
4 this year a U.S. News Report article cited New
5 Mexico -- said this about New Mexico's immigrant
6 workforce: Immigrant labor is like bread and butter
7 to the New Mexico economy. Without it, according to
8 economists and business owners, key industries
9 including oil, gas, agriculture, construction, hotel,
10 restaurant operations, would face major hurdles to
11 keep these wheels turning. This past May over 200
12 small, mostly immigrant-owned businesses, closed for
13 the day in protest of Trump's zealous mission. And
14 yet, they contribute close to \$400 million in taxes.
15 So I strongly urge the Commission to vote no on this
16 resolution. Thank you for your time.

17 (Applause)

18 MR. SANZ: Hi. Good evening. My name is
19 Manuel Sanz. I live and work as carpenter in
20 Albuquerque. And I am proud member of El Centro De
21 Igualdad Y Derechos. This place has been home to me
22 since 2004. And the reason I am proud to call
23 Albuquerque home is this city and county's recognition
24 of immigrant contribution to the economic, social, as
25 capturing their status as immigrant friendly. I am

1 here today to ask you all to renew this commitment and
2 reject to enforce to conform to the Trump
3 administration shameless attack on the community I
4 belong to. It is restraining to hear over and over
5 cynical statements of Trump and Jeff Sessions. We are
6 less likely to committe crimes than native-born
7 population. Many of us economic refugees that have
8 left our country as a last resort. And despite to
9 escape the failure of our government that force our
10 immigration. We honor our new home here in New Mexico
11 by contributing to its growth. I am proud to work
12 alongside many immigrants that is trying to support
13 families, to see the pride they take in the work they
14 do, and the way their families are integrated in this
15 county that we make stronger, not weaker. I ask that
16 you each reject Commissioner Johnson's resolution and
17 commit to rejecting any federal funding that could
18 require any county government to be in the targeting
19 and persecution of immigrant communities. Thank you
20 very much.

21 (Applause)

22 CHAIRWOMAN O'MALLEY: Julie, did you call up
23 some more folks? There's some folks waiting. Okay.

24 MS. BACA: Abbas Akhil, Maria Jose Ramos,
25 Janette Penunuri.

1 MR. OROZCO: First of all, can I ask anybody
2 from El Centro De Igualdad Y Derechos or anyone
3 opposed to Commissioner Johnson's resolution to please
4 stand up.

5 (Applause)

6 MR. OROZCO: Thank you. I think it's just
7 important to highlight major opposition to this
8 resolution. My name is Adriel Orozco and I'm an
9 immigration attorney at the New Mexico Immigrant Law
10 Center. We provide free legal services to immigrants
11 in our state. Today I'm here to urge against this
12 resolution rescinding Bernalillo County's immigrant-
13 friendly resolution. As mentioned, there are many
14 constitutional grounds that are being litigated
15 against these this types of -- this type of coercion
16 by the federal government. But more importantly, I
17 wanted to bring up a case that we've gone through that
18 we have seen where one of our clients was threatened
19 with the use of the legal system in 2011 at the height
20 of secured communities and the use of local resources
21 to enforce federal immigration policy. Her abuser had
22 falsely accused her of child abuse and domestic
23 violence. Though her charges were later dismissed,
24 she was transferred to ICE. We helped her get a Visa
25 as a survivor of domestic violence to stay in the

1 United States with her children, but other families
2 may not get that intervention to stay in the U.S. So
3 I think it's just the complexities of life, and using
4 local resources should not be used in this manner.
5 Thank you.

6 (Applause)

7 MR. AKHIL: Madam Chair, Members of the
8 Commission, thank you for this opportunity to speak.
9 My name is Abbas Akhil. I am a board member of the
10 New Mexico Faith Coalition for Immigration Justice and
11 I'm a past-president of the Islamic Center of New
12 Mexico. As you have seen in the last 200 days, the
13 Trump administration has refined our -- in fact,
14 elevated coercion and bullying to implement its
15 agenda. The current letter from Mr. Sessions is an
16 example of this, and I ask you to reject that demand.
17 We, the people of the faith communities, want you to
18 stand firm against this bullying, against this demand
19 and reinforce and show our core values. Today we ask
20 you to do three things. One, reject Commissioner's
21 resolution. We want you to commit to reinforcing our
22 policies that protect our immigrant families. And
23 third, to stand against those types of bullying
24 tactics that may come in the future from the Trump
25 administration. And, if needed, challenge them in the

1 court system. Thank you.

2 (Applause)

3 MS. BACA: Maria Jose Ramos, Janette
4 Penunuri, Lane Leckman, Marisela Carmona.

5 SPEAKER: Hi. I'm here on behalf of Kay
6 Bounkeua, the Executive Director of the New Mexico
7 Asian Family Center. Immigrants, including those
8 coming from Asia, have been instrumental in
9 contributing to New Mexico's rich diversity as well as
10 workforce and overall economy. Unfortunately, Asian
11 families locally and nationally are forever seen as
12 the constant foreigners of our community. Regardless
13 of whether we have been here for several generations
14 and speak English fluently and without an accent.
15 Residing in Bernalillo County's immigration-friendly
16 battles will put our children and families in danger
17 of increased hate crimes and racism. Our families
18 deserve a representative who will defend them. No
19 buying to the hateful that the current national
20 administration has adopted. We urge the County to
21 continue to protect and support all New Mexico
22 immigrants who have dedicated themselves to giving
23 back and supporting our state. Thank you.

24 (Applause)

25 MS. PENUNURI: Hello. My name is Janette

1 Penunuri and I am Small Business Program Manager at
2 Encuentro. Over the last five years many of us have
3 participated in efforts to support our immigrant
4 community to initiatives like Living Cities and the
5 Molina Project. Precisely because we recognize the
6 important contributions many immigrant-owned
7 businesses make to our overall economic landscape.
8 These businesses have created jobs, generated millions
9 of dollars in local tax revenue and revitalized many
10 of our cities' business corridors. We are proud of
11 the contributions that many immigrants have made to
12 New Mexico economy. Immigrants are twice as likely to
13 start a business as U.S. born citizens. An
14 immigrant-owned businesses have generated
15 approximately \$389 million in economy activity in New
16 Mexico between 2006 and 2010. We commend the City,
17 the Council sponsors of this bill for recognizing the
18 importance and urgency of proactively responding to
19 national directives that threaten to lead to family
20 separation, strip immigrants of due process, and
21 instill fear in the lives of hard-working families,
22 all of which negatively affect our local economy. We
23 encourage you to hold strong and continue supporting
24 the valuable contributions of immigrants who live and
25 work in our county. Thank you.

1 (Applause)

2 MR. LECKMAN: Good evening. My name is
3 Dr. Lane Leckman. I've been a citizen of Albuquerque
4 for 70 years, am a Presbyterian elder, I'm a physician
5 in the community and I retired in 2011 and started
6 volunteering with the New Mexico Faith Coalition for
7 Immigrant Justice. And one of the wonderful things
8 about that work is that I've met so many wonderful
9 people who are immigrants. Wonderful people who are
10 immigrants. The reason I volunteered with this group
11 is because I'm a Christian, because I believe what I
12 was taught in church, to love my fellow man. Now, in
13 my work, I would like to say that I met a remarkable
14 number of people working at the New Mexico Immigrant
15 Law Center, met a lot of remarkable people who are
16 working at the New Mexico Center for Equality and
17 Rights, and I've met a number of other people who are
18 terrified by the bullying and the threats that have
19 been made against their safety and their well-being.
20 They're making a significant contribution to our
21 community. They're paying taxes. And as some people
22 said earlier, the research that's been done has shown
23 that immigrant communities generally have less crime
24 and lower crime rates and they deserve to be part of
25 our community, protected and honored as our brothers

1 and sisters.

2 (Applause)

3 CHAIRWOMAN O'MALLEY: Julie, we have some
4 folks still sitting in the back. Who do we need?

5 MS. BACA: Marisela Carmona, Evelyn Ramos,
6 Sabrina Palacios and Jorge Montes.

7 CHAIRWOMAN O'MALLEY: Are there folks in the
8 back whose name wasn't called? Okay, we're good. I
9 just want to make sure. Thank you.

10 MS. CARMONA: (Speaking in Spanish)

11 TRANSLATOR: Hi. My name is Marisela Carmona
12 and I am a part of the Partnership for Community
13 Action. We work very hard to help and support early
14 childhood education and the importance of the role of
15 parents in a child's life and to help them have
16 success in their lives as well as complete a career.

17 MS. CARMONA: (Speaking in Spanish)

18 TRANSLATOR: However, how are we supposed to
19 support our children and allow them to learn and have
20 success if they're scared that they're going to be
21 separated from their parents. When the president won
22 the election I saw many mothers and children crying
23 out of fear, solely because they thought that they
24 were going to be separated. Many families returned to
25 their country and many others decided to leave their

1 life here and -- to live their life here, but never go
2 out to the streets in fear of deportation.

3 MS. CARMONA: (Speaking in Spanish)

4 TRANSLATOR: When Albuquerque became an
5 immigrant-friendly city, families once again found
6 their peace knowing that they were safe and supported
7 by the city they live in.

8 MS. CARMONA: (Speaking in Spanish)

9 (Applause)

10 TRANSLATOR: To take away this policy is not
11 only to take away this policy, but also to take away
12 the peace of all of our families. However, I'm
13 confident in you all who can make this decision to set
14 the priority for our families and for their security
15 and their tranquility in our city. Thank you.

16 (Applause)

17 MS. BACA: Evelyn Ramos, Sabrina Palacios,
18 Jorge Montes, Antonio Granillo.

19 MS. RAMOS: Good evening. My name is Evelyn
20 Ramos and I am a mother of three wonderful boys, whom
21 I brought with me tonight. When driving to school
22 becomes an issue, and they don't want to wake up early
23 in the morning to go to school, like every child
24 should, it becomes hard for me to see that. So I
25 think as a community we should work together and just

1 fight for our rights, fight for what we deserve. My
2 children are scared to death of policemen and I have
3 no idea why, but I'm sure it's from what they hear in
4 school, what they hear with our neighbors. I'm here
5 standing for my children and I'm here standing for my
6 neighbors and I'm here standing for these people's
7 children and I'm here and I'm going to stand and fight
8 for this. So please think twice before you do what
9 you want to do. Thank you.

10 (Applause)

11 MS. BACA: Dennis Aragon, Diane McCash,
12 Yazmin Ruiz.

13 MS. BONDA: Hi. My name is Sabrina Bonda and
14 my family and I are members of Partnership for
15 Community Action. And I am a citizen who has lived in
16 a friendly city, but I've been living afraid because I
17 don't want my family to be taken away from me. The
18 police need to be reliable and not treat us like they
19 were immigration. I have the right as a citizen to
20 feel safe and not afraid in my country, city and home.
21 To not take away from safety. Nobody steals or takes
22 away a job that was never yours. My father has two
23 jobs, and like my mother, they have always worked very
24 hard so that my sister and I get further in life.
25 Everyone has a voice. No one needs to limit

1 themselves just because they don't have documents. We
2 build our country and city economically. And I am
3 really scared that one day I will be alone in this
4 city. Please think of others if you want this country
5 and city to grow healthy and live in harmony, not
6 mattering if you're a citizen, if you're Latin or an
7 immigrant from another country. Thank you.

8 (Applause)

9 MS. BACA: Jorge Montes, Antonio Granillo,
10 Dennis Aragon, Diane McCash, Yazmin Ruiz.

11 MR. MONTES-RODRIGUEZ: Good evening,
12 everybody. My name is Jorge Montes-Rodriguez. I am
13 17 years old and I am a high school student at Atrisco
14 Heritage Academy. I am also a DACA recipient. Why do
15 I think it's important for the Bernalillo County to be
16 welcoming immigrants, as a young adult of the
17 community I believe that the key to a strong and
18 health community starts with individual well-being.
19 We cannot come together as people if we are not at
20 peace with ourselves. After all, we cannot give what
21 we don't have. I would like for each and every single
22 person in this room to have a little bit of empathy
23 and place yourselves in the shoes of someone who is
24 undocumented. Think about having fear on a daily
25 basis. Think about the struggle of being able to --

1 of not being able to communicate because of the
2 language barrier. Being an undocumented immigrant can
3 be hard enough as it is, but feeling threatened by
4 police officers and your own government, when the
5 government is here to serve the people. Thank you and
6 I urge you to keep Bernalillo County a place where
7 immigrants feel welcomed.

8 (Applause)

9 MR. GRANILLO: Hi, everyone. My name is
10 Antonio Granillo and I work with the Partnership for
11 Community Action, from two of the parents and one of
12 the interns that you just heard from. All of them
13 really are, you know, what drive me to do the work
14 that I do in the south valley of Albuquerque, but also
15 it's something that I feel that our families need to
16 -- need to have that confidence in security with
17 police enforcement and when our families are -- when
18 we're trying to create a strong and healthy community,
19 but our families are scared to ask for help from
20 police officers. We're not able to -- to achieve our
21 mission as an organization. So I encourage you to
22 support the current policy and to continue
23 implementing your policies that include and encourage
24 involvement from all people in our community. Thank
25 you.

1 (Applause)

2 MR. ARAGON: Good evening. My name is Dennis
3 Aragon. I'm with Partnership for Community Action.
4 I'm here to urge the County Commission to continue
5 being an immigrant-friendly county. I see what
6 immigrants are going through daily with my work and in
7 my family, because my wife is from Mexico. Please
8 keep Bernalillo County an immigrant friendly and
9 welcoming county. Thank you.

10 (Applause)

11 MS. BACA: Diane McCash, Yazmin Ruiz, Felipe
12 Rodriguez, Kana Molinar and Mateo Rocha.

13 MS. MCCASH: I'm Diane McCash. I urge you to
14 respect our community and our identity as a diverse
15 people and to respect our history and origins from
16 native and immigrant people. AG Jeff Sessions seems
17 to think he can coerce us into trading our identity
18 for government dollars, which is what is behind this
19 push to have us kowtow to his demands and where this
20 push to rescind our status as an immigrant-friendly
21 county and to allow ICE agents into our detention
22 facilities comes from. To buckle under to
23 Mr. Sessions' demands is an attack on our autonomy and
24 identity, an identity that has been forged over a very
25 long time, a time before anyone in the Trump

1 administration was born. We are a proud community
2 built and strengthened by and indistinguishable from our
3 many ties to diverse communities and also made unique
4 by our connection to our history from way back before
5 we were Mexico and all the way through becoming a
6 state and continuing to this date. It would be
7 impossible to change who we are for convenience or
8 dollars and it would be a folly to try. If we allow
9 ICE access to our people in custody, we not only set
10 ourselves up to illegally trample on people's Civil
11 Rights, we complicate our officers role in our
12 community. We erode whatever fragile trust exists
13 between our community members and law enforcement.
14 Again, I urge you to stay the course, don't be tempted
15 to trade our identity for dollars.

16 (Applause)

17 MS. RUIZ: Good evening, Chairwoman and
18 County Commissioners. My name is Yazmin Ruiz. I am
19 undocumented and unafraid.

20 (Applause)

21 MS. RUIZ: I stand before you today as a
22 representative of the New Mexico Dream Team. The
23 largest youth-lead immigrant organization in the State
24 of New Mexico, along with 35 other youths who are
25 present today. I am a third year medical student at

1 the UNM School of Medicine. My dream is to become a
2 physician for Spanish-speaking populations in the
3 State of New Mexico, my home. I grew up in Phoenix,
4 Arizona under the terrible reign of Sheriff Apaio.
5 Under his reign, in addition to the enactment of
6 Senate Bill 1070, communities suffered. Communities
7 were afraid of having any contact with local police
8 enforcement because a simple traffic violation could
9 lead to deportation. Albuquerque is my home. I have
10 found a community here, as you can see behind me. And
11 I do not want to live in fear of being deported, of my
12 mother being deported, who is the original dreamer,
13 and the reason why I stand before you today. Our
14 communities do not need increased policing. We need
15 policies that will ensure safety and the ability for
16 us to thrive, because as our communities thrive,
17 Albuquerque thrives. Lastly, I want to encourage you
18 to continue the collaboration that you have already
19 had with the community to ensure that our communities
20 can do just that, thrive.

21 (Applause)

22 MR. RODRIGUEZ: Good afternoon, Commissioners
23 and Chairwoman. My name is Felipe Rodriguez and I am
24 also undocumented and unafraid. Like Yazmin said, I
25 am here with 35 members of the Ne Mexico Dream Team,

1 because Jeff Sessions is threatening our city and
2 police department to comply with his racist agenda.
3 His mission is one where a community has to live in
4 fear. He has already attacked programs that have
5 changed the lives of over a million immigrants in the
6 country. Me and my family immigrated here running
7 from violence and corruption from Mexico. I have
8 experienced firsthand of what it feels like to not
9 feel safe in your city and to not be able to trust
10 your police department. I don't want Albuquerque,
11 which is my new home, to become that. I'm asking you
12 to stand with our community and to protect Bernalillo
13 immigrant family policy. I'm asking you to not sell
14 out members of your community. Please consider this
15 in your decision and regardless of what it is,
16 immigrants in Albuquerque are here to stay.

17 (Applause)

18 MS. BACA: Kana Molinar, Mateo Rocha,
19 Estefania Mantanez, Antoinette Lopez.

20 MS. MOLINA: Madam Chair and Commissioners,
21 my name is Kana Molina. I'm an immigrant and I'm here
22 with the New Mexico Dream Team, the largest immigrant
23 youth-lead, in the State of New Mexico. And, first of
24 all, I wish I had done my hair a little bit different.
25 And second, I had a whole speech prepared for all of

1 you. But the reality is that I came here when I was
2 13. My family was escaping poverty and my parents
3 have made the biggest sacrifices that make them my
4 heros and my community's heros. So as a person of
5 minority who came to this country I see how my dad,
6 who is a minority as well, has been targeted to racial
7 profiling. I know that any encounter he has with law
8 enforcement may result in his deportation. If you
9 pass this resolution or if you accept to hear this
10 resolution it will open the door from continued
11 violence against my community and my parents. I heard
12 somebody speak earlier about what it is to live in a
13 city that has crime and rising crime rates, that they
14 worry about their children's safety. And I don't want
15 my parents to feel like that. Not only do they have
16 to worry about that, but that could also result in my
17 deportation if I ever would choose to report a crime
18 because there's a lot of victims of violence,
19 immigrants of violence who do not report crimes
20 because they're scared of law enforcement if they have
21 collaboration with ICE. So I'm here to ask you to
22 please do not frame resolutions that seem to be about
23 fighting crime, but are really about bullying our
24 immigrant community. Please stand for our community.
25 Do the right thing. Thank you.

1 (Applause)

2 MR. ROCHA: I stand before you today with the
3 New Mexico Dream Team to deny any attempt on behalf of
4 the Department of Justice and proposal given by
5 Commissioner Wayne Johnson for federal authorities to
6 have access to Bernalillo County detention facilities
7 based on the argument that this is a institutional
8 racism meant to turn migrant families and communities
9 apart. (Speaking Spanish) Who am I but the thousands
10 of people who I've had the pleasure to share moments
11 of life with. I am an immigrant. I am a student. I
12 am a worker. I am a fighter. I am a son. I am a
13 brother. My name is Mateo Rocha Mendoza and I am
14 originally from Columbia. I am an immigrant to this
15 country and I come at a very young age, five years
16 old. So I grew up here, along with many people. I
17 share this profile with many people. So like in my
18 country, there is also violence and corruption that
19 plagues my people. It affects everybody directly and
20 indirectly, psychologically or physically. It's
21 always a pressure. To have that pressure here, like
22 my peers have shared, it would be severe for
23 Albuquerque to have that on their plate. I ask you
24 today to not follow through with this kind of
25 institutionalized racism. To do away from these

1 things. To do away with these misconceptions of
2 language, culture and being. To understand that we
3 are here to work and looking for better opportunities
4 for our families. Much like anybody else. Much like
5 a border patrol agent on the border deporting people
6 or having people abuse, they too I'm sure are fighting
7 for their families too. So what I'm here to say is
8 that we come together and we understand that it's not
9 the criminals. It's not how much we got to pay. We
10 got to look at the bigger scheme of things and look at
11 the prison system and see what that's doing also with
12 prisons. Not just migrants, not just migrant
13 prisoners, but at the community at large. If you want
14 to spend less money on prisons maybe we should think
15 about civic organizations for youth, for families, for
16 youths without parents, for people learning another
17 language, to know there's so many people in the city
18 converging. So I ask you guys, please make the right
19 decision and understand that Albuquerque is a
20 thriving, diverse city and we're ready to do
21 everything to make it a beautiful place. Thank you
22 very much.

23 (Applause)

24 MS. MANTANEZ: Good evening, and thank you
25 for the opportunity to speak here today. My name is

1 Estefania Mantanez and I'm currently a first year
2 medical student at the University of New Mexico School
3 of Medicine. I've lived in the north valley for the
4 past 21 years and I am a product of the Albuquerque
5 public school system. I went to Los Ranchos
6 Elementary, then Taylor Middle School and graduated
7 from Valley High School, was a valedictorian, and I
8 also did my undergraduate work here at the University
9 of New Mexico. I stand here today to speak against
10 Commissioner Johnson's proposal to comply with
11 Attorney General Jeff Sessions bullying tactics. I
12 don't deny that Albuquerque does have a crime problem,
13 but this is the result of economic and health
14 disparities in our community. Albuquerque also has
15 many strengths which are rooted in our cultural values
16 and the diversity of our community. I reject the
17 proposal that our compliance to terrorize a socially
18 and economically vital part of New Mexico's community
19 will provide an economic benefit to our city and
20 reduce crime. In order to provide a holistic approach
21 to crime reduction we should focus on our strengths by
22 investing economically in our schools, community
23 centers and public service programs which combat the
24 issues of poverty and stability that leads to the
25 presence of crime, thereby ensuring the safety of all

1 New Mexicans. Thank you.

2 (Applause)

3 MS. LOPEZ: Madam Chair, Commissioners, my
4 name is Antoinette Sedillo Lopez and I am the former
5 Director of Enlace Comunitario. Enlace Comunitario
6 is an anti-domestic violence agency with its target
7 outreach to the Latino immigrant community. When a
8 bully spreads hate, the right thing to do is to stand
9 up to the bully, not to accommodate the bully. You
10 have an obligation I think to do what is right for the
11 community and vote no on this -- on the resolution.
12 Creating an environment where immigrants live in fear
13 undermines public safety for all. When our president
14 was first sworn in and then John Kelly passed his
15 memo, that week we had ten individuals sign up to
16 received services at Enlace Comunitario. Only three
17 showed up. When we called to find out what was going
18 on, they said, (Speaking Spanish) that means, I don't
19 want to get myself involved in problems. And what
20 they meant was, all of the language they were hearing
21 on the radio, all the language they were hearing on
22 television was scaring them. Scaring them from
23 furthering their rights, their rights to safety in
24 their home. This resolution or this rejecting our
25 county as an immigrant-friendly county will have the

1 same impact. And I respectfully ask you to reject it.

2 Thank you.

3 (Applause)

4 MS. BACA: Javier Benevidez, Don Schroder,
5 Rudolph Serrano, Rosemary Blanchard.

6 MR. BENEVIDEZ: Thank you, Commissioners.
7 Javier Benevidez, candidate for city council, but I
8 actually have some history with the County Commission.
9 I worked for Juan Vigil when he was county manager
10 back in 2000. I just wanted to speak in solidarity
11 with my brothers and sisters that are here and say
12 that, you know, Bernalillo County is better than this.
13 We don't have second-class citizens. We know through
14 polling and through -- the people that are with us --
15 I think this today is actually unbecoming of this
16 county commission. I think these beautiful faces are
17 what make our community stronger and safer and more
18 vibrant and they should be honored for that. And this
19 policy, I know, took at least a decade of work to come
20 up with and it was the result of faith leaders and
21 public safety officials and community organizations.
22 And what Trump, President Trump, is bringing to the
23 table is not that. It's actually something based in a
24 much darker foundation of hate and scapegoating and
25 racism. So I encourage you to actually move past this

1 debate. And I want to make an appeal to the three
2 Democrats on the County Commission, because you have
3 the majority. And let's get out of this debate, we're
4 better than this. And let's actually move towards
5 defending our immigrant brothers and sisters. Let's
6 create a legal defense fund and let's do what many
7 school districts and municipalities across the country
8 have actually done and give immigrants the right to
9 vote. Thank you.

10 (Applause)

11 MR. SCHRODER: 72 years ago this week the
12 United States atom bombed Hiroshima and Nagasaki,
13 Japan. The United States murdered more than 180,000
14 people. The United States is the only nation to atom
15 bomb cities of people. Eyes melted in their sockets,
16 noses and mouths became open holes. Friends did not
17 recognize each other. Some no longer had faces. Many
18 people completely evaporated. Is this treating other
19 people as we want to be treated. Is this loving our
20 neighbors as ourselves. Daily for decades Sandia and
21 Los Alamos weapons labs have designed hundreds of
22 nuclear weapons much worse, much worse than the
23 Hiroshima and Nagasaki bombs. A life giving job at
24 minimum wage is infinitely better than a mass murder
25 job at Sandia and Los Alamos. Talk about street gangs

1 showing no conscience in drive-by shootings, what
2 about gangs of scientists showing no conscience in
3 preparing to bomb cities and terrorize whole nations.
4 I have paid no federal income tax for 38 years. I
5 refuse to pay for the United States to wage war and
6 design nuclear weapons and I strongly support
7 undocumented immigrants and I absolutely oppose this
8 resolution.

9 (Applause)

10 SPEAKER: Good afternoon. I am here to
11 support the \$9 million because we have crime in the
12 streets. The Mexican cartel is here. You know, I got
13 three assassination attempts by Mexicans. The same
14 people that I help (Speaking Spanish). They're trying
15 to kill me here. This is the people that, oh, I'm
16 sorry, I'm sorry, but they will turn the back on you
17 and that's sad, my people. That we have to come here
18 to fight for those rights. In our country is a
19 national security issue. They're coming. I mean,
20 it's not like my family, one or two. We're coming by
21 3,000 a day. What are you going to do with 3,000
22 people a day here. I love you all, but we cannot hold
23 the whole Mexico here. And they're coming with heroin
24 and they're coming with cocaine and showing them how
25 to kill everybody. That is coming from Mexico. We

1 have a fight here and you have to decide what's going
2 to be right for your people, the American people.
3 Mexico is going to decide what's good for Mexico and
4 it will be fighting the cartel, but they're making 38
5 billion a year. It's going to grow. And all those
6 are coming here. And they're not coming with love.
7 Thank you.

8 (Applause)

9 MS. BACA: Rosemary Blanchard, Ray Garduno,
10 Julianne Salinas and Don hide.

11 MS. BLANCHARD: Thank you very much. My name
12 is Rosemary Blanchard and I am the Chair of the United
13 Nations Association, Albuquerque Chapter. And I was
14 here when the resolution declaring
15 immigrant-friendliness for Bernalillo County was
16 considered and adopted and spoke on behalf of the
17 United Nations Association then and that was a very
18 happy day, as a matter of fact. Because the
19 fundamental human rights, which our country has played
20 such a significant role in developing and sharing with
21 the whole world, we're being respected right here.
22 And I was hoping that the only reason I would come to
23 see you folks again this season would be to invite you
24 all to the celebrations we will be having for the
25 International Day of Peace on September 21st, our

1 forum, and September 23rd, our party. And it was
2 going to be good to honor, I hope it will continue to
3 be good to honor, the County as a place that respects
4 the human rights of all as a -- recognizing that the
5 peaceful quality of our country is best supported that
6 way. Now, I have one -- I was not highly prepared,
7 because I was driving around doing things for my
8 family when I got an email -- I got a text that this
9 was coming up this afternoon. I haven't even been
10 home. So I'm another one saying, "oh, my God, my
11 hair." But be that as it may, this is too important
12 and I'm glad I was here to hear the honor given to
13 those sheriffs in the Ghost Patrol and I hope you
14 listened to what they said about the importance of
15 building trust if they were going to help victims of
16 human trafficking. This will not build trust. Thank
17 you.

18 (Applause)

19 MS. BACA: Julianne Salinas, Ray Garduno, Don
20 Hide, Arlene Portio.

21 MS. SALINAS: Hello. My name is Julianne
22 Salinas and I'm here today with Amanda Perea. We are
23 Enlace Comunitario Associate Directors and Interim
24 co-Executive Directors. As mentioned by Adriel Orozco
25 and Antoinette Sedillo Lopez, at Enlace Comunitario we

1 have seen perpetrators use the threat of ICE
2 detainment and deportation as its tool to continue
3 abusing survivors of domestic violence confident that
4 they will not risk interaction with the justice
5 system, it could lead to the result of detainment or
6 deportation of themselves or family members. Abusers
7 leverage this fear as another weapon, at times
8 manipulating police and courts to false accusations
9 and arrest of victims. An example here in New Mexico.
10 A domestic violence survivor had fled from her abuser,
11 was living and supported by her adult son. Her abuser
12 knowing that the victim's son had aged out of DACA
13 reported him to ICE who tracked, detained and deported
14 him. Once vulnerable, the abuser commenced stalking
15 his ex-partner, ultimately murdering her in cold
16 blood. As a community we cannot allow to live in fear
17 and suffering because of racist policies that are
18 ripping families apart. The inspiring commitment and
19 the successes of the Ghost Unit dovetails into our
20 request that the Commissioners not rescind the
21 County's immigrant-friendly policies and procedures.
22 As noted by the officers and reiterated by my friend
23 over here from the Ghost Unit, trust is a critical
24 component to reporting and convicting crimes. Without
25 this trust the perpetrators remain free while the

1 victims are re-traumatized by the very system that
2 they should feel confident to turn to. Thank you.

3 (Applause)

4 SPEAKER: (Speaking Spanish) Good afternoon.
5 Thank you, Madam Chair, Members of the Commission.

6 (Speaking Spanish) Thank you very much for letting us
7 speak. I just wanted to make sure that people will
8 understand that those people that lie usually have no
9 feelings, because they feel empowered to bring us to a
10 place where we all feel bad about ourselves. Well,
11 I'm not going to go there. You go ahead and feel as
12 bad as you want about yourself. And go ahead and lie
13 about how you're going to protect the community by
14 criminalizing everyone. Shame on you. Shame on you
15 for grabbing headlines to see if you can get elected
16 by saying stuff that is just not true. Shame on those
17 who take refuge in scoundelness. You will pay your
18 dues. I promise you. Thank you.

19 (Applause)

20 MR. HIDE: Hello. I'm Don Hide and I oppose
21 these two resolutions. 99-plus percent of immigrants
22 are no danger to our county or our country. In fact,
23 they strengthen our county and our country. Diversity
24 is one of the rare qualities that our state has to
25 offer our country. We know how to live with

1 diversity. That is one of our special strengths. We
2 have a president and some of his appointees who have
3 no heart. They're promoting policies and saying words
4 that create hate and fear. Earlier in this meeting we
5 all felt the heart in support of those people that
6 we're helping, these suffering kids. We all felt that
7 heart, all of us. We understand what that heart is.
8 We are facing a potential enemy and that is an America
9 without heart, possibly a county without heart. That
10 is our enemy. We welcome immigrants. We want to keep
11 families together. We enjoy their presence. Close
12 the detention centers. I oppose these two
13 resolutions. Thank you.

14 (Applause)

15 MS. BACA: Arlene Portio, Patricia Roybal
16 Caballero, Claudia Medina, Jorge Guererro. Arlene
17 Portio, Patricia Roybal Caballero, Claudia Medina,
18 Jorge Guererro, Damian Lara.

19 SPEAKER: I'm going to first ask for your
20 patience with me. I'm fighting asthma and I may or
21 may not make it through without having a coughing fit.
22 I'm trying very hard to handle it. Madam Chair,
23 Members of the Commission. (Speaking Spanish) I'm also
24 here to inform you that there are numerous supreme
25 court decisions in place protecting state and local

1 governments against vindictive policy making. In
2 other words, the president and congress cannot bully
3 local governments. We also have the 10th Amendment,
4 not very popular, but in this case very popular. The
5 10th Amendment is the constitutional check given to
6 federal powers. It is also the basis of recent
7 federal lawsuits by the City of San Francisco, State
8 of Massachusetts, Santa Clara, California and others,
9 in which they have sued the federal government
10 claiming that it is within their rights not to
11 cooperate with federal authorities under the
12 anti-commandeering president, which states that higher
13 jurisdictions may not commandeer local resources to
14 enforce federal rule. Surely you know of this. So
15 you need not fear the Trump administration and
16 congress. The people and the laws are on your side.
17 Protect our cultural heritage of welcoming all who
18 come to live as families contributing to strengthening
19 our economies and in reaching our neighborhoods.
20 Thank you for having the courage not to rescind the
21 immigrant-friendly resolution. (Speaking Spanish)

22 (Applause)

23 MS. MEDINA: Madam Chair, Members of the
24 Commission. My name is Claudia Medina. I am an
25 immigrant. Very proud to be also an American citizen.

1 I have been here for close to 30 years. And last
2 November when President Trump was selected I feel
3 absolutely devastated. I feel that the country was
4 sending a message to us, immigrants, that we were not
5 welcome here. The only way I could snap out of that
6 feeling was to remember that I was living in
7 Albuquerque. That Albuquerque was an
8 immigrant-friendly city and that we, in Albuquerque,
9 are inclusive and we accept everyone regardless of
10 immigration status. Please don't take that away from
11 us. This is a legacy that we have in Albuquerque.
12 Don't make our community be what it is not. We are
13 inclusive and we accept each other. Please don't
14 rescind this policy. We need this policy. Thank you.

15 (Applause)

16 MR. GUERERRO: Good evening. Good afternoon,
17 Chairman and County Commissioners. My name is Jorge
18 Guerrerro. I'm a fourth year student at the University
19 of New Mexico. I am undocumented, unafraid, unashamed
20 and unapologetic. I stand before you today in our
21 presentation of the New Mexico Dream Team, you've
22 heard a lot about it. I invite all of you to actually
23 come to one of our meetings and actually know what
24 immigrants are all about and not what the news
25 portrays us as. I'm here to speak against the

1 proposal presented by Commissioner Johnson, which
2 would create an unsafe and damaging environment for
3 undocumented youth and families like mine. The idea
4 of having an ICE president in our city and direct
5 pipeline to separate my family is more than scary,
6 it's terrifying. My family and myself have lived here
7 for the past 18 years since I was four years, not two
8 years, not three months, like Trump says. We are from
9 Ciudad Juarez. And the reason is that we were fleeing
10 for our safety and the economic burden that Mexico was
11 giving us. We've been calling Albuquerque our home
12 since then and I've never, ever feared of calling our
13 local police department, neither has our mother,
14 neither has our father, which are both undocumented.
15 But if this resolution goes into place we might never
16 be able to call our police department. So today it's
17 your chance to make sure you stand on the right side
18 of history and fight alongside immigrant families like
19 my own, an undocumented youth like myself. Thank you.

20 (Applause)

21 MS. BACA: Damian Lara, Mimi Lopez, Alan
22 Wagman.

23 MR. LARA: Madam Chair, Members of the
24 Commission. My name is Damian Lara. Most of you know
25 me as a county employee and deputy assessor and

1 vice-chair of the assessor's affiliate for the New
2 Mexico Association of Counties. What you may not know
3 is that I came to this country, to this state, as an
4 immigrant when I was six years old, because my mother
5 brought me and my three other siblings looking for a
6 better life. I've worked in the potato and onion
7 fields of Southeastern New Mexico, I've swept and
8 mopped the kitchens of Brown University, but I've also
9 worked the halls of congress. I work in our state's
10 capital at the roundhouse and I worked alongside you
11 making better policies. And I want you to know that
12 this resolution, really look at what it's asking you
13 to do and what you are giving up. This resolution
14 would allow you to forego federal funding for the
15 federal government to pay for detaining individuals in
16 the county while they're being held on immigration ICE
17 retainers. You should not be foregoing that revenue
18 funding and instead you should be standing up to this
19 administration and saying, "We need more federal
20 funding for our county sheriff's department to protect
21 our citizens, to protect us against crime," and not
22 enforce civil immigration laws at the expense of
23 county taxpayers.

24 (Applause)

25 MS. BACA: Mimi Lopez, Alan Wagman.

1 MS. LOPEZ: Good evening. My name is Mimi
2 Lopez. I've worked with immigrants and immigration
3 issues in Albuquerque for over 40 years. I urge the
4 Commission Members to reject Commissioner Johnson's
5 resolution rescinding AR-2017-22 and making the
6 detention center a puppet of the Trump administration.
7 I don't know what Commissioner Johnson's rationale for
8 this resolution is. Maybe he's anti-immigrant. Maybe
9 he's scared, scared of AG Sessions' threat to withhold
10 funds. Maybe it's both. Maybe it's neither. I don't
11 know. But in any event, this Commission must not
12 stoop to that level. The City of Chicago is currently
13 suing the federal government on this very matter.
14 Surely the Bernalillo County Commission has the
15 backbone to follow the high ground and maintain its
16 independence and its right to make decisions in the
17 best interests of all the residents of Bernalillo
18 County. Thank you.

19 (Applause)

20 MR. WAGMAN: Thank you. My name is Alan
21 Wagman. I have lived and worked in Honduras and
22 Guatemala, two places from which Albuquerque hosts
23 immigrant communities. They are both beautiful and
24 horrific places to which nobody should be sent back on
25 the flimsy pretext being used by the Trump

1 administration. I was lucky enough to be born here,
2 but I was surrounded, growing up, by people who
3 weren't. People who had green concentration camp
4 numbers tattooed on their arms. I can't remember when
5 I didn't know what those numbers were. And I say to
6 you, never again, not to us and not to anybody else
7 either. In Houston the number of rapes being reported
8 by non-Latino women has gone up. The number of rapes
9 being reported by Latino women has gone down 43
10 percent, even before a resolution like this passed.
11 You just awarded the Ghost Unit, but what good will
12 their work do when they have to ask victims of sex
13 trafficking, do you have papers, does your mother,
14 your father, your brother. If you vote for this
15 resolution, I say to you, what Joseph Welch said to
16 Joseph McCarthy 60 years ago, at long last, have you
17 no sense of decency.

18 (Applause)

19 CHAIRWOMAN O'MALLEY: That ends our public
20 comment. We're going to take a 15-minute break and
21 then we'll be back. Thank you.

22 (Recess held from 6:59 p.m. until 7:20 p.m.)

23 CHAIRWOMAN O'MALLEY: So we're going to go
24 back into session here. We have some items of
25 business that we need to deal with. If I could have

1 folks -- if you're going to talk, would you please
2 talk outside. I need you to be quiet so we can
3 conduct our business. Thank you very much. So we're
4 on item 8, which is the approval of minutes. Is there
5 a motion to approve the minutes.

6 VICE CHAIR QUEZADA: So move.

7 COMMISSIONER HART STEBBINS: Second.

8 CHAIRWOMAN O'MALLEY: Motion and a second to
9 approve the minutes of June 27th administrative
10 meeting. All those in favor say aye.

11 MEMBERS: Aye.

12 CHAIRWOMAN O'MALLEY: All oppose say no. The
13 motion carries. Takes us next to the approval of the
14 consent agenda.

15 COMMISSIONER HART STEBBINS: I move approval
16 of the consent agenda.

17 COMMISSIONER JOHNSON: Second.

18 CHAIRWOMAN O'MALLEY: There's a motion and a
19 second to approve the consent agenda. All those in
20 favor say aye.

21 MEMBERS: Aye.

22 CHAIRWOMAN O'MALLEY: All oppose say no. The
23 motion carries. Now, is this the time that we would
24 discuss the --

25 MS. BACA: Madam Chair, you need a couple of

1 numbers issued for consent agenda.

2 CHAIRWOMAN O'MALLEY: Right, okay. But also
3 you had something -- Commissioner Stebbins, you put
4 something off the consent agenda. Did it end up
5 somewhere else?

6 COMMISSIONER HART STEBBINS: That would be
7 12D.

8 CHAIRWOMAN O'MALLEY: Okay, thank you. So
9 numbers for the items -- starting with B, okay.

10 COUNTY CLERK STOVER: Madam Chair, that's AR
11 2017-46.

12 CHAIRWOMAN O'MALLEY: 46, okay. And then we
13 go to I.

14 COUNTY CLERK STOVER: 2017-12, 13, 14, and
15 15.

16 MS. BACA: And then there's a final, 9N. AR.

17 COUNTY CLERK STOVER: Oh, I'm sorry. AR
18 2017-47.

19 CHAIRWOMAN O'MALLEY: 47, okay. That takes
20 us next to, I believe, 10A. Is that correct?
21 Economic Development Director, Mayling Armijo.
22 Welcome.

23 MS. ARMIJO: Thank you, Madam Chairwoman.
24 The Economic Development Staff recommends the approval
25 of the ordinance authorizing local economic

1 development agreement with Flagship Food Group North
2 America, LLC. I'll stand for questions.

3 CHAIRWOMAN O'MALLEY: Are there any
4 questions? I move approval.

5 COMMISSIONER HART STEBBINS: Madam Chair.

6 CHAIRWOMAN O'MALLEY: Yes, Commissioner
7 Stebbins.

8 COMMISSIONER HART STEBBINS: I do have just a
9 question. So one part of this was deferred. Is it 1A
10 or A2 that was --

11 MS. ARMIJO: It was 2, the financial
12 resolution appropriating the budget.

13 COMMISSIONER HART STEBBINS: So this is just
14 for ordinance.

15 MS. ARMIJO: Madam Chair, Commissioner
16 Stebbins, that's correct.

17 COMMISSIONER HART STEBBINS: Thank you, Madam
18 Chair.

19 MS. BACA: And for the record, we do not have
20 nobody signed up for public hearing for this item.

21 CHAIRWOMAN O'MALLEY: There's a motion and a
22 second to adopt A1. All those in favor say aye.

23 MEMBERS: Aye.

24 CHAIRWOMAN O'MALLEY: All oppose say no.
25 Motion carries. Thank you. So we go next to --

1 MS. BACA: Madam Chair, we need an ordinance
2 number issued, please.

3 COUNTY CLERK STOVER: 2017-16.

4 CHAIRWOMAN O'MALLEY: Thank you very much.
5 Julie, thanks for keeping me on track there. I'm
6 assuming that the next one is 11A, all right. This is
7 the resolution that is sponsored by Commissioner
8 Johnson, correct? Commissioner Johnson.

9 COMMISSIONER JOHNSON: I'm sorry?

10 CHAIRWOMAN O'MALLEY: We're now hearing your
11 resolution.

12 COMMISSIONER JOHNSON: Oh, okay, you're
13 jumping forward to that. I thought it was -- I
14 apologize, I didn't mark my agenda properly.

15 Thank you, Madam Chair. And, first of all, I
16 want to thank everybody for turning out tonight. I
17 appreciate many -- well, I appreciate your passion. I
18 appreciate your stories. I disagree with you
19 obviously on some very fundamental issues. And what
20 this was designed to do is actually deal with access
21 to our detention center and deal with the federal
22 government's requirements that we provide access.

23 Now, everybody wants to make this about
24 immigrants and I'll tell you right now, this isn't
25 about immigrants. We are all, all of us at one time

1 or the other in one part of our history or another, an
2 immigrant. Nobody gets away without being called an
3 immigrant at some point in their history. So it's not
4 about immigrants. It's not even about undocumented or
5 illegal immigrants, those that are here illegally.
6 It's about those who are here who are undocumented or
7 illegal who have committed a crime and are being held
8 at the Metropolitan Detention Center.

9 There's nothing in this resolution that
10 directs or even implies that the Bernalillo County
11 Sheriff's Department should, in anyway, be enforcing
12 federal immigration law. Everything in this
13 resolution, everything in this resolution, is about or
14 puts the burden on the Department of Homeland Security
15 and on Immigration and Customs. It allows access to
16 detainees identified by the DHS. It allows for
17 notification when those identified detainees will be
18 released 48 hours prior, and then it will allow, in a
19 very specific condition, for us to hold somebody for
20 48 hours if the Department of Homeland Security agrees
21 to indemnify the County against liability. And a lot
22 of that came from the case cited up in San Juan County
23 where it was determined that they were illegally held.

24 The onus here is on the federal government.
25 It is rightfully the federal's government job to

1 enforce immigration. It is not the duty of the
2 Bernalillo County Sheriff's Department or Metropolitan
3 Detention Center, in and of itself, to enforce
4 immigration law. And what this is designed to do is
5 protect those potential grant opportunities. Yes, you
6 may not agree with the Trump administration and their
7 determination that they're going to have sanctuary
8 cities or immigrant-friendly cities tow the line when
9 it comes to immigration, you may not agree with that,
10 but it's the reality. And in this case I don't think
11 they'll be able to come back and say, "we gave you
12 money in the past" or "you've entered into this
13 agreement for these dollars and we're going to change
14 those conditions," I don't think they'll get away with
15 that. But I do believe they can say, "we're not going
16 to give you funds going forward if you don't meet
17 certain conditions," and that's been true forever.
18 That's how places like Wisconsin ended up with an
19 alcohol limit at 21 as opposed to 18. The federal
20 government said very simply, that you are going to
21 change your legal drinking age to 21 or we are going
22 to withhold funds.

23 We don't have a right to those federal funds
24 under the 10th Amendment or any other provision of
25 U.S. Constitution. We do, however, have a

1 responsibility that if we want those federal funds to
2 make sure that we comply with the requirements of any
3 grant opportunity. And I would note that in tonight's
4 Ghost proclamation, it's the last paragraph towards
5 the end, it reads, "The Ghost Unit has repeatedly
6 represented the best values of our community through
7 their collaborations with the F.B.I., Homeland
8 Security, the New Mexico AG's office, A.P.D. and other
9 law enforcement agencies."

10 We are putting -- right now we're putting
11 funding and cooperation in jeopardy with the federal
12 government. I firmly believe that everybody has the
13 right to be treated with dignity and respect. I also
14 firmly believe that people that come here have an
15 obligation to obey our customs and our laws, most
16 importantly, as I would if I were to leave and go to
17 another country. So this is not, this is not about
18 being anti-immigrant. It is about being pro law and
19 abiding by that law and cooperating with the federal
20 authorities what rightly and constitutionally have the
21 obligation and the authority to enforce immigration
22 law set at the federal level.

23 So, Madam Chair, Commissioners, with that I
24 move approval.

25 CHAIRWOMAN O'MALLEY: Commission Quezada.

1 VICE CHAIR QUEZADA: Thank you, Madam Chair.
2 I stand firmly behind my resolution. You have people
3 come in here today and say -- you have people coming
4 in here today that are running for office saying that
5 they've been working on this for ten years. I
6 presented this two months into office and had it
7 passed. So I take offense to people who say that
8 they've been working on this, and it only took me two
9 months to get it passed through this Commission. I
10 worked really hard for that. And this isn't a
11 platform to run for office. These are people's lives
12 that we're talking about right here today. And so I'm
13 going to say that, you know, I have real strong
14 problems when you're starting to look at people who
15 are at the detention center because, first of all,
16 you're innocent before you're guilty. And so your due
17 process is not the right of an American, it is a human
18 right, as a human being, to have due process. And if
19 we expect to have that same due process in another
20 country that we may visit, then we in turn should
21 offer that same back to people who live here, who come
22 here and should have due process.

23 I'm going to say something right now that we
24 are not for criminals. I didn't pass this resolution
25 to give a free pass to criminals. If you are a

1 criminal we are going to prosecute you like any other
2 criminal. And I don't care what color you are. I
3 don't care what country you come from. I don't care
4 how old you are. I don't care your gender. I don't
5 care your sexual orientation. If you are a criminal,
6 we are going to prosecute you, that is the law of this
7 land and we stand behind that law. And I believe
8 everybody in this room also stands by that law. So
9 when you push people into documents, even though it's
10 a resolution, even though you know that you're
11 repealing something, and it may sound good that it's
12 right, but when you push people in the darkness, be
13 prepared of what comes out of the darkness. And I'm
14 not saying this because it's something I read in a
15 study. I'm not saying this because it's something
16 that I read in a paper. That's the barrio I grew up
17 in. I come from that neighborhood. So believe me
18 when I tell you that we need our citizens to feel
19 safe, to feel welcome, to feel like they can reach out
20 to our police officers. Our police officers have
21 enough problems to deal with than to have these added
22 problems. I come from the barrio where the Chicanos
23 were afraid of the police officers. They are American
24 Mexicans who are afraid of the police officers. So to
25 add to that, you're adding more work for our police

1 officers, for our police force. We pay enough in
2 taxes for our sheriffs and our APD should not be doing
3 the job of the federal government. And if the federal
4 government wants to do their job, they have that right
5 to do that. You're in this country and they should be
6 able to have to do that, but they should do it fairly
7 and they should do it under the rights of treating
8 people like human beings, period.

9 If you believe in government and if you
10 believe that local government should govern
11 themselves, then you should stand strong with local
12 government and know that when they pass resolutions
13 and they pass policy, they pass this because of where
14 they live, the region that they live, and it affects
15 the community in a direct way where they live. But if
16 the federal government decides to say, "hey, we
17 believe in local government, but only if you do it the
18 way we tell you to do it," then we're no longer in a
19 right system and that's not the system of the United
20 States of America.

21 So, again, I ask this Commission to stand
22 behind me, to stay strong to this resolution and to
23 move forward and go back to the work of the community.
24 Because if crime really is an issue, we need to work
25 on that. That should be our number one priority, is

1 crime in this community.

2 And I stand strong with the sheriff's
3 department wanting to ask for more officers, but that
4 is not the solution, in my eyes. We are looking at
5 crime as if it was a funnel and the funnel funnels
6 down to a small portion, which I call the district
7 attorney's office, to where it's the judicial system.
8 Now, the top of the funnel is our police force and you
9 can make a bigger funnel on the top if you wish, but
10 until you fix the bottom of the funnel, you will never
11 fix the crime problem in New Mexico. It remains the
12 same. It helps keep our officers safe, there's more
13 of them to back each other up, you can pour more into
14 the funnel if you would like, but I'm a little
15 disheartened that we had a governor, for almost seven
16 years going to go eight years, who's a district
17 attorney and who has not solved the problem of the
18 district attorney's office. You would think that
19 would be her number one agenda when she ran for
20 governor. But yet, our district attorney is working
21 with nothing. They have no data system to find out
22 who the real criminals are, and people are falling
23 through the cracks. And us citizens, all of us
24 citizens, are paying the price for that.

25 So if we really want to fix things in

1 Bernalillo County, let's really look at what the
2 problems are and let's fix them. Thank you.

3 (Applause)

4 CHAIRWOMAN O'MALLEY: Commissioner Talbert.

5 COMMISSIONER TALBERT: Thank you, Madam
6 Chair. Thank you, Commissioner Quezada. This
7 Commission on many, many occasions has always been
8 open and honest and willing to hear the arguments.
9 And as Commissioner O'Malley said, the public
10 discourse, that's civil. Tonight, I feel like we had
11 a pretty civil discourse kind of discussion and a lot
12 of good comments were heard. I think it's important
13 that for this particular issue that Commissioner
14 Johnson has his issue heard. I'm going to continue to
15 stand behind how I stood the first time, supporting
16 the current resolution as it stands by Commissioner
17 Quezada. However, I am going to give Commissioner
18 Johnson his second so he can discuss his issue so we
19 can all hear it, and then we'll have a vote. This is
20 democracy. Thank you, Madam Chair.

21 CHAIRWOMAN O'MALLEY: Commissioner Stebbins.

22 COMMISSIONER HART STEBBINS: Thank you, Madam
23 Chair. So I really want to thank Commissioner Quezada
24 and Commissioner Talbert for their comments, and all
25 the statements that have been made tonight. I can't,

1 in any way, summarize your messages tonight. What I
2 can say is, you know, I was watching the news last
3 night, I heard the attorney general's comments. And I
4 have to say that Attorney General Sessions' comments
5 were both offensive, like entirely offensive. And
6 frankly, very ignorant. You know, his comment that
7 immigrant-friendly communities like ours, and I think
8 he called out city councilors, county commissioners,
9 mayors, you know, who have passed immigrant-friendly
10 resolutions, don't care about law-abiding citizens,
11 but we want to protect criminals. That's not only
12 offensive, ignorant, but really just stupid. I think
13 it's really hard to believe that there is a person in
14 this community, anywhere in local government that
15 doesn't care about law-abiding citizens or wants to
16 protect criminals, it's just ridiculous. We live in
17 this community. You know, it is our friends,
18 neighbors, families who are being affected by crime
19 and none of us wants to protect the perpetrators.
20 What we do want to do is respect the United States
21 Constitution.

22 You know, we have listened to federal courts.
23 Our jail policies are based on our listening to
24 federal court decisions that say that those 48-hour
25 ICE holds violate the 4th Amendment. There is a case

1 in New Mexico in San Juan County where a federal judge
2 ruled that to be unconstitutional and has put San Juan
3 County -- and, please, our county attorney, correct me
4 if I'm wrong -- put San Juan County on the hook for
5 hundreds of thousands of dollars in potential
6 settlements. You know, we can't pick and choose which
7 parts of the Constitution we respect. You know, we
8 can't say, "well, I think the 2nd Amendment is really
9 great, but not the 4th, not the 10th." And, you know,
10 when we take an oath of office as County
11 Commissioners, we take an oath to respect the laws of
12 the United States and that means all of them, not just
13 the ones that we happen to like. Again, we're
14 protecting the taxpayers from litigation, particularly
15 that 48-hour hold provision that is in our jail
16 policies protects taxpayers. And I think that we can
17 talk about what money we might lose through these
18 Byrne grants, but we also have to think about what
19 money might be lost through litigation.

20 Our current policies respect our law
21 enforcement. Those who have come to us and who talk
22 about how important it is to build trust in a
23 community. How law enforcement relies on the
24 cooperation of all residents, all residents, not just
25 citizens, to investigate crimes, to locate and aid

1 victims and to prosecute perpetrators. And certainly
2 if I or a member of my family was a victim, there
3 happen to be a witness who happen to be undocumented,
4 I would not want that person to hold back. I would
5 not want that person to be afraid that by coming
6 forward to give testimony, to talk about what he or
7 she had witnessed, would not want that person to hold
8 back because of fear of deportation. Protecting our
9 undocumented residents from fear makes all of us
10 safer. Fear of law enforcement really makes all of us
11 unsafe. I stand by my vote in support of Commissioner
12 Quezada's resolution earlier this year. And again,
13 when we take an oath of office to serve as County
14 Commissioners, we take an oath of office to protect --
15 to uphold all laws and protect the safety of all
16 families. And I really don't recall any exceptions in
17 that language.

18 So again, thank you Commissioner Quezada for
19 his leadership. And again, thank you to everybody who
20 has been here to tell us your stories and argue
21 against the proposal that is being considered tonight.
22 Thank you, Madam Chair.

23 (Applause)

24 CHAIRWOMAN O'MALLEY: I just wanted to make a
25 couple of comments. I just really hate scapegoating.

1 Got to find someone to blame for the problems that we
2 have, so we decide it's going to be, typically and
3 probably because close to Mexico, a lot of times it's
4 the Mexican Americans. Like, it's their fault, you
5 know, this is the reason we have crime. Without any
6 thinking this through, right. It's just real easy to
7 put people in this category over here and say, "well,
8 it's all their fault."

9 Someone mentioned over here the Mexican
10 cartels, which are a problem. I mean, they are a
11 problem. Crime is a problem. It's very real. We
12 have a huge drug epidemic. We have problems with the
13 economy. We have all kinds of problems. But to just
14 isolate a group of people, essentially, and say,
15 "well, you know what, it's your fault that this is all
16 happening." I mean, that's just beyond wrong, it
17 really is. And I really hate that narrative and
18 that's an area that's out there now and is being
19 perpetuated and it creates fear. It's a fear-based
20 narrative, let's all be afraid so that way we don't
21 trust one another and we can't work together to solve
22 our problems. And that's what we need to do, is we've
23 got to work together to solve our problems.

24 I support this resolution for a lot of
25 reasons and one is, because I just thought, you know,

1 it was the right thing to do. But also because it's
2 sound. It's a lawful policy. We're not suggesting in
3 any way that we break the law. But it also says
4 something, it makes a statement about who we are as
5 people. And many have families here, some of them
6 here, myself and Commissioner Quezada, our families
7 have been here for generations and we're very proud of
8 that. And others have come recently and I'm proud of
9 those folks in my community too. This is a community
10 that embraces diversity, I feel that way. I feel that
11 I am very fortunate to live here and I feel that has
12 been the understanding of the people here. There's
13 tolerance, and also we embrace each other and we
14 respect each other's cultures.

15 So to me, it speaks to my heart. So I am
16 going to stand with the statement I made earlier, and
17 my decision earlier as well. I guess that's all I
18 have to say.

19 Commissioner Johnson, did you want to close?

20 COMMISSIONER JOHNSON: Thank you, Madam
21 Chair. And again, thank you, Commissioners, for all
22 of your opinions. I simply differ. I think it's
23 important that we uphold all of our laws. As
24 Commissioner Stebbins mentioned, I took an oath to
25 uphold every law, at the federal and state and local

1 level and, frankly, that includes immigration. It
2 doesn't mean it's our responsibility as a county to
3 enforce those laws. We have different
4 responsibilities from the city, we have different
5 responsibilities from the state when it comes to law
6 enforcement, even service provision here in the State
7 of New Mexico and this country. So I see it as part
8 of my oath to uphold the immigration law, or at least
9 the spirit, even if I'm not out there right now, and I
10 shouldn't be out there, trying to enforce it, that
11 isn't what I am here to do. On the other hand, I do
12 believe that we should be cooperating with all law
13 enforcement. And whether you like it or not, this
14 administration has made a determination that
15 immigration is important and they're going to base
16 future funding on whether or not you are considered an
17 immigrant -- actually, more specifically, whether or
18 not you provide access, whether or not you provide
19 notification, and whether or not you provide a 48-hour
20 hold, that is their decision to make and it's not
21 mine. If you have a problem with the immigration law
22 in this country, and I'm not trying to say it's
23 perfect, the system is more than likely -- well, no,
24 it's definitely messed up. But this isn't the level
25 to fix it. An immigrant-friendly resolution by the

1 Bernalillo County Commission doesn't change the state
2 immigration or immigration law in this county. So
3 while I appreciate your passion, and it's a little
4 misguided in front of this body. Again, I know which
5 way this is going to go. So, Madam Chair, I will just
6 go ahead and call for the vote.

7 CHAIRWOMAN O'MALLEY: So we have two -- it
8 looks like two motions, one is to rescind and one is
9 to approve a resolution.

10 COMMISSIONER JOHNSON: No, Madam Chair, it's
11 only one motion. It doesn't have to be -- it's
12 written into the resolution itself.

13 CHAIRWOMAN O'MALLEY: So there is -- so it is
14 to approve --

15 COMMISSIONER JOHNSON: And it would be a -- a
16 vote for it would be a vote for rescinding the
17 implementation of the new language.

18 CHAIRWOMAN O'MALLEY: Motion and a second to
19 approve the administration that would basically
20 rescind the current -- Bernalillo County-friendly and
21 providing Department of Justice access to
22 county-operated detention facilities. All those in
23 favor say aye.

24 COMMISSIONER JOHNSON: Aye.

25 CHAIRWOMAN O'MALLEY: All oppose say no.

1 MEMBERS: No.

2 CHAIRWOMAN O'MALLEY: That fails on a 4-1
3 vote.

4 (Applause)

5 CHAIRWOMAN O'MALLEY: Thank you. We have --
6 Appreciate your involvement, but we have business to
7 -- we need to move on, okay. So we go next to
8 approvals and that's 12A and that is -- who is going
9 to speak to this? Who is? Tia?

10 MS. BLAND: Madam Chair, Commissioners. I'm
11 Tia Bland, Communication Services Director and Chair
12 of the Bernalillo County Naming and Memorial
13 Committee. The County has an administrative
14 resolution which created the Naming and Memorial
15 Committee for the purpose of vetting and reviewing the
16 naming of facilities and memorials. The naming aspect
17 and the specific details of both memorials were the
18 subject of much community discussion and input during
19 several community meetings over the past year.

20 So as such, the proposal on the table is to
21 name both memorials the same thing and that would be
22 the Bernalillo County Public Safety Memorial. The
23 Naming and Memorial Committee supports the name and is
24 now bringing the item before you, the Board, for
25 consideration.

1 CHAIRWOMAN O'MALLEY: Thank you.

2 Commissioner Johnson.

3 COMMISSIONER JOHNSON: Thank you, Madam
4 Chair. Tia, you mentioned memorial committee. So you
5 did go back to that -- to our memorial committee, the
6 design committee, and run it by them?

7 MS. BLAND: Yes.

8 COMMISSIONER JOHNSON: Okay. So then they're
9 good with it?

10 MS. BLAND: Yes.

11 COMMISSIONER JOHNSON: I didn't want to
12 impose a name on the memorial committee. They've done
13 a lot of work. So having their input before we
14 actually named it was critical to my support for this.
15 So thank you, and I certainly can support.

16 CHAIRWOMAN O'MALLEY: Commissioner Stebbins.

17 COMMISSIONER HART STEBBINS: Thank you, Madam
18 Chair. So, Tia, we can come back and change this at
19 some future point in time, right? So say the
20 Commission -- somebody were to bring forth a
21 proposal --

22 MS. BLAND: Yes.

23 COMMISSIONER HART STEBBINS: -- for a
24 different name, it could go through the naming
25 committee again, okay. I just think it's a little bit

1 awkward and odd that we have two places with the exact
2 same name. You know, I think I've expressed in the
3 past, I think it's odd we have two memorials that do
4 the exact same thing, but, you know, that's water
5 under the bridge. But I just want to make sure that
6 if we approve this tonight there is still the option
7 that at some point we might want to come back and
8 distinguish between the two, so when somebody clicks
9 on, you know, the -- is looking for the Bernalillo
10 County Safety Memorial, they're not confused when two
11 sites pop up instead of one. So, you know, I want to
12 thank the naming committee. Absolutely respect the
13 decision of the memorial committee, I know they worked
14 long and hard. Megan, I think this is a little bit
15 awkward to have two sites with the exact same name.
16 So, thank you. Thank you, Madam Chair.

17 CHAIRWOMAN O'MALLEY: Commissioner Quezada.

18 VICE CHAIR QUEZADA: Thank you, Madam Chair.
19 I think it's missing the word heros. I think
20 everybody who works in Public Safety is a hero, from
21 the fire department to police officers or MDC workers.
22 That's my opinion. I'd like to see it on there. I
23 think we should call them what they are. You know,
24 we've had a great discussion dealing with a lot of
25 issues. We're up here really fighting for, you know,

1 people who do good in the community and who are great
2 people. But unfortunately, you know, our public
3 safety officers don't hardly ever get to see a whole
4 lot of that. They see the other part and I think it's
5 hard. And so, that would just be my opinion of these
6 officers and these people who work in this industry.
7 So that's my two cents.

8 CHAIRWOMAN O'MALLEY: Thank you. So we have,
9 essentially, a motion -- well, I move that we move
10 forward with the naming as described.

11 COMMISSIONER JOHNSON: Second.

12 CHAIRWOMAN O'MALLEY: I have a motion and a
13 second. All those in favor say aye.

14 MEMBERS: Aye.

15 CHAIRWOMAN O'MALLEY: All oppose say no.
16 Motion carries. Go to 12B, this is Fleet and
17 Facilities Management. And so, we have a little
18 presentation here, though I think we were all briefed
19 by -- we were briefed by -- did you brief everyone
20 about this?

21 MS. MURNANE: Madam Chair, Commissioners.
22 Yes, I was able to meet with all of you.

23 CHAIRWOMAN O'MALLEY: Well, I guess, unless
24 anyone has any questions particularly, because I feel
25 like I have --

1 COMMISSIONER TALBERT: I move approval.

2 VICE CHAIR QUEZADA: Second.

3 CHAIRWOMAN O'MALLEY: There's a motion and a
4 second to approve. I know you were prepared for a
5 long presentation. That happens to staff all the
6 time.

7 MS. MURNANE: I feel like I'm channeling
8 Mario Ruiz, who always comes up here and gets the
9 instant approval. So I appreciate your action, thank
10 you.

11 CHAIRWOMAN O'MALLEY: All those in favor say
12 aye.

13 MEMBERS: Aye.

14 CHAIRWOMAN O'MALLEY: All oppose say no.
15 thank you. then we go to Planning and Development
16 Services. Welcome, Enrico.

17 MR. GRADI: Good evening, Madam Chair,
18 Members of the Board, County Commissioners. I have
19 before you agenda item number -- letter C. This is a
20 request to approve a joint powers agreement between
21 Bernalillo County and the State CID to allow the
22 Bernalillo County and the unincorporated area to
23 continue perform building inspections on facilities
24 owned by Bernalillo County. This came about as, we
25 received a recent retraction from the State to remove

1 our authority to inspect buildings owned by the State,
2 principally APS. Our response to that was to reach
3 out to the State, and thank you to Ken for your
4 assistance with that, to try to recoup some of that
5 and at least be able to move on and be able to inspect
6 our own buildings, principally buildings we own now
7 that are in the unincorporated area and move forward
8 with that. I see this as kind of a first step in that
9 process and hopefully we can make some more progress
10 with regards to some of the APS facilities in the
11 unincorporated Bernalillo County. Having said that, I
12 stand for any questions.

13 COMMISSIONER TALBERT: Move approval.

14 VICE CHAIR QUEZADA: Second.

15 COMMISSIONER JOHNSON: Second.

16 CHAIRWOMAN O'MALLEY: There's a motion and a
17 double second to approve 12C. Yes, Commissioner
18 Johnson.

19 COMMISSIONER JOHNSON: I'm sorry, Enrico, did
20 you say that we would be able to inspect our own
21 buildings within the city limits? Did I understand
22 that right?

23 MR. GRADI: Well, that's a separate
24 agreement. Our first priority was to be able to
25 regain our ability to inspect our own buildings within

1 Bernalillo County, and then the corollary to that is
2 that we have had an ongoing JPA with the city that
3 allows the city to inspect their facilities that they
4 own that are within the unincorporated Bernalillo
5 County and for us work with ours, that we own, that
6 are in the City of Albuquerque. So that's kind of --

7 COMMISSIONER JOHNSON: I thought that was the
8 -- I thought that was the case, and then I -- okay,
9 I'm now less confused than I was --

10 (Multiple people speaking)

11 COMMISSIONER JOHNSON: We're good to move
12 forward.

13 MR. GRADI: The basis of it is for us to able
14 to move forward and kind of pick up where we were and
15 retain the ability and do inspections of our own
16 buildings within the unincorporated county.

17 COMMISSIONER JOHNSON: Thank you.

18 CHAIRWOMAN O'MALLEY: Is there a motion to
19 approve item C?

20 COMMISSIONER HART STEBBINS: Move approval.

21 VICE CHAIR QUEZADA: Second.

22 CHAIRWOMAN O'MALLEY: A motion and a second
23 to approve item 12C. All those in favor say aye.

24 MEMBERS: Aye.

25 CHAIRWOMAN O'MALLEY: All oppose say no.

1 Motion carries. Thank you, Mr. Gradi. That takes us
2 next to item number 13, which is the discussion item.

3 COMMISSIONER HART STEBBINS: Actually, Madam
4 Chair, the item that was moved off the consent agenda,
5 that moved to 12D.

6 CHAIRWOMAN O'MALLEY: I'm sorry. I'm glad
7 you said something. There's even a note here.
8 Obviously I'm not reading my own notes. Go ahead.

9 COMMISSIONER HART STEBBINS: Thank you, Madam
10 Chair. I asked to move this particular item off the
11 consent agenda, it concerns the extension of the
12 county attorney's employment agreement. And I first
13 want to make it crystal clear that my reservations
14 about this contract have nothing to do with any
15 reservations about our county attorney's performance.
16 I think it's been excellent. I'm very proud of the
17 decision the County Commission made about 18 months
18 ago, a while back, to hire him. He's been great.

19 My concern about this is that it goes from a
20 two-year contract to a four-year contract. I've been
21 on the County Commission about eight years. I think
22 Julie Baca's three-year contract was the longest I
23 ever saw when it came to either a county attorney or a
24 county manager. And I think that it makes sense for
25 us to have a two-year opportunity to review the

1 contract. And I have always argued we should have
2 some kind of a performance review, which we still need
3 to put into place for both the county manager and the
4 county attorney.

5 So I'm going to propose that we actually
6 restore this to two years as the original contract.
7 Also, I have a question. I don't know who negotiated
8 this, but why -- the previous contract, the existing
9 contract, goes through December of 2017, but this one
10 would start -- I mean, it would replace the -- it
11 would just actually shift the date. I'm just
12 wondering, why was that decision made? Why would we
13 not have the county attorney serve his entire contract
14 and then start the new one in December?

15 MR. MARTINEZ: I think I can answer that. I
16 understand that the reason was you couldn't have a
17 break in the employment. So that when you have the
18 new effective date of the new contract you have to
19 start it from the effective date of the adoption by
20 the Commission. And if you waited to adopt it now and
21 then start it in December, then there would be a break
22 in employment. That's my understanding.

23 COMMISSIONER HART STEBBINS: This is four
24 months early, I guess that's sort of my concern. It's
25 at a higher salary, which again, no problem with that.

1 But I do have a concern that -- and if we move to
2 November, I'd be happy with that. But my proposal was
3 that we would actually start -- we could vote on it
4 today, start the new contract on December 15th of
5 2017, and there would be no break in employment; is
6 that right?

7 MR. MARTINEZ: I'm not sure. I didn't
8 negotiate that part of it. I was actually in another
9 meeting and Theresa Baca Sandoval was working out
10 those particulars.

11 MS. SANDOVAL: If I could address that.

12 COMMISSIONER HART STEBBINS: Yes, please.

13 MS. SANDOVAL: Actually, the way it's set up
14 is that this extension would supersede the other
15 contract, so it was necessary for it to be effective
16 as of this date so you don't have a break in
17 employment. And it's for a four-year period, so it
18 would make sense you make it effective August 8th,
19 that it's effective -- for a four-year period through
20 August 8th of 2021.

21 COMMISSIONER HART STEBBINS: What's the
22 reasoning behind doing this now as opposed to in
23 November where we would be closer to the actual
24 existing termination date?

25 MS. SANDOVAL: Only because the renewal would

1 be now, so there would be a four-year period. And if
2 you did a three-year renewal and if you did it through
3 December you would actually be shortening it down to
4 one-and-a-half years.

5 COMMISSIONER HART STEBBINS: But we could
6 have handled this differently. And again, I don't
7 want this be in anyway perceived as a reflection on
8 anybody's job performance. But it seems to me that we
9 did sign a two-year contract and yet we're shifting
10 the effective date of this forward by four months.
11 You know, this just caught my eye because, you know, I
12 have served on a number of boards since I've been on
13 the County Commission, I have not seen this in the
14 past, not the Water Authority, the different boards.
15 So anyway, it just jumped out and caught my eye. You
16 know, I'm happy to accommodate that if there is a good
17 reason to take this action today and start the new
18 contract today. I mean, I read the contract, it says
19 that the new contract starts today or tomorrow, right?

20 MS. SANDOVAL: Correct, today. So there
21 won't be a break in service.

22 COMMISSIONER HART STEBBINS: So if we were to
23 do this in November or December, why would there be a
24 break in employment if we were to start the contract
25 on December 15th?

1 MS. SANDOVAL: Because the language would be
2 different. We're actually looking at renewal as of
3 this date. So you would actually be adding on another
4 four months probably. And my recollection, anyway, is
5 that former County Attorney Randy Autio had an
6 extension prior to the expiration date and that was
7 kind of what this was modeled on.

8 COMMISSIONER HART STEBBINS: So I would just
9 like to make a motion that we change the language of
10 the new contract -- again, you know, with the way this
11 Commission changes every two years, it seems to me to
12 make sense that we would make this a two-year renewal,
13 give everybody the opportunity to take a look at how
14 things are going. So I would move that we change the
15 start date -- no, actually, leave the start date as of
16 today, I'm perfectly fine with that. But change the
17 termination date to December 31st, 2019 so that
18 would -- that way there would be no -- it wouldn't be
19 shorter than two years, but that it would -- at the
20 end of 2019 or going into December of 2019, give us
21 the opportunity to re-evaluate the contract. So
22 that's my motion, Madam Chair, that we would just
23 change the language of the proposed contract so it
24 would end on December 31st, 2019. Thank you.

25 CHAIRWOMAN O'MALLEY: There is a motion to --

1 essentially, in support of a two-year contract. Is
2 there a second? Hearing no second, that motion dies.
3 Takes us back to the original --

4 COMMISSIONER JOHNSON: Madam Chair, do we
5 have a motion? I'll move approval.

6 VICE CHAIR QUEZADA: Second.

7 CHAIRWOMAN O'MALLEY: There's a motion and a
8 second to approve the item as written. All those in
9 favor say aye.

10 MEMBERS: Aye.

11 CHAIRWOMAN O'MALLEY: All those oppose say
12 no. Motion carries. So that takes us to the
13 discussion. I think we finally get to the discussion
14 item; is that correct?

15 MS. BACA: Yes.

16 CHAIRWOMAN O'MALLEY: Mr. Sheriff Gonzales,
17 welcome. You are on.

18 SHERIFF GONZALES: Madam Chair O'Malley,
19 Board of Commissioners. Thank you for having us.

20 CHAIRWOMAN O'MALLEY: Do you have like a big
21 'ole presentation or something?

22 SHERIFF GONZALES: Well, we do and I don't
23 think we should go line by line, I think that you're
24 privy to that information.

25 We just wanted to come out here and have an

1 open discussion. And obviously I think that you are
2 well aware of the red flags that are going on in our
3 community based on the level of violence, the level of
4 crime, the level of concerns. I think I've even had
5 specific conversations almost with each and every
6 Commissioner on things that have affected them, even
7 personally, and even people they know closely.

8 So my concern comes for, obviously, the
9 citizens of Bernalillo County. And just to kind of
10 set this up a little bit, I can appreciate everybody
11 who's ever served as an elected official and I
12 appreciate the comments and the analogies about the
13 funnel, and what have you. But for the last 28 years
14 of -- doing four of those years in the United States
15 Marine Corps, doing 24 years of service here and
16 devoting my whole life to public safety, I think that
17 you need to listen to my experiences, knowledge and
18 expertise in this area. And just to voice what I
19 think are the concerns of the citizens of Bernalillo
20 County are very serious and my concerns come not only
21 for them, but for my deputies that are doing their job
22 every day. And even to give you firsthand knowledge
23 of last night, I only had four deputies in the south
24 valley patrolling that whole area. Obviously I
25 expressed the last time I was here that, you know, in

1 the last four or five years our calls for service have
2 spiked significantly, all the way up to 73 percent
3 over those last four years. And there is no way I can
4 sustain a safe community and continue to keep these
5 people safe in Bernalillo County without asking for
6 more resources.

7 So with that being said, I can give you some
8 different experiences. I'm going to give you one in
9 terms of a risk assessment methodology for
10 communities. So about ten years ago I was here with
11 the sheriff's office and I got asked by one of the
12 local schools to go down and do a threat assessment
13 here downtown. We were able to put a team of experts
14 together and went down and volunteered our time. And
15 we go through this process of coming up with a
16 strategy that's going to work for that specific
17 entity, that organization. It could be a business or
18 whatever the level is. The reason we got called out
19 there is I was participating on a security council
20 there. Basically they advised us that somebody had
21 been involved in a near abduction on the school
22 ground. So they were obviously concerned about the
23 level of, let's say, transient/homeless and some of
24 the other situations that go on downtown. People
25 being found in rest rooms drunk, asleep, committing

1 contact with the children. So we went ahead and did
2 that threat assessment for them. Ten years later
3 after they asked me, what is absolutely the most
4 important thing that we can do if we were to just do
5 one thing in terms of getting this risk assessment off
6 the ground, what would you recommend. This would go
7 in any threat assessment, and that's the human factor.
8 It's bringing on more staff. It's not technology.
9 It's not policy. It's not communications. It's not
10 anything else. It's the human asset.

11 And so for me, based on what I've witnessed
12 and what I've seen over the span of my career, which I
13 am fully invested in this community which I live and
14 reside in and invest in my children and support my
15 friends, family, and all the elected officials that
16 reside here, is that to me this is probably one of the
17 most important decisions in probably the history of
18 Bernalillo County and I'm not trying to overemphasize
19 that. I think based on the incidents in the last
20 30-some odd days is that you cannot probably even name
21 one major city or county in the United States right
22 now that is facing the same situations we're facing,
23 and that raises major concerns for not only me, but my
24 staff. And we're serious about this. We have these
25 discussions. And these are not just things that we're

1 coming to tell you that the sky is falling, because we
2 don't believe in that.

3 We have come up with another strategy, to do
4 an emergency internal audit of our staffing and we
5 will re-organize and re-allocate resources to ensure
6 that our deputies are safe, but that's at the rate
7 that crime is here and at the rate that we're in these
8 situations and at the rate I'm getting concerns from
9 the citizens, it's impossible for me to continue to
10 protect them. And I feel that there's a compromise in
11 their safety and I'm basing it off the factual numbers
12 that we have.

13 So we've comprised a proposal to the
14 Commission. We believe in, obviously, some of the
15 great work our deputies are doing. It was stated
16 earlier with the Ghost Unit, that is only a two-man
17 unit, it is very successful. We want to be able to
18 build on that. That is a proactive unit. I would
19 have liked to have had the opportunity to speak and
20 mention that that unit, literally out of tens of
21 thousands of law enforcement agencies that are in this
22 country, they are in the top 20. And that shows you
23 the level of commitment and performance and the
24 expertise, the training and the skill that our
25 deputies have and the motivation and that's something

1 that I think we pride ourselves on in terms of looking
2 at ourselves as a law enforcement leader, not only in
3 the state, but I see it in the country. And I think
4 that we look at law enforcement excellence as what our
5 goals are in everything in we do.

6 So we're willing to look internally to see
7 what we can do to resolve this, but that's a small
8 immediate solution. We need a more short and
9 long-term solution, and I'm all into collaborating
10 with whether it's the district attorney's office,
11 public officials, I think our willingness to go along
12 with the mayor and other elected officials, County
13 Commissioner Stebbins, to go out there to find
14 strategies that work for our community. Because I
15 believe our identity is at stake and I believe that we
16 need to take action and we need to work together and
17 to find a solution. And I will give all my efforts to
18 do that. And I believe that there is a solution, but
19 part of that staffing solution is part of helping the
20 district attorney getting staffing out there from an
21 investigative standpoint so we can be in-house to
22 target that one percent that causes 80 to 90 percent
23 of the havoc in this community. And we're willing to
24 do that, but we need to be staffed adequately.

25 So for us what I'm asking for is I'm asking

1 for the funding for that proposal. And if you have
2 any questions in terms of what that may be, then I'd
3 be more than willing to answer any questions.

4 CHAIRWOMAN O'MALLEY: Well, I know we all
5 have questions, but Commissioner Johnson is first, I
6 guess.

7 COMMISSIONER JOHNSON: Thank you, Madam
8 Chair. And thank you, Sheriff, for bringing forward
9 the proposal. And I generally support the objectives
10 that you're trying to do and trying to achieve, I
11 should say. When we did this last it was 2012 and we
12 added about 15 deputies, which was about 5 percent
13 increase. This is roughly 20 percent increase in the
14 size of the department. I'm not going to argue
15 whether we need it or not, we've had two deaths in the
16 middle of Albuquerque, you've had five deputy-involved
17 shootings over the last month. No argument from me
18 about the need for the expansion of the department.
19 What I am concerned about is when we were discussing
20 this back in 2012, it was conveyed to us that it took
21 about 18 months to bring on those deputies and get
22 them into the field and there's ramp-up period for
23 those deputies as you move forward. This proposed
24 budget and allocation assumes a binary switch. We can
25 turn it on, we'll have 60 deputies next year, we'll

1 outfit them, put them in vehicles and have them out in
2 the field next year and I don't think that's a
3 possibility. I don't know what your capacity is, and
4 this is really getting to the nut of my question, I
5 guess.

6 What is the capacity of the academy to turn
7 out new deputies and to fill those 60 vacancies if
8 back five years ago it was 18 months?

9 SHERIFF GONZALES: So, first of all, we have
10 the capacity. We're looking at training 40 deputies
11 in this next academy and so this proposal isn't an
12 overnight proposal. We're looking at this in a phase,
13 kind of late rolling this out in a phase, 1, 2, 3-year
14 process. And this is a discussion I had with the
15 county manager, we are working closely. So this isn't
16 tonight to put that burden on the Commission to make a
17 decision to fund this all at one time. We're looking
18 for a reasonable discussion and an opportunity to sit
19 here and say, "how can we get this done in the next
20 couple three years." And we do have the capacity to
21 train them. We do have the capacity to train that
22 amount of deputies as we continue to project what we
23 need, and I think that's what our staff prides
24 ourselves on. We have been 100 percent staffed and we
25 look forward and we project and forecast and where

1 we're looking at recruitment and retainment. And I
2 don't have any doubts in the competence of my staff to
3 get things done. So it's very doable. But it's all
4 going to come down to, at the end of the day, funding.

5 COMMISSIONER JOHNSON: Absolutely. And I
6 agree with you. I think I'm just getting to -- trying
7 to figure out what the past should look like, because
8 this, to me, doesn't look like the right path.

9 SHERIFF GONZALES: Yes. And for us that was
10 a -- probably an overall proposal. We can get more
11 specific into how we're going to phase this out, but
12 those discussions we're going to have to have with
13 budget and other entities and the county manager in
14 order to figure that out.

15 COMMISSIONER JOHNSON: Because you realize --
16 you're very aware that only \$10 million is going to
17 public safety.

18 SHERIFF GONZALES: We're only asking for 9
19 million.

20 COMMISSIONER JOHNSON: Well, 9.7, almost 9.8.
21 And I know you're aware of that, and the county has
22 other public safety meetings both with fire and with
23 the jail, which just seems to be a money pit out on
24 the west side when it comes to budgetary issues. So
25 what I'm asking for is something that's a little bit

1 more, I don't want to say gradual. I mean, I want
2 those deputies in the field as soon as possible. If
3 we start today and we can get 40 more out there, it
4 would still be about 18 months, a year and 18 months
5 before we could actually have them in the field. So
6 waiting isn't really a great option either, but if we
7 can do 40 at a time, then next year we can do 40, that
8 means 18 months later we'll be doing 40, if you plan
9 on a couple of academies a year. And see, that we
10 need to work out in the budget so that we can approach
11 this in a way that doesn't put us in a bind with other
12 priorities, public safety priorities, within the
13 county and let you get to where you need to be. Like
14 we don't need to buy 60 new vehicles next year, which
15 this budget kind of looks like, and have them sitting
16 in a barn somewhere waiting for an officer to fill it.
17 So I just want to see something that really takes into
18 account the capacity. The attrition of the department
19 I know -- every time I look up there's a whole new set
20 of captains and lieutenants. I think Broderick Sharp
21 was actually a patrolman...I'm kidding. But every
22 time I look up you've got a whole new group of people,
23 and that's great. I mean, that means there's
24 opportunities in the department, but we're also
25 dealing with an attrition factor that we have to

1 factor into those 40 deputies that you can get out,
2 and there's another 18 months on the attrition side.
3 So I believe we can get there and I believe we can
4 come up with a plan that gets there, but doing a
5 blanket appropriation on this line will probably
6 handicap the county and we would be in another
7 position like with the behavior health dollars where
8 we really didn't have a mechanism to spend those
9 dollars until a couple of years later and I don't want
10 that to be the case with how we go about expanding
11 your department.

12 SHERIFF GONZALES: And just to touch a little
13 bit, Commissioner Johnson, on capacity. We have the
14 ability to do back-to-back academies in a year, so
15 there's no doubt in terms of that. We're going to
16 work, again, with the county to figure out how to get
17 there. And we're reasonable in our request, so it's
18 not nothing that we haven't brought up probably in
19 earlier months. I think what we've tried to do is be
20 patient and wait, and now we're seeing the effects of
21 maybe waiting too long and I don't think we can wait
22 any longer. We know how long these processes take in
23 terms of securing that money and generating it. So if
24 we did make that decision, I think we have ample time
25 to get that done, but the sooner the decision is made,

1 the sooner we can start planning and going forward.

2 COMMISSIONER JOHNSON: Thank you, Madam
3 Chair.

4 CHAIRWOMAN O'MALLEY: I just wanted to say a
5 few things. I understand your concerns, because we're
6 hearing the same concerns about the crime, and I have
7 a question following what I'm going to say. I'm
8 really glad that -- you're asking the biggest -- you
9 have a big ask here, and I understand that's the way
10 it works because, you know, you always come in with
11 the bigger number. And I'm really glad that you're
12 willing to work with our staff so that we can meet
13 each other somewhere in the middle, because we don't
14 have the capacity of -- fundingwise, to take on a very
15 big expense, and I think you know that. And was
16 mentioned about the public safety money, it's not just
17 for the sheriff's department, it's for other public
18 safety needs. And I need to be a littler clearer,
19 because there's a one-time ask that you want for
20 capital dollars that you need and maybe that's more
21 need than immediate, and then how we would phase in
22 additional officers and how we would be able to pay
23 for that year after year. And I say that because we
24 did -- and I want to thank you for your support for
25 the public safety tax and the idea was, of course, is

1 that we don't come back and say, "oh, my God, we don't
2 have enough money," so we have to be very prudent
3 about adding employees, basically the recurring cost
4 of basically any department, right, we have to be
5 aware of that. So I'm going to ask our staff, and
6 Julie, if you would take that on. If it's possible to
7 have something in a draft, even at the next meeting,
8 if you could work something out. You're basically
9 saying you need something right away, that would be
10 good so that we have something to look at, if you
11 would do that. And then a follow-up question, because
12 I think there's a lot of confusion about this. We see
13 the increased number in violence, we see a lot of the
14 kind of crime associated with stealing. Is that all
15 drug related? Is that what we're dealing?

16 SHERIFF GONZALES: Madam Chair, we talk about
17 a bunch of different situations. Basically where I'm
18 coming from in terms of like -- let's say behavioral
19 health. So we're asking -- you're asking us to work
20 in collaboration with the county, other entities.
21 Well, that draws from our service from the citizens
22 because that's just another hat we wear. So what
23 happens over the span of time is that we're being
24 asked to do more with less. And we're at the point
25 where we can't do any more. And I could even have

1 former Undersheriff Ruiz come up here and testify to
2 that, that's part of what we continue to do.
3 Obviously we want to continue to provide the best
4 service and work with as many entities internally,
5 externally, however we can to hopefully fight the
6 crime rates or resolve some of these things that are
7 happening and keep people safe, but at the rate we're
8 being asked to do more and at the rate our services
9 are increasing -- and just to kind of give you a
10 number. So when I told you four or five years ago
11 when we were taking about 80,000 calls, now we're
12 receiving a 140,000 calls. Nobody provides more
13 service, nobody has a better pulse on the public than
14 the sheriff's office because we deal with the public
15 face to face 24/7, 365 days a year. We don't shut
16 down every day. This is a perpetual thing that never
17 goes away. So for us to continue to be asked to do
18 more is impossible at the rate the numbers are growing
19 and for us, all we're asking for is something that's
20 reasonable in order to deal with all these things.
21 And obviously we understand some of the priorities and
22 we're going to continue to be involved in the mobile
23 crisis unit and whatever other things we're asked to
24 be tasked with. But at some point we have to be
25 adequately staffed to do that.

1 CHAIRWOMAN O'MALLEY: So the spike in crime,
2 you have additional calls for service. What are those
3 calls? Are they, somebody stole my truck?

4 SHERIFF GONZALES: We're number one in auto
5 theft in the metro area and Bernalillo County. So
6 you're getting auto thefts, we're getting aggravated
7 assaults against police officers, domestic violence
8 calls, behavioral health calls. We're getting the
9 calls where people are breaking into homes, we're
10 getting the home invasions. We're getting where
11 people are getting carjacked. We're getting where
12 people can't go to the movies and just park their
13 cars, because their vehicles are getting stolen, you
14 know. We're getting the person that is constantly
15 criminalizing, you know, these citizens, whether it's
16 the property crimes, whether it's the sale of drugs.
17 There's a bunch of different reasons. But it's not
18 one thing, it's a bunch of different things we're
19 facing and oftentimes we don't even have time to
20 interact with the citizens on a positive basis,
21 because we're constantly going from call to call to
22 call to call and it's impossible to keep that rate of
23 protection and service to the people if we're not
24 adequately staffed.

25 CHAIRWOMAN O'MALLEY: Are these calls for

1 service in the unincorporated areas that you were
2 talking about? Is it all unincorporated or is it
3 all --

4 SHERIFF GONZALES: There is a combination,
5 but the majority of them are in the unincorporated
6 areas.

7 CHAIRWOMAN O'MALLEY: Obviously, out there is
8 the -- that APD needs more officers, so there's always
9 -- and it's been going on for a number of years that
10 they need more officers and they've been challenged
11 with that. I don't know what the challenges are, but
12 it doesn't seem to be able to get off the ground
13 adequately in response. I was just wondering, is this
14 a complicated thing? I think we have a lot of
15 citizens who are frustrated, I'm hearing that. And
16 that even if you do call someone at the city, that no
17 one responds, or it takes too long to respond because
18 there's just not enough officers. And so I'm just
19 wondering, you know, also in terms -- I imagine that
20 in terms of the cars being ripped off, are they taken
21 somewhere? Are they off to Mexico or something like
22 that?

23 SHERIFF GONZALES: There's a bunch of
24 information we get from Homeland Security. Obviously
25 we collaborate with the state and local partners, but

1 there's a lot of organized --

2 CHAIRWOMAN O'MALLEY: Organized crime.

3 SHERIFF GONZALES: -- crime going on. And
4 it's, collectively, the responsibility of all of us to
5 work together to try to help resolve that, and we do
6 work together. But again, that's not going to help me
7 get the service to the people immediately in the
8 unincorporated areas that's needed.

9 CHAIRWOMAN O'MALLEY: Thank you, Sheriff.

10 SHERIFF GONZALES: Thank you.

11 CHAIRWOMAN O'MALLEY: Commission Stebbins.

12 COMMISSIONER HART STEBBINS: Thank you, Madam
13 Chair. And thank you all for being here. I've just
14 got a couple of questions. So I just happen to be
15 chatting with the D.A. recently and he was talking
16 about his issues obtaining appropriate discovery
17 within the new requirements of the Case Management
18 Order. Are you able to provide the D.A. with what he
19 needs on a timely basis?

20 SHERIFF GONZALES: I believe so. I believe
21 so. There's been no discussions with me and him one
22 on one in terms of concerns from him. So I would say,
23 at this point it's adequate.

24 COMMISSIONER HART STEBBINS: So what is your
25 role relative to the D.A.? Say there's an offense, an

1 alleged offense, what is BCSO's role --

2 SHERIFF GONZALES: To bring the charges --
3 the case to the district attorney.

4 COMMISSIONER HART STEBBINS: As far as your
5 responsibility, BCSO's responsibility, staffing is not
6 an issue in that particular area?

7 SHERIFF GONZALES: Well, as it increases it
8 will become an issue because we're going to need more
9 investigators to target that 20 percent that we're
10 talking about. Because I think part of the strategy
11 when we went to San Francisco was to sit there and
12 talk about, how do you get investigators into the
13 district attorney's office. And obviously they're not
14 funded. So if we're going to talk about that issue in
15 Bernalillo County, we're going to need to provide
16 investigators there so they can target those people so
17 we can actually figure out where is the most crime
18 coming from and target those people that are actually
19 the highest rate offenders in this county.

20 COMMISSIONER HART STEBBINS: And then I think
21 during our discussion of your proposal you raised --
22 you mentioned that some of the funding is a proposal
23 that we establish our own crime lab. Is that still on
24 your list of priorities?

25 SHERIFF GONZALES: The priority to move out

1 of the crime lab is one of our priorities.

2 COMMISSIONER HART STEBBINS: Why is that?

3 SHERIFF GONZALES: Well, I don't want to get
4 in the middle of like some of the contract issues, but
5 because of maybe the breach of the contract from the
6 onset, is one of the main reasons. And for us, in
7 good faith in order to ensure that we're operating
8 responsibly on behalf of the citizens, it's our
9 responsibility to make that we're getting the
10 services, and that contract has never been honored.
11 And for us, we feel that it's our obligation to remove
12 ourselves from that situation so we can be responsible
13 with the money that's being allotted to us for doing
14 evidence and being in that contract. So we just
15 figured at this point that we could manage that better
16 and we're going to move forward to do that.

17 COMMISSIONER HART STEBBINS: Are you having
18 trouble with the crime lab evaluating BCSO evidence?
19 Are there delays in what you are able to do because
20 of --

21 SHERIFF GONZALES: We're having to duplicate
22 our service because the contract isn't being honored.
23 So our staff is having to go back and -- in order to
24 meet some of the things that are required with the
25 district attorney's office, is run those things up to

1 Santa Fe ourselves and duplicating our effort because
2 we're not getting the services that we're supposed to
3 be getting through that contract.

4 COMMISSIONER HART STEBBINS: And I was told
5 by one of advocacy groups when there was a discussion
6 about the untested sexual assault kits, that there was
7 still a huge backlog of BCSO rape kits that remained
8 untested, that it appeared that we had been really the
9 last priority for the crime lab. Would you say that's
10 accurate?

11 SHERIFF GONZALES: Yes.

12 COMMISSIONER HART STEBBINS: Any estimate of
13 how many of those kits remain untested?

14 SHERIFF GONZALES: I don't know the exact --
15 it was somewhere over 400.

16 COMMISSIONER HART STEBBINS: Making any
17 progress over the last year?

18 SHERIFF GONZALES: That is, again, part of
19 our frustration of not being informed and serviced.

20 COMMISSIONER HART STEBBINS: And I have a
21 question. When you and I were in San Francisco the
22 D.A.'S office was talking about how effective their
23 use -- what is it, NIBIN, the national ballistics --
24 do we have that capacity here?

25 SHERIFF GONZALES: We've had that discussion

1 and we do have that capability here. And actually, me
2 and the undersheriff had a discussion with the agent
3 in charge of that -- of ATF, about that and furthering
4 our progress on that. But we are involved in that and
5 we do have access to it.

6 COMMISSIONER HART STEBBINS: Do we use it?
7 When I say we, does BSCO use it?

8 SHERIFF GONZALES: Yes, we have the authority
9 to use it.

10 COMMISSIONER HART STEBBINS: Is it
11 possible -- I mean, are we utilizing it? What I have
12 heard --

13 SHERIFF GONZALES: We're not using it to the
14 degree that we can. But I think based on our
15 relationships with that agency that will definitely
16 happen, because we've had that discussion and that was
17 part of the reason we met.

18 COMMISSIONER HART STEBBINS: One last
19 question. Obviously this has been a question raised
20 with all of us, about body cameras. I know that when
21 you first elected you came and you spoke to a group of
22 my constituents and talked about your thinking about
23 body cameras and it seemed to be a very reasonable
24 position at the time. Obviously there's some pressure
25 on you to change that position. Can you just talk

1 about your thinking on that at this point in time.

2 SHERIFF GONZALES: Our executive staff is
3 trained to look at things and examine them from a
4 strategical point. So before you introduce technology
5 we're going to come together strategically to figure
6 out, does that make sense policywise, does it make
7 sense in terms of keeping people safe, where is this
8 on our priority list. So even in our examinations, to
9 figure out how is this going to benefit in keeping the
10 people safe. I haven't found any empirical
11 information in any research that shows that a body
12 camera has saved a person's life. But what I do know
13 is, over the last several hundred years of sheriffing
14 and policing out there, that there's thousands of
15 documented cases of people in law enforcement saving
16 human life. So I rather invest the money in something
17 that I know is viable and works and that's been tested
18 and proven versus something that nobody can ever give
19 me the information or research that supports that body
20 cameras work for them.

21 And there's a lot of questions in terms of
22 re-victimizing people because of those cameras and the
23 viewing of the public with cameras. And to me, at
24 what point are they going to ask all the elected
25 officials to ask them, so they're privy to everything

1 that you say. So to me it's not -- the oath of office
2 can't be watered down with a lack of trust. So to me,
3 I'm not opposed to them. I'm saying, how are those
4 cameras going to benefit us and public safety. I
5 often bring up the concern of saying, should we maybe
6 be putting those on the most violent offenders so we
7 know what they're doing and we know where they're at
8 so we know when they're breaking into your cars or
9 victimizing somebody or doing whatever they do on a
10 constant basis and hold them accountable or am I going
11 to continue -- or are we going to continue to put more
12 burdens and red tape upon the abilities of a law
13 enforcement officer to do their job. And so, for me
14 it's not that I'm not -- I'm not oppose to them. I'm
15 waiting for somebody to bring me that information so I
16 can support having that, because I'm ultimately
17 responsible for making those decisions on what comes
18 in and out of the department. And I'm going to do
19 what's best for the citizens and the staff. And until
20 somebody can support that with empirical information
21 and data, then I'm still waiting and I'm not -- I'm
22 always open to discussion. I'm open to reason and I
23 think every decision I've made based on that issue is
24 based on reasonableness.

25 COMMISSIONER HART STEBBINS: Is there an

1 argument that body cameras protect your staff from
2 frivolous claims, claims that --

3 SHERIFF GONZALES: No. You know, some of the
4 information I receive from them -- I mean, it's a
5 two-dimensional technology and things are looked at,
6 sometimes, in a three-dimensional way. It doesn't
7 give an accurate depiction. Sometimes those things
8 can be altered. Obviously when those things are
9 given, sometimes out in public or through the media,
10 they're chopped up and it gives a different perception
11 and I don't think that's fair in reporting the story,
12 in telling the whole story. And these things in terms
13 of people going through their due process, we're not
14 supposed to be tainting or persuading the court of
15 public opinion through a camera. So I don't think
16 it's our duty to be viewing the public. Enough people
17 have the right with their phones and all the
18 technology that's out there, there's other cameras out
19 there, that they have the right to video record law
20 enforcement if they want, we're not opposed to that.
21 But I can't justify making a decision to have a body
22 camera on any of my staff at this point. It just
23 doesn't make sense.

24 COMMISSIONER HART STEBBINS: So we shouldn't
25 expect that as part of your budget request.

1 SHERIFF GONZALES: No.

2 COMMISSIONER HART STEBBINS: This is not a
3 question, it's just a comment. You and I discussed
4 this when you brought this proposal, when you briefed
5 me on this. I think at some point the concern about
6 crime in this community -- well, I think it's reached
7 the point where people are really concerned about it
8 in a way that I have not ever seen in my 50 years
9 living here. It is particularly intense in my
10 district, and I think you and I worked -- we were both
11 in San Francisco, we looked at the crime maps, the hot
12 spots, you noticed three out of five were in District
13 3. The three out of the top four. And my
14 constituents ask me all the time, what can the County
15 do -- you know, my constituents -- all city dwellers
16 pay into Bernalillo County budget the same as
17 everybody else and I think at some point, as you bring
18 proposals forth, there has to be something that serves
19 people who live in the city. And I know that a lot of
20 the work that you do, you know, serving warrants,
21 there is a lot that you do do in the City of
22 Albuquerque. But, you know, the excellent service you
23 provide in unincorporated county, I feel like at some
24 point we have to do something about the crime rate
25 within the city boundaries, and so -- within the city

1 limits. So I would, again, you know, ask you if there
2 some things, you know, that your department can do to
3 help the people in my district and other parts of the
4 City of Albuquerque who are really suffering from, you
5 know, these crimes. So --

6 SHERIFF GONZALES: Commissioner Stebbins, I'd
7 like to make a remark. So, for the record, so you
8 know, we don't deny service to anyone in Bernalillo
9 County. So any time your constituents call us, even
10 if they're not receiving the service from the city and
11 they're waiting -- and I am sure -- I know there's
12 somebody in the audience that works for the County
13 that can testify to this, is that if you're waiting on
14 another entity, another agency for service and they
15 haven't come, you call us and we'll show up. And that
16 goes for everybody in the County, because we don't
17 deny anybody service. So that is something that you
18 can take away from this meeting and know that whenever
19 they call us we'll be there. And so we're not opposed
20 to -- I think that in a bigger view of what's going on
21 here is that I am fully committed to talk and have
22 discussions about strategies that I believe will work
23 to help reduce the crime rates, but we have to
24 mobilize the citizens in this effort. We have
25 300-and-some deputies, but if we can mobilize the

1 citizens to be involved and help us with this issue, I
2 believe we can be a lot more effective and we can
3 actually make a huge difference and we can stop being
4 number one in all these crime rates and change and
5 turn around this community in the way people envision
6 it.

7 COMMISSIONER HART STEBBINS: Thank you.
8 Thank you, Madam Chair.

9 CHAIRWOMAN O'MALLEY: Do we have any other
10 comments? Well, I want to thank you very much,
11 Sheriff, and your deputies for speaking with us today.

12 SHERIFF GONZALES: Thank you, Madam Chair.

13 CHAIRWOMAN O'MALLEY: We're going to -- the
14 next commission meeting is Tuesday, August -- no,
15 first there's a August 15th special zoning meeting,
16 that's at 5 p.m., and then on Tuesday the 22nd is the
17 next administrative meeting at 5 p.m. Thank you all
18 for being here tonight and a special thanks to all of
19 our staff, all the employees of Bernalillo County.

20 (Record adjourned at 8:35 p.m.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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5 REPORTER'S CERTIFICATE

6 I, Kim Kay Shollenbarger, New Mexico Certified
7 Court Reporter, No. 236, do hereby certify that I
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