

Editorial: Bad-cop database really a ‘remarkable’ step to accountability

BY ALBUQUERQUE JOURNAL EDITORIAL BOARD

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Credit is due to 2nd Judicial District Attorney Raúl Torrez for launching a new database that will allow the public to see if police officers in the Albuquerque metro area have a history of use of force, dishonesty or bias.

Torrez says the list of so-called Giglio officers should be published on the DA’s website early next year, likely becoming the first public database of its kind in the United States.

That’s a major step in the correct direction of transparency, with a real potential of rebuilding trust in our local police agencies while protecting the reputations of the many honest men and women in uniform.

As Jennifer Burrill, the vice president of the New Mexico Criminal Defense Lawyers Association, notes, officers who get into trouble are often allowed to resign and then move on to a different agency. As we play pass-the-bad-cop, the public, and new police agency, are often unaware an officer was ever involved in misconduct.

“So with a transparent database other departments can look and find out whether that person has issues that are not welcomed at their department and end the practice of officers with misconduct issues being passed around from department to department,” Burrill told the Journal.

The database will apply only to police officers in the Albuquerque metro area, which include the Albuquerque Police Department, the Bernalillo County Sheriff’s Office, New Mexico State Police, the Pueblos of Sandia, Laguna, Isleta and the UNM police departments.

We certainly hope the state’s dozen other DAs follow Torrez’s example.

And while the list will say if an officer had a disclosure of misconduct, it won’t say what the misconduct was. So there’s room for improvement there, too.

Torrez stresses the practice of making Giglio disclosures is not new. It’s based on a 1972 Supreme Court case, *Giglio v. United States*, that requires prosecutors to

provide defense attorneys Giglio disclosures showing if their law enforcement witnesses are unreliable or biased.

The next step, making that information available to the public, is new, and it is groundbreaking.

In addition to informing the public, Torrez echoes Burrill in saying another big reason he's implementing the database is to let police chiefs know if applicants have credibility issues. "Frankly if they do have that information, it might impact the willingness of those leaders to hire the officer, and if they do hire the officer what type of responsibilities they would give them," Torrez says.

Representatives of the Law Offices of the Public Defender and the New Mexico Criminal Defense Lawyers Association, which routinely ask for Giglio disclosures at the beginning of every case, applauded Torrez's initiative. Burrill even calls it "remarkable," adding it will help restore trust with police officers and "hold everyone accountable."

Shaun Willoughby, president of the Albuquerque Police Officers' Association, has voiced concerns about a lack of confidentiality with the database, but especially given the city's Department of Justice settlement agreement on constitutional policing, the risk-reward ratio is weighted strongly in favor of weeding out bad cops. Plus, Torrez predicts the overwhelming majority of officers "are not going to have cause for concern and are not going to have anything that would result in a Giglio notice from our office."

We have to believe that's correct for the vast majority of our local law enforcement officers. Most officers not only have nothing to hide, they don't deserve to be tarred with the broad brush of police misconduct. And officers with a history of abuse of force, dishonesty or other misconduct shouldn't expect to serve with anonymity and not prove they have changed. The new database promises to give the public a much-enhanced ability to see who deserves to wear the uniform. And who does not.

This editorial first appeared in the Albuquerque Journal. It was written by members of the editorial board and is unsigned as it represents the opinion of the newspaper rather than the writers.