

**Response to Request for Information  
Independent Monitor  
Settlement Agreement Regarding  
Albuquerque Police Department**

This response to the Request for Information is submitted by Donald K. Stern (Affiliated Monitors, Inc.) to serve as the lead independent monitor, and by Edward Davis (Edward Davis, LLC) to serve as lead subject-matter expert, in the Settlement Agreement entered into between the Department of Justice and the City of Albuquerque.

We believe that we have assembled a strong and deep team which will assist the Parties and the Court in assessing the implementation of the Settlement Agreement in an independent, transparent, thorough, professional, and cost-effective manner.

Following the Request for Information, our submission will consist of (A) Executive Summary and Methodology, (B) Personnel, and (C) Qualifications.

**A. EXECUTIVE SUMMARY AND METHODOLOGY**

In reviewing the Settlement Agreement and related documents, several important points are clear:

1. While the impetus for the DOJ investigation may have been focused on use of force issues, the settlement is far broader and more comprehensive. Indeed, the nine substantive areas addressed in the Settlement Agreement reflect that policing, particularly in an urban setting, requires a community-based and holistic approach.

2. The Monitor's role is appropriately limited and defined. We are mindful of the reasons for this carefully crafted provision. We are all too familiar with the "mission creep" that can occur with monitorships. This is not always the result of a monitor looking to expand its turf; often it is the police department and the community that looks to the monitor to operate the department. This is a mistake and serves to undermine the driving purpose behind the settlement -- to insure that the Albuquerque Police Department (APD) operates in an effective and constitutional manner. This is not a short term goal and can only be accomplished if the APD plays its rightful role, albeit with the assistance of an independent monitor.

3. The monitor must be truly independent and earn the respect and confidence of all parties. There is the need for an honest and independent view to assess the implementation, provide certain technical assistance, and keep the APD, the Court, and the larger community informed.

4. The reforms must be tailored to work for Albuquerque. Both Don Stern and Ed Davis, as well as the team they have assembled, are deeply rooted in the Boston law enforcement experience, which has served as a national model for community-based policing. We will bring

that experience to Albuquerque, with the assistance of an exceptional team. But, we will not adopt an off-the-shelf approach.

5. The notion of community involvement and support is not just a throwaway. It is a bed rock principle that permeates the Settlement Agreement and effective policing. Training, merit recruitment, hiring, professionalism, state of the art policies, and transparency are all required to earn that support.

6. The monitor team is expected to do its job effectively and independently; but it must do so efficiently. The monitor team has to be mindful that its fees and expenses are paid with taxpayer dollars.

With these basic points in mind, we expect to approach the monitorship as follows:

**1. Gather Necessary Information and Content**

A starting point is to fully understand the Settlement Agreement and the obligations it imposes. This will require understanding the policies and procedures of the APD, the hiring, disciplinary and promotion record, the organization and activities of internal affairs, the training, procedures and practices, etc. In short, we need to become expert in the APD.

But, this is not just a paper exercise. We need to appreciate context and background. As a result, we will meet frequently with the command staff and rank and file officers. We will also regularly meet with DOJ officials, community leaders, and members of the community.

**2. Establish Baselines**

An important step is to establish the baselines for each of the areas to be assessed and evaluated. This will be a moving target, since the APD has and will continue to change and this should be encouraged.

**3. Develop Assessment Tools**

The standards (some of which are set out in the Settlement Agreement) will be the measurement of successful outcomes and compliance; these will need to be articulated and transparent.

**4. How to Measure**

The process by which the assessment will be conducted - the proposed methodology - will be articulated and transparent. Relevant data will be collected and then analyzed.

**5. Communication**

The Settlement Agreement calls for regular community meetings and site visits, and open communication with the APD at all levels.

**6. Reports**

The Settlement Agreement requires regular written reports. These reports should contain quantitative data but should also capture the qualitative narrative of the efforts of the APD to meet its obligations. The collection and analysis of data usually does not tell the full story. There is always a more subjective narrative, which we believe we can fairly identify. Also, we expect that ongoing reporting and communication with all parties will be an important component of our role.

**7. Ongoing Assistance**

A feature of the Settlement Agreement is to also provide technical assistance. We believe our team can add value to the efforts of the APD to meet its obligations. We also expect to provide ongoing review and comment on efforts to comply with the Settlement Agreement.

**B. PERSONNEL**

***Donald K. Stern: Lead Monitor***

Donald K. Stern, Managing Director of Corporate Monitoring & Consulting Services for Affiliated Monitors, has had a distinguished legal career in both private practice and public service.

Mr. Stern is the former United States Attorney for the District of Massachusetts (1993-2001), where he directed an office of almost 100 attorneys. While in that position, he was the Chair of the U.S. Attorney General's Advisory Committee (1996-1998). He previously was Chief Legal Counsel to Governor Michael Dukakis (1987-1990), and Assistant Attorney General in Massachusetts under Attorney General Francis Bellotti (1975-1982), where he was Chief of the Government Bureau.

Mr. Stern has also been a partner at three major law firms, Cooley, Bingham McCutchen, and Hale & Door (now WilmerHale), where his law practice focused on internal investigations, white collar defense and business litigation. He has conducted internal investigations on behalf of public companies and their audit committees and advised corporations on compliance and monitoring issues. He is Co-Chair of the American Bar Association/DOJ White Collar Liaison Committee, and just competed a term as President of the National Association of Former U.S. Attorneys. Mr. Stern also serves as liaison to the recently formed American Bar Association Task Force on Corporate Monitors. He has been on the faculty at Harvard Law School and Boston College Law School.

Mr. Stern is well versed in law enforcement issues. He began his legal career as a public defender and then ran a clinical law program at Boston College Law School. While at the Massachusetts Attorney General's Office, he represented state clients involved in the full spectrum of governmental activities. And, as Chief Legal Counsel to the Governor, he served as liaison to the state police and public safety agencies.

During the time he served as United States Attorney in Massachusetts, Mr. Stern formed collaborative relationships with state and local law enforcement. He was one of the principal players in the successful effort to reduce youth violence in the City of Boston, through a community based approach, sometimes referred to as "Operation Ceasefire." This community oriented, data driven, and multi-agency initiative has been emulated in many police departments and communities around the country.

After leaving government service, Mr. Stern led several independent reviews of law enforcement agencies. At the request of the Governor, he conducted an investigation of the Suffolk County Sheriff's Department's hiring and promotional practices. He later led a blue ribbon commission to review the death of Victoria Snelgrove, who was killed by a "less-lethal" weapon fired by a Boston police officer following the Red Sox victory in 2004, and made significant recommendations regarding the use and training for less-lethal weapons. And, after the death of another college student in 2007, who was arrested following the Boston Celtics win of the basketball world championship, the Boston Police Commissioner asked him to lead an investigation into the circumstances of that tragic death.

Mr. Stern is now with Affiliated Monitors, Inc. (AMI). Established in 2004, AMI has extensive knowledge and experience in integrity, ethics and culture issues for private and public entities. AMI's team of attorneys, former government officials, business leaders and subject matter experts, has expertise assessing ethical culture; designing, implementing and testing ethics and compliance programs; evaluating and strengthening Offices of Inspectors General; and training in all aspects of compliance, fraud prevention and detection, and values-based ethics and compliance programs.

AMI serves as the independent monitor to oversee the implementation of administrative agreements resulting from proposed suspensions or debarments; deferred or non-prosecution agreements by the Department of Justice; and in state or municipal government civil and criminal settlement agreements. Additional information about the company can be found at [www.affiliatedmonitors.com](http://www.affiliatedmonitors.com).

***Edward F. Davis: Lead Subject Matter Expert***

Edward F. Davis is the President and CEO of Edward Davis, LLC, a full-service security and consulting firm. The firm specializes in product development and advises major corporations on the latest technology in the police and security fields. It also specializes in telecommunication, cyber security, risk management, continuity of business planning, crisis management for corporations, as well as large scale events and best practice consulting in community policing.

Davis has been in law enforcement for 35 years. He served as the 40th Police Commissioner of the City of Boston from December 2006 until October 2013. Commissioner Davis was Boston's lead police official during the tragic Marathon bombing and testified before Congress about the bombing and lessons learned. Prior to that, Davis was the Superintendent of the Lowell Police Department, a position he held for 12 years and one he rose to after starting out as a patrol officer in 1978. He comes from a police family, which has allowed him to better understand the needs of police officers and the communities they serve.

In Boston, Commissioner Davis oversaw police services for over 600,000 residents along with those visiting and working in the City of Boston. The Commissioner's extensive law enforcement background set the tone for policing in the city; from the walking beat, to managing massive demonstrations and special events, to creating an improved and trusting relationship between the police and community, to innovative technology and social media efforts that have improved public safety and allowed open dialogue with those the police department serves. Davis's leadership resulted in over 50% reductions in part one crime in Lowell and over 30% reductions in Boston.

Commissioner Davis has also worked internationally on police issues in Singapore, London, Northern Ireland, Jordan and Israel. Commissioner Davis served on the Police Executive Research Forum's (PERF) Board of Directors and was a founding member and first President of the Massachusetts Major City Chiefs Association.

Commissioner Davis has been recognized for his efforts locally and nationally, including through the Police Executive Research Forum, the International Association of Chiefs of Police and the Major Cities Chiefs Association. He has received Honorary Doctorates from Northeastern and Suffolk Universities and the University of Massachusetts at Lowell.

### **OTHER MEMBERS OF THE TEAM**

#### ***William Lansdowne***

William Lansdowne served as San Diego Chief of Police from 2003-2014. He was responsible for protecting a population of 1.3 million people and the seventh largest city in the U.S..

Bill joined the San Jose Police Department in 1966 and rose steadily through the ranks, commanding a variety of units and divisions. He eventually became Assistant Chief.

In 1994, Bill left San Jose to head the police department in Richmond, CA, a diverse community of 93,000. He reorganized the department and its priorities, placing new emphasis on community policing and implementing violence reduction and truancy programs. During his five years in Richmond, homicides dropped by 50% and department overtime was reduced by \$800,000 in just two years.

In August 1998, Chief Lansdowne returned to San Jose as that city's "top cop." He continued to emphasize community involvement, holding his department open to public scrutiny. While he was chief, San Jose became nationally recognized as the safest large city in America.

Over the years, Chief Lansdowne expanded his expertise and his reputation as one of the foremost law enforcement professionals in the country. He is a graduate of the FBI National Academy and served on a variety of state and national boards, including the Major Cities Chiefs and the National Conference for Community and Justice. He graduated from San Jose State University in 1973 with a Bachelor of Science degree in Criminal Justice Administration.

***Anthony A. Braga***

Dr. Anthony A. Braga is the Don M. Gottfredson Professor of Evidence-Based Criminology in the School of Criminal Justice at Rutgers University and a Senior Research Fellow in the Program in Criminal Justice Policy and Management at Harvard Kennedy School. He is also a member of the University of Chicago Crime Lab. He is the immediate Past President and an elected Fellow of the Academy of Experimental Criminology. He received his Masters in Public Administration (MPA) from Harvard University and his Doctorate (PhD) in Criminal Justice from Rutgers University.

Dr. Braga's research involves collaborating with criminal justice, social service, and community-based organizations to address illegal access to firearms, reduce gang and group-involved violence, and control crime hot spots. Since 1995, Braga has worked closely with criminal justice practitioners in Boston to reduce youth gun violence. He was a member of the Boston Gun Project working group that implemented the well-known Operation Ceasefire gang violence reduction strategy. Between 2007 and 2013, Braga served as the Chief Policy Advisor to Commissioner Edward F. Davis of the Boston Police Department. In this role, Braga worked with Boston Police command staff and officers to implement the Compstat management accountability system, reinvent the Operation Ceasefire strategy, and develop the Safe Street Team program which uses community problem solving techniques to control violent crime hot spots. His work with the Boston Police Department on its Safe Street Teams program was recently recognized by the International Association of Chiefs of Police with its Community Policing Award (2011) and Excellence in Law Enforcement Research Award (2011).

Dr. Braga has served as a consultant on controlling and preventing violent crime problems to many Federal, State, and local criminal justice agencies including the U.S. Department of Justice; U.S. Department of Justice; U.S. Department of the Treasury; Bureau of Alcohol, Tobacco, Firearms, and Explosives; Massachusetts Executive Office of Public Safety and Security; Massachusetts State Police; Baltimore Police Department; New York Police Department; Los Angeles Police Department; Milwaukee Police Department; Oakland Police Department; San Francisco Police Department; and many others.

Dr. Braga has published numerous scholarly papers and his work has been published in top criminology and criminal justice journals such as *Criminology*, *Journal of Quantitative Criminology*, *Journal of Research in Crime and Delinquency*, and *Criminology & Public Policy*. His work has also appeared in top medical and public health journals such as *New England Journal of Medicine*, *Journal of the American Medical Association*, and the *American Journal of Public Health*.

***Dr. Rod K. Brunson***

Dr. Brunson is Vice Dean for Academic Affairs, Ph.D. Program Director, & Associate Professor at the Rutgers School of Criminal Justice. His research examines youths' experiences in neighborhood contexts, with a specific focus on the interactions of race, class, and gender, and their relationship to criminal justice practices. He has authored or coauthored more than 50 articles, book chapters, and essays. Dr. Brunson's work appears in the British Journal of Criminology, Crime & Delinquency, Criminology, Criminology & Public Policy, Gender & Society, the Journal of Quantitative Criminology, Justice Quarterly, Sociological Quarterly, and Urban Affairs Review. He is the 2008 recipient of the New Scholar Award, American Society of Criminology, Division on People of Color and Crime. He also received the 2010 Tory J. Caeti Outstanding Young Scholar Memorial Award, Academy of Criminal Justice Sciences, Juvenile Justice Section.

Dr. Brunson's areas of specialization are: Communities & Violent Crime, Police-Community Relations, and Qualitative Research Methods.

***Christine M. Cole***

Christine Cole is Executive Director of the Crime and Justice Institute. Prior to this position she was Executive Director of the Program in Criminal Justice Policy and Management at the Wiener Center for Social Policy at the John F. Kennedy School of Government, Harvard University. Ms. Cole has worked extensively in the safety and justice sector in policing, institutional and community-based corrections, victim advocacy, and community organizing and prosecution. She has executive level management and supervisory experience and has worked as a change agent across and within sectors. She has extensive experience as a collaborator and facilitator with practitioners, community members and academics. In her current position, Ms. Cole also manages a team and oversees research across all facets of the justice and safety sector in the US, Africa, Europe, Latin America and the Pacific dedicated toward safety and justice improvement and reform. She presents on work regularly, lectures as part of the HKS Executive Education and in leadership positions on several boards and commissions. Ms. Cole received her A.B. from Boston College, M.A. in Community and Social Psychology from the University of Massachusetts; and M.A. in Public Administration from Harvard's John F. Kennedy School of Government.

***Vincent L. DiCianni***

Vincent DiCianni has served as the president of Affiliated Monitors, Inc. since its inception in 2004, and has been instrumental in the creation and development of the company and in providing Independent Monitoring services in federal, state and municipal matters across the United States.

Mr. DiCianni served as Assistant Attorney General for the Commonwealth of Massachusetts. He worked in private practice for twenty years as a trial attorney handling both civil and criminal matters. Included in his work was representation of State Police Officials and Officers, Municipal Police Officers and State Corrections Officials and Officers in civil rights, tort, civil

service and other matters in federal and state courts. Throughout Mr. DiCianni's 33 years of experience as an attorney, he has represented professionals and businesses regulated by both public and private standards of conduct.

In addition to his law practice, Mr. DiCianni served as an instructor for Anna Maria College in its Graduate Program in Criminal Justice for thirteen years (1985-1998). The students in the program included police, corrections and other law enforcement officers, and others in the criminal justice field. Mr. DiCianni's courses included ethics and standards of conduct for Criminal Justice officers as well as Constitutional Law and Evidence. During that period of time, he developed a particular affinity for the understanding, development, analysis, and application of standards of conduct and codes of ethics in criminal justice and for other professions.

### ***Sharon Hanson***

Sharon Hanson is an attorney and the Chief Operating Officer of Edward Davis, LLC. She has executive management experience in law enforcement, most recently as Chief of Staff for the Boston Police Department from 2007 to 2014. She served as the Director of Research and Development for the Lowell Police Department, responsible for the appropriate expenditure and implementation of millions of dollars in grants from the Department of Justice. She began her legal career as a prosecutor in the Middlesex County District Attorney's Office. In her fourteen years at Middlesex, she prosecuted cases in District Court, Jury of Six and Superior Court, including homicide and other major felonies. In 1991 she was appointed Deputy First Assistant District Attorney, responsible for the Superior Court section of the District Attorney's Office. She also practiced real estate law and criminal law. She is a graduate of Boston College and Boston College Law School.

### ***Daniel Linskey***

Daniel Linskey is a Law Enforcement training consultant working with law enforcement command staff and officers in community policing best practices, violent crime prevention, Urban Shield events and emergency management leaders both nationally and internationally for large-scale event management. He retired after serving 27 years with the Boston Police Department, having served the last 5 years as the Superintendent-in-Chief of the department. In this capacity he was responsible for the day-to-day operations of this 3000 member department. He oversaw the successful planning and execution of high profile large -scale events including New England sport team victory celebrations for the Red Sox, Celtics, Bruins and New England Patriot championship series. Linskey was the Incident Commander for the 2013 Boston Marathon and oversaw the police response to Occupy Boston.

### ***Rafael E. Ruiz***

Rafael E. Ruiz came to Boston from the Dominican Republic in 1971 at age 15. He graduated from U-Mass Boston in 1989 with Bachelor's degree in Criminal Justice, and received a Master's Degree in Criminal Justice in 1998 from Boston University. Mr. Ruiz joined the Boston Police Department in 1979 and rose through the ranks, joining the command staff first as a Deputy



Superintendent in 1997 and then as a Superintendent-Citywide Night Commander in 2008. During his over three-decade career, he worked in the Recruit Investigation Unit, the Drug Control Unit, Internal Affairs, and the Anti-Corruption Unit. He also worked in most BPD districts either as a patrolman or patrol supervisor.

Most recently (since August 2014), he has been working as a consultant on law enforcement and criminal justice matters for TCA-PR LLC, as part of a Core Team, to review and recommend changes to and monitor policies and procedures regarding federally mandated police reforms on a wide range of law enforcement issues facing the Puerto Rico Police Dept. Also, he has been a consultant and Joint Compliance Expert for the US-DOJ Consent Decree with the town of East Haven, CT to reform its police department since mid-2012. Since 2010, he has worked as a consultant with MBG-Catalyst providing training, development, and mentoring services in justice and public safety to foreign governments in Latin America.

As a police commander, he was very much involved (and remains involved) in the Latino and African American communities by serving on several community-based Boards and participating in fund raising events, and by serving as mentor for Latino and African-American youths.

### **C. QUALIFICATIONS**

As noted above, Affiliated Monitors has considerable experience serving as an independent monitor in a variety of different settings. Donald K. Stern is proposed as the Lead Monitor. He served as United States Attorney in Massachusetts, where he was a major creator/participant in Operation Ceasefire and the enormously successful community based law enforcement program in Boston.

Ed Davis has extensive law enforcement experience, from being a beat cop to serving as Commissioner of the Boston Police Department. His newly established firm, Edward Davis LLC, is already involved in several significant projects, including serving as a consultant to the NYPD Police Monitor.

The balance of the team is a strong mixture of law enforcement professionals and academics with deep experience in law enforcement issues. We believe most of the areas listed on the Request for Information will be adequately covered by the personnel listed above; however, there are some areas of additional expertise that would be sought:

1. The proposed team is largely Boston based. We recognize the desirability of including some personnel familiar with the APD. We also recognize the importance of having a local presence in Albuquerque and will look to fill that need.
2. The team has worked successfully in diverse communities. Still, there is the need for greater diversity on the team, with additional personnel who speak Spanish.
3. There may be the need for additional expertise in police training, internal affairs, auditing, and officer support and assistance. Also, some additional expertise in IT, particularly in implementing an EIS system, would be helpful.

4. This is just an initial submission. We fully expect to substantially supplement this submission with a more complete package.