

**March 2022**

# **The VOTER**

**Vol. 87 No. 3**

**THE LEAGUE OF WOMEN VOTERS® OF CENTRAL NEW MEXICO**  
**6739 Academy Rd. NE, Suite 124, Albuquerque, NM 87109**

## **MONTHLY CO-PRESIDENTS' REPORT**

**by**

### **KAREN DOUGLAS AND DONNA SANDOVAL**

Prior to the March, 2022, elections in Sandoval County, Jennifer Black (Third Vice-President/Program) and Starlyn Brown distributed Vote411 flyers, since the Sandoval County electorate was unfamiliar with the election information available online. Following an inquiry from the Kiwanis Club, Mary Henrie Smith coordinated two Corrales candidate forums.

Election activities for 2022 will begin with the initiation of the primary election Voter Guide in March. Please reach out to Karen Wentworth if you are interested in volunteering to help with this project.

New Mexico's 30-day legislative session ended on February 17th. The League of Women Voters of New Mexico advocated in support/opposition of bills including Voting and Elections, Natural Resources (including the Hydrogen Hub), Violent Crime, Education, and Missing and Indigenous Persons. March 9th is the deadline for the Governor's signature on bills passed during this session. We anticipate articles on the fate of bills to be included in the Spring, 2022, issue of *La Palabra*.

Our LWVCNM speaker at the February 10th membership meeting was Carol Pierce, the City of Albuquerque Director of Family and Community Services. Ms. Pierce discussed the City's homelessness initiatives, with an emphasizing prevention and on recent progress.

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Karen Wentworth

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***Advocacy Team/Observer******Corps:***

Karen Wentworth

**LEAGUE CALENDAR**

All of the following are Zoom meetings. Members will receive invitations on the LWVCNMTopics listserv. Anyone who does not receive an invitation can email [president@lwvcnm.org](mailto:president@lwvcnm.org). If you need help with Zoom, please reach out to our Zoom host, Starlyn Brown, at [sbrown@unm.edu](mailto:sbrown@unm.edu)

March 10 (Thursday), noon—Shannon Kunkel, Foundation for Open Government Executive Director, will speak about Transparency.

April 14 (Thursday), noon—Our own Lora Lucero will speak about Climate Change.

May 14 (Saturday)—LWVCNM Annual Meeting (Anticipating resumption of in-person meetings, the Sheraton Hotel has been reserved for this meeting.)

The deadline for the monthly Voter remains the 15th of each month. Please submit your articles to Anne Pierce-Jones, *VOTER* editor, at [apiercejones@outlook.com](mailto:apiercejones@outlook.com).

**Volunteer Opportunity:** The LWVCNM is looking for additional office volunteers. Right now, the work is remote and mainly involves pulling and responding to phone messages. If you have even a couple of hours a month available and would like to support the League in this way, please reach out to Starlyn Brown at [sbrown@unm.edu](mailto:sbrown@unm.edu)

**OFFICE HOURS**

Closed until further notice due  
to Covid concerns.

*The VOTER Editor:*  
Anne Pierce-Jones  
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## CO-PRESIDENTS' MONTHLY REPORT, continued from page 1...

Our March speaker will be Shannon Kunkel, Sunshine Month/Foundation for Open Government Executive Director. Ms. Kunkel will address Transparency. In observance of Earth Day, the April unit meeting will address climate change.

The LWVCNM Annual Meeting is scheduled for Saturday, May 14, 2022, with a Mayor Tim Keller confirmed to address us. Articles for the Annual Meeting will be included in the April VOTER. LWVCNM has reserved the Sheraton Hotel for this meeting in anticipation of the resumption of in-person meetings.

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### In Recognition of Sunshine Week: March 10th Noon Meeting Features Shannon Kunkel, Executive Director, NM Foundation for Open Government



In recognition of Sunshine Week (or Month!), LWVCNM welcomes as its March 10th luncheon speaker Shannon Kunkel, Executive Director of the New Mexico Foundation for Open Government.

The New Mexico Foundation for Open Government (“FOG”) is the state’s leading transparency watchdog. Founded in 1989, FOG is a statewide non-profit, non-partisan organization with a single mission: to help New Mexicans understand and exercise their rights and responsibilities under New Mexico’s “sunshine laws”—the Inspection of Public Records Act (“IPRA”) and the

Open Meetings Act (“OMA”).

As part of this mission, FOG informs, trains, and assists state and local public bodies about their obligations to the public by ensuring access to public records and public meetings. On the flip side, FOG educates, advocates, and, when necessary, litigates to defend the public’s right to know.

FOG’s founder and long-time executive director, the late Bob Johnson, used to tell a story about the organization’s name. When questioned about why an open government group would name itself “FOG”, Bob responded that NMFOG stood for “no more fog”. True that.

In recognition of Sunshine Week, Shannon Kunkel will provide information about the work FOG does in New Mexico and how it is growing its capacity and expanding its

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## *In Recognition of Sunshine Week: March 10th Noon Meeting, continued...*

services. She will describe FOG's hotline program and the help it provides to anyone encountering problems obtaining records or gaining access to meetings, giving some examples of hotline calls and resolutions.

Ms. Kunkel will focus her talk on issues at the Legislature—procedural improvements to allow better public access, as well as legislation with transparency implications. Specifically, she will talk about the ways in which a hybrid session (conducted virtually and in person) both benefits and hinders the ability of New Mexicans to participate in the legislative process. She will discuss legislative rules, such as committee webcasting, the use of “dummy” bills, the publication of amendments to legislation, and more. Ms. Kunkel hopes to touch upon the Independent Redistricting Commission constitutional amendment and to discuss bills on the horizon for 2023 relating to financial disclosures of candidates, elected officials, and lobbyists.

Ms. Kunkel has a passion for transparency and civic participation. From 2014 through 2016, she served as the part-time membership director for FOG. She then connected with Common Cause New Mexico and began working as a consultant, managing digital and social media, as well as outreach and development for the organization. In January of this year, Shannon rejoined FOG as its executive director. She is eager to grow and expand FOG's presence in New Mexico.

Ms. Kunkel is an Albuquerque native. She graduated from the University of New Mexico, where she studied journalism, advertising, and marketing. She has worked in the marketing departments of the Roadrunner Food Bank and the Albuquerque Publishing Company. She has been married since the age of 18 to her wonderful husband, Max, and is mother to two spunky young children, Harlow (5) and Pierce (8).

Submitted by Mary Henrie Smith

## The Grandchildren Are Watching - The Time for Climate Action Is NOW!

April 14, 2022 - 12 to 1 pm - on Zoom

The April LWVCNM meeting is traditionally devoted to an environmental topic because Earth Day occurs in April. For our April 14 noon meeting, our speaker is one of our own members, Lora Lucero, who attended the UN Climate Change Conference, also known as COP26, last November in Scotland. Lora was selected as a LWVUS delegate to COP26.

Lora will report on her experiences as a League observer at this important international conference and follow with what is happening on climate change issues at various levels of government and within the League of Women Voters. In addition to your questions, please bring pen and paper to the meeting to write down what we as individuals can do to address the climate emergency in our own lives.

Lora Lucero is a retired city planner, environmental lawyer, and published writer and editor. She earned a bachelors' degree in Urban and Regional Planning from the University of Washington and worked in several city planning departments in California in the 1980s. Then she attended the Santa Clara University School of Law and graduated with a law degree in 1991. Lora practiced environmental law in New Mexico, representing cities and counties on growth and development issues. She also worked as an editor and staff attorney for the American Planning Association. She has authored a number of professional publications and served as editor of *Planning and Environmental Law*. In retirement, Lora has undertaken a number of environmental justice activities.



Photo of Lora Lucero and Great-Grandmother, Mary, of the White Earth Nation in northern Minnesota, at COP26 in Glasgow, Scotland, November 2021.

## ECONOMIC DEVELOPMENT and ALBUQUERQUE'S CLIMATE ACTION PLAN

How does economic development fit into the City's 2021 Climate Action Plan (CAP)? The City's emphasis on economic development over the past 30 years has been on creating good jobs by attracting investments from outside the state and by helping local businesses grow. Its current website targets key industries to grow and attract: aerospace, bio-science, directed energy (related to national security), film and digital, and international business. But recall from previous *Voter* articles that the CAP focuses attention on frontline communities who are more impacted by climate change but less able to address it on their own. It made the following six recommendations related to economic development in two categories—economic investment and job creation.

### Economic Investment:

- Provide community and economic development opportunities while restoring the land, water, and air while investing in members of frontline, underrepresented, and economically disadvantaged communities and local infrastructure.
- Localize systems of production, for example food and agriculture, to reduce transportation time and emissions.
- Strengthen our local food system, shorten the supply chain, reduce greenhouse gas emissions, and support the local economy by increasing community gardens and promoting local farm-to-fork culinary tourism in frontline communities through coordinated community education and collaboration.

### Job Creation in Frontline Communities:

- Provide community and economic development opportunities while restoring the land, water, and air and investing in frontline, underrepresented, and economically-disadvantaged communities and local infrastructure.
- As a workforce development strategy, co-create jobs with family-supporting wages in frontline communities that have historically experienced systematic underinvestment and disinvestment.
- Develop community and economic development opportunities that mitigate climate change and increase human-nature interaction via local recycling efforts, processing yard waste to compost, earn-while-you learn and apprenticeship opportunities for solar and community solar installation, land revitalization for community gardens (using City-owned vacant lots) and other green redevelopment efforts.

The CAP task force identified several specific sectors where opportunities for economic development will help frontline communities: local food and agriculture, waste reuse and recycling, and renewable energy. So there doesn't appear to be much overlap between these sectors and the City's economic development department list of key priority industries.

But this doesn't mean that the City does not have programs focused on frontline communities. It has a broad mix of less visible programs. For example, the Jobs Training Albuquerque (JTA) program has identified renewable and alternative energy product manufacturing as a preferred category for training funds, such as the Green Building paid internships offered through CNM. The International District Economic Development Center and the Rail Yards redevelopment plan near downtown are two examples of working with community groups to provide resources for smaller scale business development. Outreach to offer start-up assistance and training is intended to provide opportunities for neighborhood-based entrepreneurs and small business owners. It's a start...



## LWVCNM Observer Report Update for City of Albuquerque Mental Health Response Advisory Committee (MHRAC)

The MHRAC was established in 2015 under the terms of the Court Approved Settlement Agreement (CASA) between the U.S. Department of Justice and the City of Albuquerque. It was created to provide guidance to the City of Albuquerque Police Department (APD) to improve outcomes for “individuals with chronic homelessness and those perceived to be or actually suffering from mental illness”. The committee works collaboratively, seeking input from the city departments, service providers, and the community to identify issues that affect these populations. They work to explore resources and identify solutions. They also routinely review and make recommendations on APD staff training, policies, and procedures. They currently report regularly to the Independent Monitor for the CASA. The committee members include service providers, behavioral health professionals, attorneys, representatives from APD, CABQ Family and Community Services, members of community advocacy groups, and peer representatives. Open public meetings are held monthly – currently by Zoom ([MHRAC meeting info](#)) . Interim subcommittee meetings are held to review policies and draft recommendations.

In November 2021, Maxwell Kaufmann, an attorney with Disability Rights NM, and Rachel Biggs, Chief Strategy Officer for Albuquerque Health Care for the Homeless, were elected to serve as new co-chairs. At the February meeting, three additional members were named: Mariela Ruiz-Angel, Director of new Albuquerque Community Safety Department, Wendy Linebrink-Allison, Program Manager for NM Crisis and Access Line, and Charles Reado, Deputy Director of NM Office of African American Affairs.

The MHRAC has recently played an active role in reviewing policies and staff training protocols for the new Albuquerque Community Safety Department (ACS) which was launched in 2021. It is designed as a third branch of the Public Safety Response System to assist and collaborate with APD and Albuquerque Fire and Rescue. ACS focuses on providing services to people with mental health, substance use, and homelessness issues. It includes Mobile Crisis Team Clinicians, Behavioral Health Responders, Community Responders, and Street Outreach and Resource Responders. They form part of the 911 Dispatch system, but can also be accessed through 311. ACS provides monthly updates to MHRAC (see [ACS Website reports](#)).

Regular updates from ACS, the Crisis Outreach and Support Team (COAST), Albuquerque Family and Community Services, Gibson Health Hub and Gateway Center, and Albuquerque Fire and Rescue (AFR) are provided at MHRAC meetings. Matt Dietzel, Acting Commander of the APD Crisis Intervention Team, provides reports on APD responses to behavioral health incidents. Information on policies and procedures are presented throughout the year. Recent meetings have included presentations on:

- APD Wellness program – which includes annual mental and physical health checkups, with mandatory evaluation following a critical incident. Time-off incentives are awarded for participation in exercise and other wellness programs.
- Updates on AFR dispatch protocols – with scripts for identifying behavioral health issues.

[MHRAC Agendas and minutes](#) can be found on their website.

Over the last seven years, the MHRAC has provided an exceptional forum in which to address a range of complex and challenging issues surrounding mental health and homelessness with broad input from the city and the community. The leadership is exploring options for the advisory committee to continue beyond the time when the CASA settlement agreement ends.

## APD FORWARD & RECENT POLICE ACTIVITIES REGARDING CRIME & USE OF FORCE

### January and February Citizen Policing Council Meetings

January: Aaron Nieto/CABQ Metro Crime Initiative (MCI), CABQ Council President Isaac Benton, APD Commander Norris

February: Barron Jones, ACLU Senior Policy Strategist, APD Commander Norris

MCI convened in the summer of 2021 and identified 40 action items to reduce crime rates in municipalities throughout New Mexico. The gross receipts tax funds public safety. Homelessness initiatives include Street Connect partnering with Heading Home, Project Echo, and Albuquerque Community Safety Department (alternate 911 response for homelessness, mental health, and substance abuse issues) referrals to Turquoise Lodge.

Major points:

- APD cannot make arrests for assaults without witness unless there are exigent circumstances, including danger to life or property, or police officer can establish probable cause.
- Misdemeanor crimes may be felonies if damage exceeds \$1,000. Felony arrests can be made if outside presence of witnesses. Misdemeanor arrests may be made in cases of domestic violence (domestic violence statute permits arrest without warrant), leaving the scene of an accident, or DWI.
- Victims/witnesses must testify for successful prosecution to occur. Prosecution is essential for both crime reduction and officer retention.
- APD focuses on case in which evidence is beyond a doubt.
- The District Attorney's Office does not have staff to cover its caseload. Although New Mexico has many attorneys, few are trial attorneys.
- <https://www.cabq.gov/mayor/news/mayor2019s-metro-crime-initiative-releases-crime-fighting-agenda>

### Civilian Police Oversight Agency ("CPOA")—January 31, 2022, Special Meeting:

Who are the CPOA? They are a nine-member Force Review Board, a volunteer body appointed by the City Council. The CPOA Executive Director is appointed and is responsible for review of police use of force (100% Level 3—resulting in death, or could reasonably result in death) and random sampling Level 2 (serious injury, or could cause serious injury) reports prepared by APD Internal Affairs. The CPOA also reviews all civilian complaints of APD excessive use of force and may investigate other APD personnel (for example, police service aides and dispatch staff). The executive director recommends discipline to the Mayor and to the APD Chief when excessive use of force charges are sustained. Officer mediation

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## APD Forward & Recent Police Activities, continued...

Is permitted, but only arbitration—not mediation—is legally binding. The CPOA Counsel/JD attends to advise the board. The CPOA submits quarterly reports to the City Council and is funded by 0.5 per cent of the APD budget.

Why is attention focused on the CPOA now? The current five-member staff is insufficient for evaluating of Use of Force cases, and Executive Director Ed Harness, JD, resigned during the Fall of 2021 to accept a different position. This has further complicated CABQ's efforts to process current and backlog Use of Force cases, thus exacerbating the Department of Justice Stipulated Order addressing lack of APD disciplinary measures when warranted due to excessive officer use of force.

Who attended the January 31, 2022, CPOA Special Meeting? APD officials, External Force Investigation Team (required by the 2021 Department of Justice ("DOJ") Stipulated Order to advise/supervise APD Internal Affairs), DOJ/Assistant United States Attorney, CABQ Attorney, City Council, and Community Policing Council representatives.

What was the objective of the January 31, 2022, CPOA Special Meeting? The CPOA Committee was required to review the draft CABQ ordinance and to submit recommended changes to citations limiting CPOA progress to the City Council.

There are currently 170 applicants for vacant CPOA positions; however, membership restrictions may require loosening in order to appoint applicants. (Note that Seattle, Washington, is also under a DOJ Consent Decree and includes 21 active CPOA members.)

### Restrictions evaluated on January 31, 2022:

- Prior Community Policing Council experience—Recommended deletion.
- Current ordinance requiring nine voting Force Review Board members plus non-voting Executive Director—Recommended seven-member total, including voting Executive Director.
- Voluntary, no stipend—Recommended retention.
- Annual training completion: Extensive training required by Consent Decree (e.g., Police Ride-Alongs, firearms simulation, some training cancelled due to Covid)—Revised.
- Attendance: Three consecutive unexcused absences result in termination.—Recommended retention.
- Executive Director qualifications—Recommended substituting JD requirement for JD or MS degree.
- City Council appointment—Recommended 60-day limit for filling CPOA vacancies.
- Budget—Recommended increase to 1 per cent of APD budget.

Submitted by Karen Douglas, Co-President



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The League of Women Voters of Central New Mexico, a tax-exempt 501 (c ) (3) organization is a nonpartisan political organization, that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy by education and advocacy.

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### APPLICATION FOR LEAGUE MEMBERSHIP

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

EMAIL: \_\_\_\_\_ PHONE: \_\_\_\_\_

Mail above information to LWVCNM, 6739 Academy Rd. NE, Suite 124, Albuquerque, NM 87109, along with annual dues as follows:

- |                                     |           |
|-------------------------------------|-----------|
| First member of household           | \$65      |
| Each additional member of household | \$33      |
| Student member (proof required)     | No Charge |