

# CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

**Thursday, August 8, 2024 at 5:00 PM**  
**Vincent E. Griego Chambers**

**Aaron Calderon**, Board Chair  
**Rowan Wymark**, Board Vice-Chair  
**Zander Bolyanatz**, Board Member  
**Gail Oliver**, Board Member  
**Diane McDermott**, Executive Director, CPOA  
**Ali Abbasi**, Deputy Director, CPOA

**Members Present:**

Aaron Calderon, Chair  
Rowan Wymark, Vice Chair  
Zander Bolyanatz

**Members Absent:**

Gail Oliver  
(excused)

**Others Present In-Person:**

Diane McDermott, CPOA  
Ali Abbasi, CPOA  
Valerie Barela, CPOA  
Katrina Sigala, CPOA  
Gabe Remer, CPOA  
Kelly Mensah, CPC  
Robert Kidd, Independent Counsel  
Chris Sylvan, City Council  
Lindsey Rosebrough, City Atty.  
Cmdr. Scott Norris, APD  
Acting Cmdr. Kenneth Johnston, APD  
Lt. Amanda Tapia, APD  
Jeffrey Bustamante, ACS

## **Minutes**

- I. Welcome, Call to Order and Roll Call.** Chair Calderon called to order the regular meeting of the Civilian Police Oversight Advisory Board at approximately 5:01 p.m., and a roll call of members present was taken. Zander Bolyanatz, Aaron Calderon and Rowan Wymark were present. Chair Calderon announced that Gail Oliver was excused from the meeting.
- II. Pledge of Allegiance.** Chair Calderon led the Pledge of Allegiance, and a moment of silence was observed for the passing of a CPOA Staff Member.
- III. Approval of the Agenda.**
  - a. Motion.** A motion was made by Member Bolyanatz to approve the agenda as written. Chair Calderon seconded the motion. The motion was carried by the following roll call vote:  
**For: 3 – Bolyanatz, Calderon, Wymark**

**IV. Review and Approval of Minutes.** For more information about minutes from prior Civilian Police Oversight Advisory Board meetings, please visit our website here:  
<https://www.cabq.gov/cpoa/police-oversight-board/police-oversight-board-agenda-meeting-minutes>

**a. July 11, 2024**

1. A website link was distributed to each Board member to review the draft minutes from the Civilian Police Oversight Advisory Board's regular meeting on July 11, 2024.
2. **Motion.** A motion was made by Chair Calderon to approve the minutes from July 11, 2024. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**V. Public Comments**

- a. None** (*See attached*)

**VI. Reports from City Departments:**

**a. APD**

**1. Internal Affairs Professional Standards (IAPS)–** *Acting Commander Kenneth Johnston*

- i.** A document titled *APD Internal Affairs Professional Standards (IAPS) Division Monthly Report July 2024* was distributed to CPOA Board members electronically. (*See attached*)
- ii.** Acting Commander Kenneth Johnston reported on the number of IAPS cases open and closed and the average time to complete the investigations for July 2024.

**2. Internal Affairs Force Division (IAFD)–** *Commander Scott Norris*

- i.** A document titled *APD Monthly Use of Force Report July 2024* was distributed to CPOA Board members electronically. (*See attached*)
- ii.** Commander Scott Norris highlighted the pertinent information in the APD Monthly Use of Force Report for July 2024 and noted that the statistical reports were provided to the Board by the APD Analytics Division.

**b. ACS- *Jefferey Bustamante, Deputy Director***

1. ACS Deputy Director for Policy and Administration Jeffrey Bustamante gave a verbal report on the following:

- Calls for Service
- ACS Academy
- National Night Out Events in Albuquerque
- Summer of Non-Violence Event
- State of City
- Connect to Care Events

**c. City Attorney- *Lindsey Rosebrough, Managing Attorney***

1. APD City Attorney Lindsey Rosebrough gave a verbal brief on the following:

- CASA Self-Assessment Agreement
- EFIT's final report
- IMR-20 filing date

**d. City Council- *Chris Sylvan, Council Services***

1. City Council Representative Chris Sylvan gave a verbal report on the following:

- New CPOA Board Member Appointment status
- CPOA Semi-Annual Reports

**e. CPC- *Kelly Mensah, CPC Liaison***

1. CPC Liaison Kelly Mensah gave a verbal report on the following:

- CPC meeting attendees and topics discussed
- CPC outreach efforts
- CPC TV commercial
- CPC memberships

**f. Mayor's Office- *Doug Small, Director of Public Affairs***

1. No one from the Mayor's Office was present.

**g. CPOA- *Diane McDermott, Executive Director***

1. Ms. McDermott verbally reported on the following: (*See attached report*)
  - CPOA Complaints
  - IMR-20 monitoring period and potential additional CPOA paragraphs moving into compliance
  - MOU between the CPOA Board and APOA related to the Use of Force materials
  - APD Policy Review Process change

**VII. Serious Use of Force Case:**

**a. APD Case #: 23-0032047 – *Rowan Wymark***

1. Vice Chair Wymark read aloud a summary of Serious Use of Force APD Case #23-0032047.
2. Chair Calderon facilitated Board member feedback on the SUOF Case #23-0032047.
3. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case 23-0032047. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**VIII. Officer-Involved Shooting Case:**

**a. APD Case #: 23-0024809 – *Gail Oliver***

1. Chair Calderon read aloud a summary of Officer Involved Shooting (OIS) APD Case #23-0024809.
2. Chair Calderon facilitated Board member feedback on the OIS Case #23-0024809.
3. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case 23-0024809. The motion was seconded by Member Bolyanatz. The motion was carried by the following vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**b. APD Case #: 23-0065713 – Zander Bolyanatz**

1. Member Bolyanatz read aloud a summary of Officer Involved Shooting APD Case #23-0065713.
2. Chair Calderon facilitated Board member feedback on the OIS Case #23-0065713.
3. **Motion.** A motion was made by Chair Calderon that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Force Division Investigation for APD Case 23-0065713. The motion was seconded by Member Bolyanatz. The motion was carried by the following vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**IX. Appeals**

- a. None.

**X. CPOA Board's Review of Garrity Materials:**

- a. None.

**XI. Meeting with Counsel re: Pending Litigation or Personnel Issues: [Standing Item]**

**a. Discussion and Possible Action re:**

1. CLOSED SESSION pursuant to Section 10-15-1(H)(7), NMSA 1978, excluding meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant from the requirements of the NM Open Meetings Act.

- i. None.

**XII. Reports from CPOAB Subcommittees:**

**a. Policy and Procedure Review Subcommittee – Rowan Wymark**

1. Met: August 1, 2024 at 3 p.m.
2. Update on APD Policy Meetings
  - i. Policy and Procedure Review Process
    - a. Member Wymark gave a verbal report on the Policy and Procedure subcommittee meeting on August 1, 2024
3. Next Meeting TBD
  - i. September 5, 2024 - Possible Meeting Date Change
    - a. Member Wymark noted that the meeting was to be determined.

**b. Ad Hoc Rules Subcommittee – Zander Bolyanatz**

1. Met: July 17, 2024 and August 7, 2024 at 4 p.m.
2. Update on Ad Hoc Rules Committee meeting
  - i. Member Bolyanatz provided a verbal report on the completion of the draft Board Policies and Procedures and that the subcommittee recommended sending the Board Policies and Procedures to the full board for their review and potential action at the September 12, 2024, board meeting.
3. Next meeting TBD

**XIII. Discussion and Possible Action:**

**a. APD Policy Recommendations**

1. SOP 1-5 (Formerly 1-12) Harassment or Sexual Harassment in the Workplace
  - i. Deputy Director Ali Abbasi verbally reviewed the APD Policy Review Process.
  - ii. Mr. Abbasi presented the recommendations for SOP 1-5.
  - iii. **Motion.** A motion was made by Chair Calderon to approve the recommendations submitted by the Policy and Procedure Subcommittee for SOP 1-5. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

2. SOP 1-31 (Formerly 2-06 and 8-14) Court Services Unit
  - i. Deputy Director Ali Abbasi presented the recommendations for SOP 1-31. (*See attached*)
  - ii. **Motion.** A motion was made by Chair Calderon to approve the recommendations submitted by the Policy and Procedure Subcommittee and CPOA for SOP 1-31. The motion was seconded by Vice Chair Wymark. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

3. SOP 2-21 (Formerly 3-22) Apparent Natural Death or Suicide of an Adult
  - i. Deputy Director Ali Abbasi presented the recommendations for SOP 2-21. (*See attached*)
  - ii. **Motion.** A motion was made by Chair Calderon to approve the recommendations from the CPOA and CPOAB Policy Committee on Policy SOP 2-21 apparent natural death or suicide of an adult. The motion was seconded by Vice Chair Waymark. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

4. SOP 2-50 (Formerly 3-66) Crash Review Board (Formerly Safety Review Board)
  - i. Deputy Director Ali Abbasi presented the recommendations for SOP 2-50. (*See attached*)
  - ii. **Motion.** A motion was made by Chair Calderon to approve the recommendations from the CPOA and CPOAB Policy Committee on Policy SOP 2-50 Crash Review Board. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

5. SOP 2-83 Hospital Procedures and Rules
  - i. Deputy Director Ali Abbasi presented the recommendations for SOP 2-83. (*see attached*)
  - ii. **Motion.** A motion was made by Chair Calderon to approve the policy recommendation for policy SOP 2-83 Hospital Procedures and Rules presented by the CPOA and CPOAB policy subcommittee. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**b. APD Policies No Recommendations**

1. SOP 1-35 (Formerly 5-8) Crime Scene Specialists Unit
2. SOP 1-58 Crime Gun Intelligence Center (CGIC)
3. SOP 1-93 (Formerly 8-11) Telephone Reporting Unit (TRU)

4. SOP 2-36 (Formerly 1-13) Police-News Media Relations and Release of Police Identification
5. SOP 2-45 (Formerly 2-55) Pursuit by Motor Vehicle
6. SOP 2-81 (Formerly 2-15) Off-Duty Conduct Power of Arrest
7. SOP 2-85 Certificates for Evaluation
8. SOP 1-21 (Formerly 4-14) Bicycle Patrol
9. SOP 2-9 (Formerly 1-37) Use of Computer Systems
10. SOP 2-30 (Formerly 1-30) Emergency Command Post (ECP)
11. SOP 2-72 (Formerly 2-91) Procedures for Serious Crimes Call-Out
12. SOP 1-12 (Formerly 1-45) Volunteer and Internship Programs
13. SOP 1-39 (Formerly 4-07 and 6-4) DWI Unit
14. SOP 2-28 (Formerly 3-20) Flood Control Channel Action Plan
15. SOP 2-86 (Formerly 2-26) Auto Theft and Motor Vehicle Theft-Related Investigations
16. SOP 3-42 (Formerly 2-30) Criminal Investigation of Department Personnel
17. SOP 1-42 (Formerly 6-7) Bomb Squad

- i. **Motion.** A motion was made by Chair Calderon to direct the CPOA to make no recommendations on policies 1-17 on the agenda. The motion was seconded by Member Bolyanatz. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**c. APD Policy (Off-cycle)**

1. SOP 1-6 (Formerly 4-15) Patrol Ride-Along Program – *Zander Bolyanatz*  
(See attached)

- i. **Motion.** A motion was made by member Bolyanatz to have the policy owners for SOP 1-6 attend a board meeting when their schedules allow them to answer questions from the Board. The motion was seconded by Chair Calderon. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

**XIV. Other Business**

- a. None.

**XV. Adjournment**

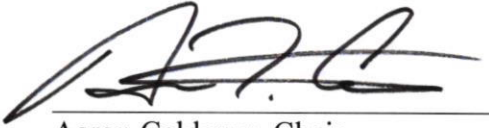
- a. **Motion.** A motion was made by Chair Calderon to adjourn the meeting. Member Bolyanatz seconded the motion. The motion was carried by the following roll call vote:

**For: 3 – Bolyanatz, Calderon, Wymark**

- b. The meeting was adjourned at 6:49 p.m.



APPROVED:



Aaron Calderon, Chair  
Civilian Police Oversight Advisory Board

9/12/2024  
Date

CC: Isaac Padilla, City Council Staff  
Ethan Watson, City Clerk  
Dan Lewis, City Council President (via email)

Minutes drafted and submitted by:  
Valerie Barela, Administrative Assistant

## ATTACHMENTS



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD  
PUBLIC COMMENT  
SIGN-IN SHEET

Thursday, August 8, 2024

NAME (PLEASE PRINT)

1. _____	11. _____
2. _____	12. _____
3. _____	13. _____
4. _____	14. _____
5. _____	15. _____
6. _____	16. _____
7. _____	17. _____
8. _____	18. _____
9. _____	19. _____
10. _____	20. _____

## August 8, 2024, CPOA Executive Director Report

The CPOA has received 61 complaints from July 2, 2024, to July 29, 2024.

32 complaints were assigned for investigation. 12 were driving complaints that were resolved with the employee's supervisor. 17 were miscellaneous, where either insufficient information was provided, it was determined that APD personnel were not involved in the complaint, or the complaint was resolved to the citizen's satisfaction due to seeking information.

There were 4 commendations received.

### Monitoring Period and Training:

The end of IMR 20 has occurred, and data requests from the monitoring team have so far been fulfilled. We await feedback while they conduct their review. Early indications are that several paragraphs will be improved and will be found in compliance. Paragraphs that were in compliance should remain in compliance. The dedication and hard work of the advisory board members and the CPOA staff are paying off. The monitoring report should be released sooner than it has been previously.

### MOU:

Legal had reviewed the MOU and made some commentary. Along with APD legal, some initial conversations with the APOA attorney have occurred, so there should be some positive movement on this topic. The intention is to streamline the materials being provided to the advisory board members and alleviate the time intensity to prepare those materials.

### Policy Work:

The Board will discuss policy reviews later in the meeting, but as a preface, APD has gone to a weekly Policy Procedures Review Board schedule. This means more policies will be coming to the Board at a quicker pace. Additional efficiencies and process streamlining will be needed to continue with meaningful policy input. There will be a brief overview in the policy section of this agenda.



**ALBUQUERQUE POLICE DEPARTMENT  
INTERNAL AFFAIRS PROFESSIONAL STANDARDS (IAPS)  
DIVISION MONTHLY REPORT  
July 2024**

**Prepared by:**

**Data Analytics Unit  
August 5, 2024**

Note: This report presents preliminary information from departmental data. All figures in this report are subject to change as additional information becomes available.

INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION  
STATISTICAL DATA FOR THE MONTH OF  
July 2024



Internal Affairs Professional Standards (IAPS) is responsible for receiving and investigating allegations of misconduct made against the Albuquerque Police Department's employees. The IAPS Division ensures a thorough, impartial, and prompt investigation of allegations to implement transparent fact finding processes and take corrective actions against the employees if investigative findings are sustained. IAPS investigate cases according to SOP 1-62: Internal Affairs Professional Standards (IAPS) Division. For more information on APD's Standard Operating Procedures, see: <http://public.powerdms.com/COA>.

The purpose of this monthly report is to provide the City administration, APD executive staff, the City Council, Civilian Police Oversight Agency Board and the residents of Albuquerque with the outcomes pertaining to IAPS Investigations. This report provides details on the investigations opened, completed, investigated by Area Commands, pending cases, and the average time taken (days) for case completion. However, this report excludes the misconduct cases that originate from force investigations, given that these are investigated by Internal Affairs Force Division (IAFD). It also provides data on cases with Sustained/SNBOOC findings along with the discipline imposed. The report also includes information pertaining to the SOPs that were reviewed in completed investigations during the month of July 2024.

### Total Cases Opened

92

Investigations opened by the Internal Affairs  
Professional Standards during  
July 2024

### Total Cases Completed

99

Investigations completed by the Internal Affairs  
Professional Standards during July 2024

### Cases Opened

[By Area Commands]

42

Investigations opened by Internal Affairs  
Professional Standards and referred to the Area  
Commands

### Completed Cases

[By Area Commands]

54

Investigations completed by the Area Commands

### Pending Cases

81

Investigations opened during July 2024  
and are not yet completed

### Average Days to Completion

75.26

Average days to completion for investigations  
completed during July 2024



**Discipline Imposed for Investigations Completed in July 2024**  
**(Sustained/SNBOOC) Findings**

Files	Directives/SOPs	Discipline Imposed
I2023...	2.54.Use of Force: Intermediate Weapon Systems	Letter of Reprimand
	2.52.Use of Force: General	Suspension
	2.80.Arrests,Arrest Warrants,and Booking Procedures	Suspension
I2023...	1.1.Personnel Code of Conduct	Written Reprimand
I2023...	2.80.Arrests,Arrest Warrants,and Booking Procedures	Written Reprimand
	2.80.Arrests,Arrest Warrants,and Booking Procedures	Written Reprimand
	2.80.Arrests,Arrest Warrants,and Booking Procedures	Written Reprimand
	3.41.Complaints Involving Department Personnel	Verbal Reprimand
I2024...	2.71.Search and Seizure Without a Warrant	Written Reprimand
	2.71.Search and Seizure Without a Warrant	Written Reprimand
	2.82.Restraints and Transportation of Individuals	Suspension
	2.82.Restraints and Transportation of Individuals	Suspension
I2024...	2.60.Preliminary and Follow-Up Criminal Investigations	Written Reprimand
	2.60.Preliminary and Follow-Up Criminal Investigations	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Suspension
	2.8.Use of on-Body Recording Devices	Suspension
	2.11.Use of Tire Deflation Devices	Suspension
	2.8.Use of on-Body Recording Devices	Suspension
	2.71.Search and Seizure Without a Warrant	Suspension
	2.5.Department Vehicle	Suspension
	2.11.Use of Tire Deflation Devices	Written Reprimand
I2024...	3.14.Supervision	Written Reprimand
	2.57.Use of Force: Review and Investigation by Department Personnel	NDCA
I2024...	2.56.Use of Force: Reporting by Department Personnel	Suspension
I2024...	1.1.Personnel Code of Conduct	Terminated
	1.1.Personnel Code of Conduct	Suspension
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
	2.56.Use of Force: Reporting by Department Personnel	Letter of Reprimand
	2.56.Use of Force: Reporting by Department Personnel	Letter of Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.57.Use of Force: Review and Investigation by Department Personnel	Verbal Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Written Reprimand
	2.50.Crash Review Board (CRB)	Verbal Reprimand
	2.5.Department Vehicle	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Suspension
	1.1.Personnel Code of Conduct	No Disciplinary Action
	1.1.Personnel Code of Conduct	Written Reprimand
	3.21.Scheduled and Unscheduled Leave	Written Reprimand
	1.1.Personnel Code of Conduct	Suspension
I2024...	2.8.Use of on-Body Recording Devices	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.71.Search and Seizure Without a Warrant	Suspension
I2024...	2.60.Preliminary and Follow-Up Criminal Investigations	Written Reprimand
	2.60.Preliminary and Follow-Up Criminal Investigations	Suspension
I2024...	2.8.Use of on-Body Recording Devices	Suspension
		Written Reprimand
I2024...	2.56.Use of Force: Reporting by Department Personnel	Letter of Reprimand



**Discipline Imposed for Investigations Completed in July 2024**  
**(Sustained/SNBOOC) Findings**

Files	Directives/SOPs	Discipline Imposed
I2024...	2.8.Use of on-Body Recording Devices	NDCA
I2024...	1.1.Personnel Code of Conduct	Verbal Reprimand
I2024...	2.52.Use of Force: General	Letter of Reprimand
I2024...	2.52.Use of Force: General	NDCA
I2024...	3.21.Scheduled and Unscheduled Leave	Written Reprimand
	3.21.Scheduled and Unscheduled Leave	Written Reprimand
I2024...	2.100.Emergency Communications Center (ECC) Division	Verbal Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	3.41.Complaints Involving Department Personnel	Terminated
	1.1.Personnel Code of Conduct	Terminated
	1.1.Personnel Code of Conduct	Suspension
I2024...	2.76.Court	Suspension
I2024...	1.1.Personnel Code of Conduct	Letter of Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	2.5.Department Vehicle	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.76.Court	Verbal Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.57.Use of Force: Review and Investigation by Department Personnel	Written Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	2.76.Court	Letter of Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	NDCA
I2024...	2.76.Court	Written Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	3.30.Line Inspection Process	NDCA
I2024...	2.80.Arrests,Arrest Warrants,and Booking Procedures	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.10.Use of Emergency Communications	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	NDCA
I2024...	2.76.Court	Verbal Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand





**Discipline Imposed for Investigations Completed in July 2024**  
**(Sustained/SNBOOC) Findings**

Files	Directives/SOPs	Discipline Imposed
I2024...	2.8.Use of on-Body Recording Devices	NDCA
I2024...	2.82.Restraints and Transportation of Individuals	Verbal Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.76.Court	Verbal Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Written Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	2.76.Court	Verbal Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.76.Court	Written Reprimand
I2024...	1.1.Personnel Code of Conduct	Verbal Reprimand
I2024...	1.1.Personnel Code of Conduct	Written Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Written Reprimand
I2024...	2.76.Court	Verbal Reprimand
I2024...	2.76.Court	Verbal Reprimand
I2024...	2.8.Use of on-Body Recording Devices	Verbal Reprimand
I2024...	2.8.Use of on-Body Recording Devices	NDCA
I2024...	1.1.Personnel Code of Conduct	Terminated
I2024...	2.76.Court	Verbal Reprimand

**TOP 5 Standard Operating Procedures with Sustained/SNBOOC Findings during  
July 2024**

Directives/SOPs	Count
2.8.Use of on-Body Recording Devices	25
1.1.Personnel Code of Conduct	21
2.76.Court	20
2.80.Arrests,Arrest Warrants,and Booking Procedures	5
2.71.Search and Seizure Without a Warrant	4



### Standard Operating Procedures Reviewed in Completed Investigations during July 2024

Directives/SOPs	Count
1.1.Personnel Code of Conduct	52
2.8.Use of on-Body Recording Devices	35
2.76.Court	30
2.52.Use of Force: General	16
2.56.Use of Force: Reporting by Department Personnel	13
2.80.Arrests,Arrest Warrants,and Booking Procedures	8
2.82.Restraints and Transportation of Individuals	7
3.14.Supervision	5
2.60.Preliminary and Follow-Up Criminal Investigations	5
2.57.Use of Force: Review and Investigation by Department Personnel	5
3.21.Scheduled and Unscheduled Leave	4
2.71.Search and Seizure Without a Warrant	4
2.70.Execution of Search Warrant	4
2.100.Emergency Communications Center (ECC) Division	4
3.41.Complaints Involving Department Personnel	3
2.54.Use of Force: Intermediate Weapon Systems	3
2.5.Department Vehicle	3
2.11.Use of Tire Deflation Devices	3
2.78.Domestic Violence	2
2.45.Pursuit by Motor Vehicle	2
3.32.Performance Evaluations	1
3.30.Line Inspection Process	1
3.20.Overtime, Compensatory Time, and Work Shift Designation	1
2.6.Use of Emergency Warning Equipment	1
2.55.Use Of Force: De-Escalation	1
2.50.Crash Review Board (CRB)	1
2.47.Crash Involving Police Vehicles	1
2.13.StarChase Pursuit Management System	1
2.10.Use of Emergency Communications	1
1.80.Prisoner Transport Unit	1

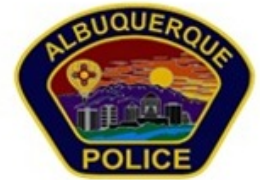
# **Albuquerque Police Department Monthly Use of Force Report July 2024**



**Prepared by:**

**Data Analytics Unit  
August 5, 2024**

Note: This report presents preliminary information from departmental data. All figures in this report are subject to change as additional information becomes available.



## Total Use of Force Events - July 2024

This report provides a monthly overview of use of force events involving Albuquerque Police Department (APD) personnel. APD is committed to using force to achieve lawful objectives in instances where use of force is objectively reasonable, necessary, minimal, and proportional given the totality of circumstances (see SOP 2-52: Use of Force – General). When force is not consistent with these standards of conduct (SOP 2-52: Use of Force-General), APD takes corrective actions which may include discipline.

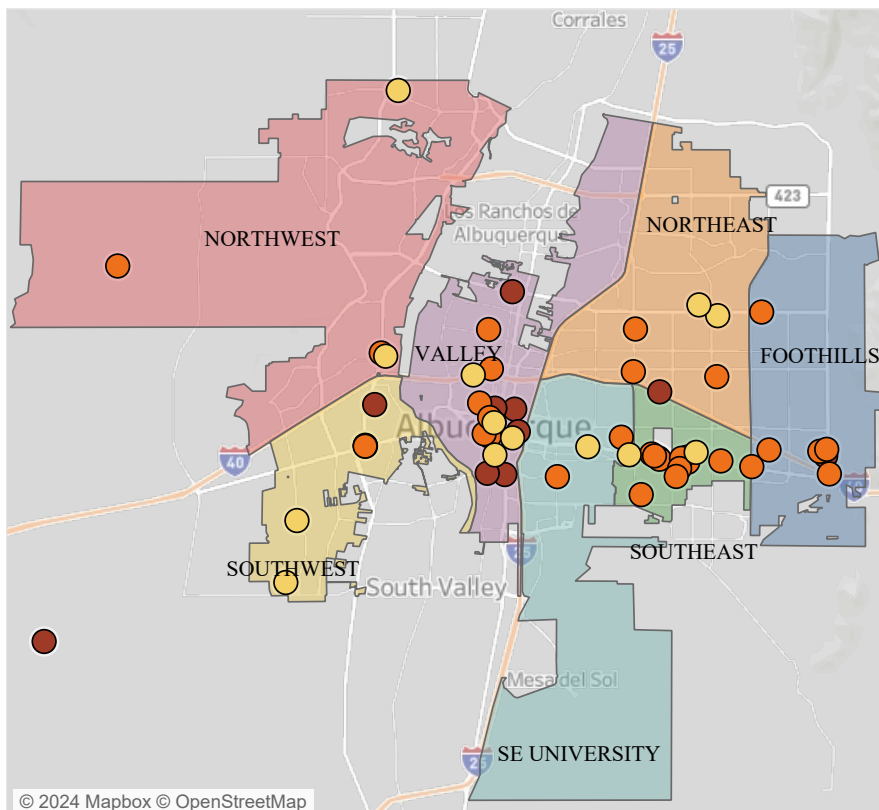
APD's jurisdiction includes the City of Albuquerque which is divided into six Area Commands. In the map below, Southeast Area Command is split into "SE University" and "Southeast". University Area Command is a Pilot Area Command and their force cases are combined with Southeast Area Command in this report.

Force is categorized into three levels based on APD policy. For more information on APD's Standard Operating Procedures, see: <https://public.powerdms.com/COA>

### Total Use of Force Cases by Area Command and Level of Force

	Force Level			Grand Total
	Level 1	Level 2	Level 3	
Foothills	0	5	1	6
Northeast	2	3	1	6
Northwest	2	2	0	4
Out of Area	0	0	1	1
Southeast	3	14	0	17
Southwest	2	1	3	6
Valley	4	8	6	18
Grand Total	13	33	12	58

### Locations of Use of Force Cases



Force Level  
Level 1  
Level 2  
Level 3

Note: Most force investigations in this report are open investigations since it reflects the previous month of data. As such, figures in this report are preliminary and subject to change as use of force investigations progress.



## Use of Force Totals by Month - Past 12 Months

APD tracks use of force data over time to examine trends in use of force. For annual trends, see APD's Annual Use of Force Reports. This page reports monthly totals of all use of force for APD.

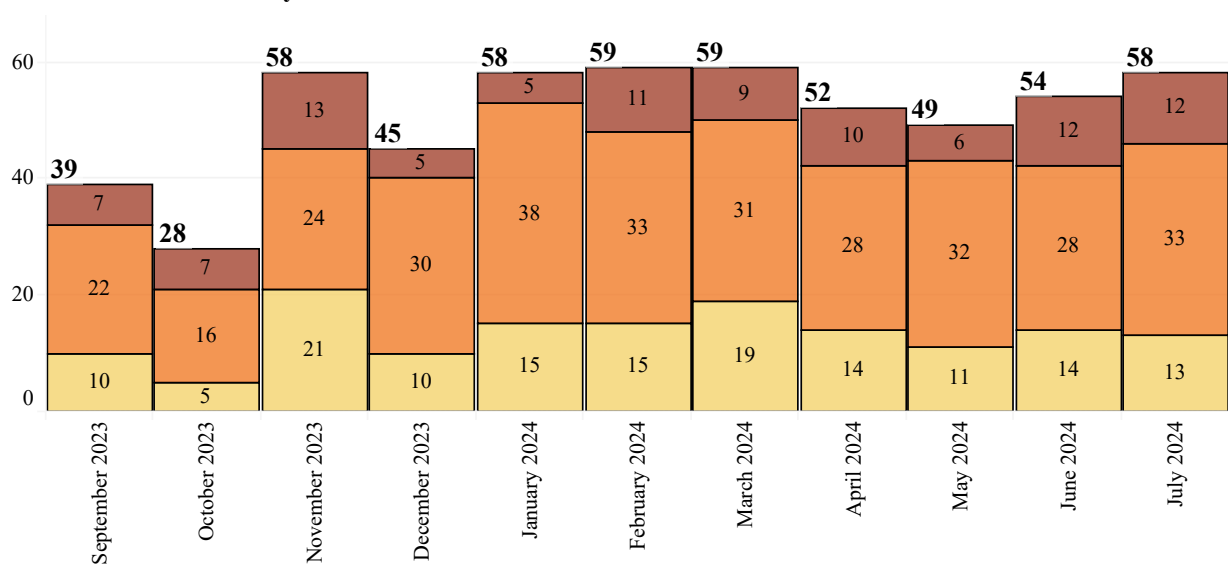
Force Level

Level 3

Level 2

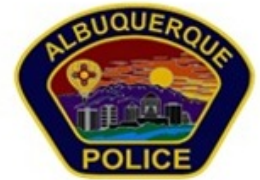
Level 1

**Total Uses of Force by Month and Level of Force**



**Total Uses of Force by Month and Area Command**

		September 2023	October 2023	November 2023	December 2023	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024	July 2024	Grand Total
Foothills	Level 1	2	2	4	2	2	0	3	1	2	3	0	21
	Level 2	6	1	3	2	3	2	2	2	2	2	5	30
	Level 3	0	1	1	1	1	0	1	2	0	0	1	8
Northeast	Level 1	1	1	8	2	2	5	4	2	1	1	2	29
	Level 2	2	2	3	4	7	7	4	2	3	6	3	43
	Level 3	1	1	2	1	1	2	3	2	1	2	1	17
Northwest	Level 1	1	0	0	0	1	1	1	0	0	1	2	7
	Level 2	1	1	0	0	3	3	6	3	3	2	2	24
	Level 3	1	3	2	0	0	2	2	1	0	1	0	12
Southeast	Level 1	3	1	4	2	7	6	5	3	5	6	3	45
	Level 2	5	7	11	13	15	13	10	10	14	6	14	118
	Level 3	1	1	4	2	1	4	1	2	2	2	0	20
Southwest	Level 1	1	1	1	3	2	1	1	2	0	1	2	15
	Level 2	2	2	2	3	8	5	4	6	7	5	1	45
	Level 3	0	0	2	0	0	0	2	0	1	3	3	11
Valley	Level 1	2	0	4	1	1	2	5	4	2	2	4	27
	Level 2	6	3	5	9	3	3	5	6	2	7	8	57
	Level 3	4	1	3	1	2	3	1	2	2	4	6	29
Out of Area	Level 1	0	0	1	0	0	0	0	2	1	0	0	4
	Level 2	0	0	0	0	0	0	0	0	2	0	0	2
	Level 3	0	0	1	0	0	0	1	1	0	0	1	4
Grand Total		39	28	58	45	58	59	59	52	49	54	58	559



## Use of Force Benchmarked Against Calls For Service and Arrests - July 2024

Officers are required to only use force when necessary to achieve a lawful objective. When officers have more contacts with individuals, it is likely that there will be more uses of force. To control for factors that may contribute to higher or lower uses of force in a given month, this page shows the number of uses of force relative to the number of calls for service and the number of arrests made. For a detailed discussion of the method used on this page, see APD's 2022 Annual Use of Force Report.

### Calls for Service

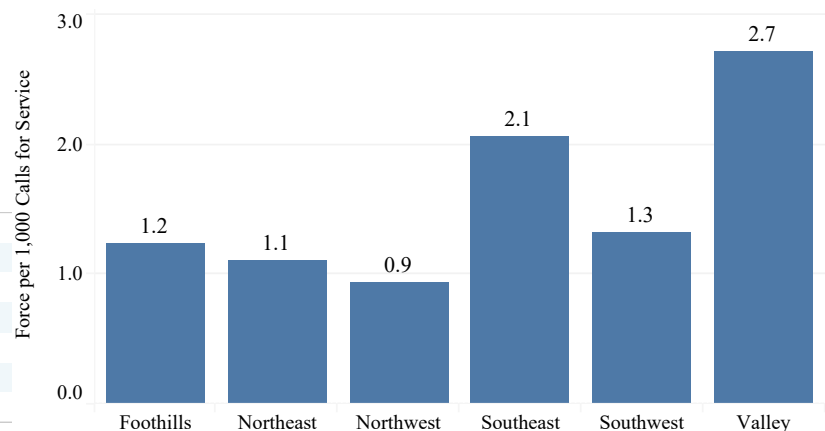
#### Total Calls for Service for Area Commands

Excludes calls for service where contact with an individual was unlikely, see Annual Use of Force report for full methodology

#### CAD Calls by Area Command, July 2024

Area Command	Total Force Cases	Total CAD Calls	Force per 1,000 Calls
Foothills	6	4,849	1.2
Northeast	6	5,446	1.1
Northwest	4	4,281	0.9
Southeast	17	8,234	2.1
Southwest	6	4,545	1.3
Valley	18	6,651	2.7
Out of Area	1		

#### Force Rate per 1,000 Calls For Service



### Arrests

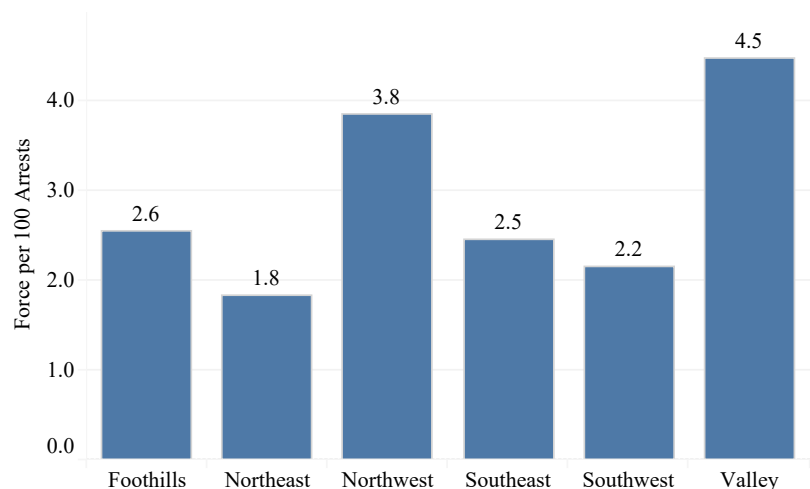
#### Total Arrests for Area Commands

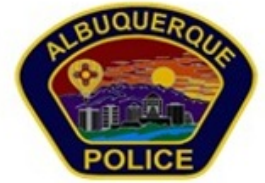
Arrests include custodial arrests and summonses.

#### Force per Arrest by Area Command, July 2024

Area Command	Total Force	Total Arrests	Force Per 100 Arrests
Foothills	6	235	2.6
Northeast	6	326	1.8
Northwest	4	104	3.8
Southeast	17	692	2.5
Southwest	6	278	2.2
Valley	18	402	4.5
Out of Area	1	15	6.7

#### Force Rate per 100 Arrests

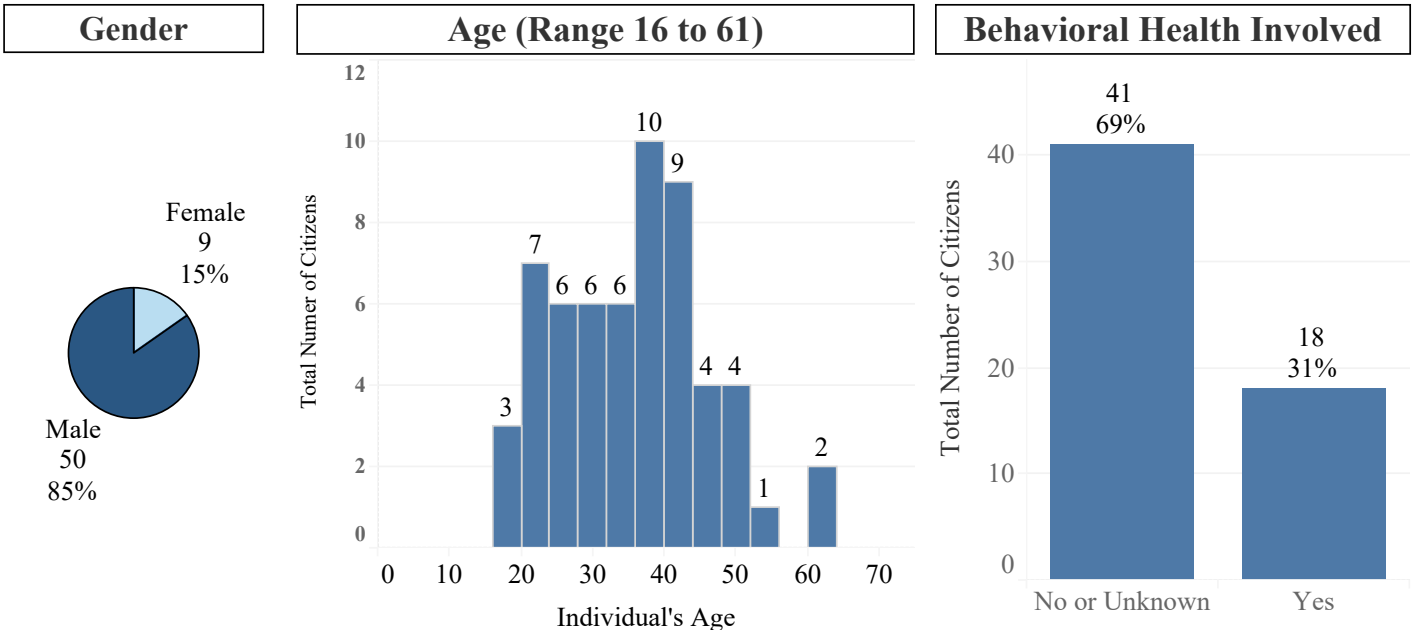




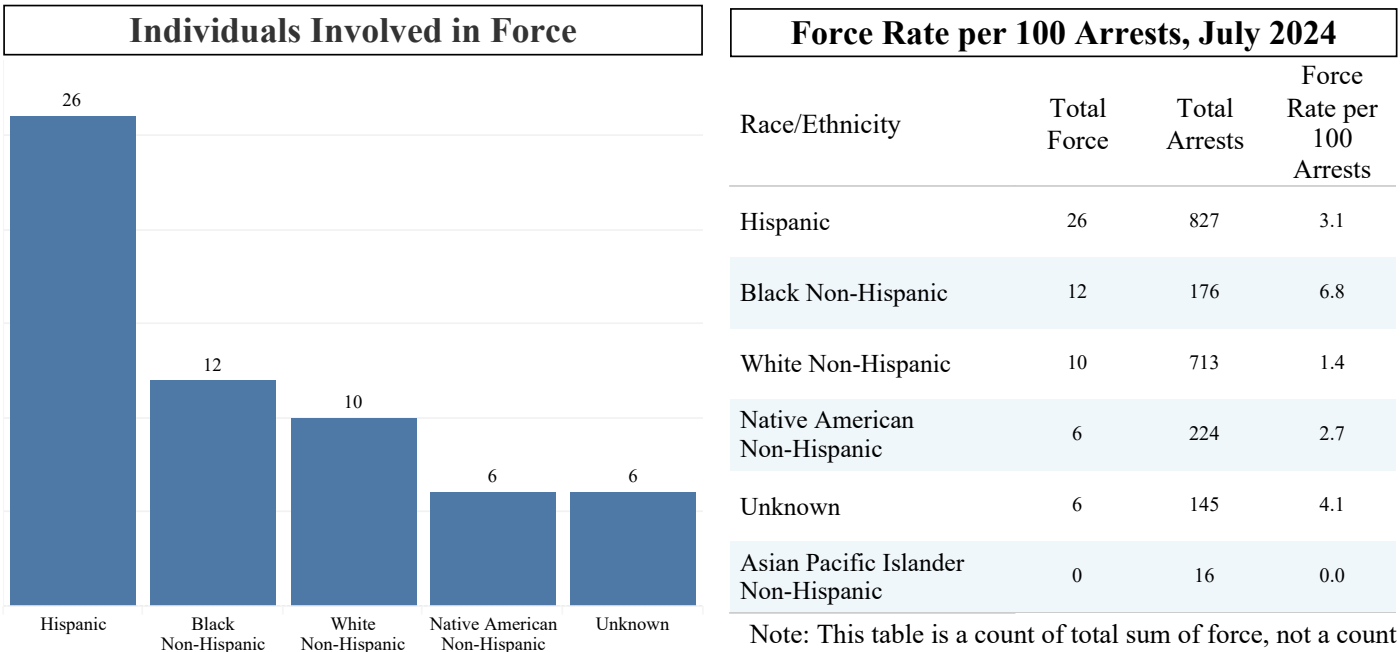
## Demographics of Individuals Involved in Force - July 2024

APD records information about individuals involved in use of force incidents. Citizen information is based on what the individual reported or, if not reported by the individual, on the investigators observations on scene and through review of body-worn camera video. Information may change as investigations progress.

Note: Totals on different characteristics may differ due to missing values being excluded.



### Race and Ethnicity



Note: This table is a count of total sum of force, not a count by individuals.



## Final Call Types and Types of Force Used - July 2024

Officers are dispatched to calls for service and the original and final type of call for service are tracked. The table on the right shows the final call types for all calls involving force during the month.

Below, the total number of force applications for each type of force is shown. In any single force case, multiple officers are usually involved and each time a force technique is used, it is counted. For instance, if three officers were involved in a takedown technique with one person, that would be counted as three applications of an "Empty Hand: takedown".

Total Force Applications for Each Type of Force Used



Final Call Types Associated with Force Events

Aggravated Assault/Battery	4
BAIT Vehicle Theft	1
Burglary Auto	1
Burglary Residence	1
Disturbance	6
Family Dispute	9
Fight In Progress	3
Kid/Abduction/Hostage	1
Narcotics	1
Onsite Auto Theft	1
Onsite Suspicious Person/Vehicle	12
Prisoner Pick Up/In Custody	1
Sex Offense	2
Shoplifting	1
Suicide	2
Suspicious Person/Vehicle	3
Traffic Stop	1
Vandalism	2
Wanted Person	6
Grand Total	58

During July 2024, there were 58 Force Cases with a total of 180 Force Applications.





## Completed Force Investigations - July 2024

APD has two processes for force investigations based on the level of force. Level 1 force is investigated by the Level 1 force investigation unit. The Level 1 unit is required to complete investigations within 24 days (if all extensions are requested and approved).

Level 2 and Level 3 force are investigated by the Internal Affairs Force Division (IAFD). IAFD also investigated any Level 1 force where a Lieutenant or above was involved or Level 1 force if another person at the same event had a higher level of force used. These investigations must be completed within 90-days. All force investigations are investigated to determine whether the actions of the officer(s) involved were consistent with department policy.

Level 1 Unit		IAFD (Level 2 and Level 3)	
Total Completed Investigations		Total Completed Investigations	
13		37	
Average Days to Completion		Average Days to Completion	
12.1		86.4	
Minimum Days to Completion	Maximum Days to Completion	Minimum Days to Completion	Maximum Days to Completion
6	19	81	90

### All Force Cases

APD strives to only use force that is objectively reasonable, necessary to achieve lawful objectives, and proportional to the resistance from the individual involved, and minimal based on the totality of the circumstances. APD uses a preponderance of evidence standard to determine whether the force met policy requirements. After investigation, force is deemed in policy when every force technique is used correctly and was found to be reasonable, necessary, proportional, and minimal as defined in SOP 2-52: Use of Force - General. If any officer's force techniques used were determined to be out of policy, the entire force case or interaction is considered to be out of policy.

#### Dispositions of Force Investigations Completed in July 2024

	Total Force Cases
In Policy	49
Out of Policy	1
Grand Total	50

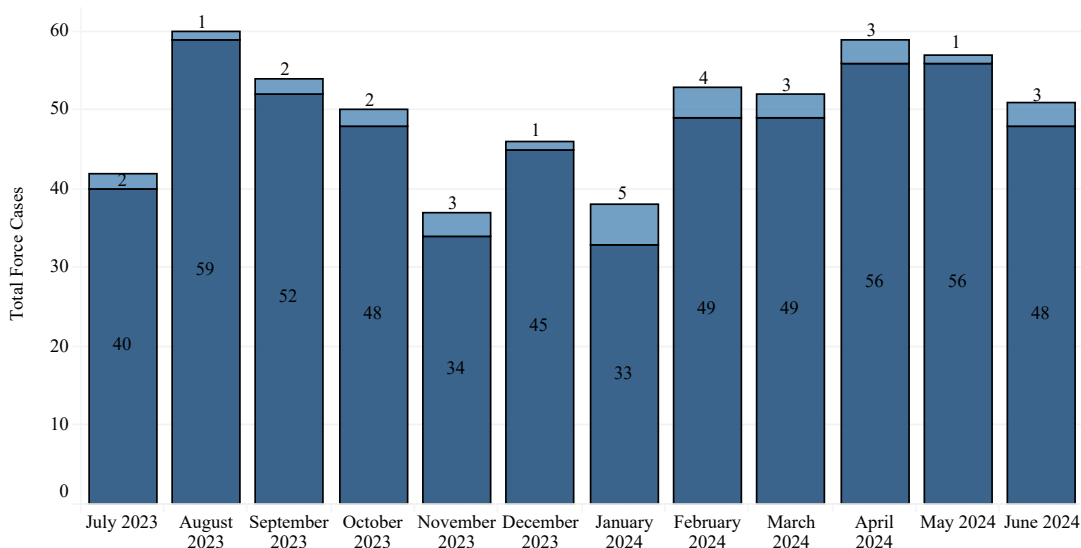
#### Out of Policy Force Cases by Area Command

Foothills	1
Grand Total	1

#### Case Disposition

- Out of Policy
- In Policy

### Policy Outcomes Prior 12 Months



1. **1-5: Harassment or Sexual Harassment in the Workplace**
  - a. 1-5-3-B-3: Add “or ability to do their job” to “That conduct or communication has the purpose or effect of unreasonable interfering with an individual’s employment”
  - b. 1-5-5: Account for non-sworn individuals in this provision
  - c. 1-5-4-F-1-d: Add “two or more” in the existing provision
2. **1-31: Court Services Unit**
  - a. Add a definition for “Failure to Appear”
  - b. 1-31-4-B-4: Add a timeline for how long after receiving a Failure to Appear notice the supervisor is expected to submit a BlueTeam entry
  - c. 1-31-4-B-4: Remove “if there is no valid reason...”
  - d. 1-31-4-B-3 and 1-31-4-B-4: Add a sanction level to these provisions
3. **2-21: Apparent Natural Death or Suicide of an Adult**
  - a. 2-21-4-A-1-f-i: Replace “verifies” with “suspects”
  - b. 2-21-4-A-1-f-ii: Make clear why this provision is added when the OMI makes the designation that an apparent natural death is suspicious
  - c. 2-21-4-B-1-d: Make clear why CSS is always requested at the scene of an apparent suicide or accidental death, but is only requested in an apparent natural death when the natural death is deemed suspicious
  - d. Make clear why overdose is included in the apparent natural death section, but not in apparent suicide or accidental death
4. **2-50: Crash Review Board**
  - a. Add a provision that details what happens if an incident is found to be serious or fatal after it is scheduled to appear before the Crash Review Board
5. **2-83: Hospital Procedures and Rules**
  - a. 2-83-5-D-iii: Define partial restraint and restraint
  - b. Make clear that other restraint methods besides handcuffs and leg shackles are used, if others are used



## **1-5 HARASSMENT/SEXUAL HARASSMENT IN THE WORKPLACE**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)
- 3-46 Discipline System (Formerly 1-09)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

City Administrative Instruction (AI) Number 7-18 Harassment/Sexual Harassment Policy  
City of Albuquerque Personnel Rules and Regulations Section 903 Grievance Resolution

#### **D. Rescinded Special Order(s)**

SO 23-120 Amendment to SOP 1-5 Harassment/Sexual Harassment in the Workplace

### **1-5-1 Purpose**

The purpose of this policy is to provide the foundation and guidelines for identifying harassment in the workplace and information on how harassment complaints will be identified and investigated.

### **1-5-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to provide a work environment free from all forms of harassment. Harassment is a prohibited form of discrimination under federal, state, and City laws and is misconduct subject to disciplinary action by the Department. This policy applies to all forms of harassment, including sexual harassment and supplements, but does not replace, City of Albuquerque Administrative Instruction (AI) Number 7-18.

### **N/A 1-5-3 Definitions**

#### **A. Harassment**

1. Enduring the offensive conduct becomes a condition of continued employment or a condition of obtaining employment or public services, or
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.



**B. Sexual Harassment**

Any unwelcome sexual advances, requests for sexually motivated physical contact, or other verbal expressions, physical conduct, or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of employment or obtaining public services;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or obtaining public services; or
3. That conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment, obtaining public services, or creating an intimidating, hostile, or offensive environment in which to work or obtain public service.

**6 1-5-4 Rules and Responsibilities**

A. All Department personnel shall be responsible for maintaining a work environment free of any form of harassment.

**N/A** B. Consistent with SOP Complaints Involving Department Personnel and SOP Discipline System, the Department shall hold Department personnel fully accountable for complying with this Standard Operating Procedure (SOP) and shall take appropriate measures to ensure that such conduct does not occur. Any Department personnel found to have engaged in prohibited harassment shall be subject to disciplinary action up to and including termination (refer to SOP Complaints Involving Department Personnel and SOP Discipline System for sanction classifications and additional duties).

**4 C. Prohibited Activity**

1. Harassment of any kind by Department personnel shall not be tolerated.
  - a. Department personnel shall not either explicitly or implicitly ridicule, mock, or belittle any person because of their race, color, religion, gender, sex, national origin, ancestry, age, disability, medical condition, sexual orientation, gender identity, or veteran status.
  - b. Department personnel shall not make offensive or derogatory comments based on race, color, religion, gender, sex, national origin, ancestry, age, disability, medical condition, sexual orientation, gender identity, or veteran status, either directly or indirectly, to another person.
  - c. Department personnel shall not sexually harass any person.



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2. Unwelcome verbal or physical conduct that does not rise to the level of sexual harassment may violate other City policies and, therefore, is prohibited.

**N/A**

**D. Reporting Harassment**

1. Department personnel who believe they are a victim of harassment or sexual harassment are encouraged to tell the person responsible for the behavior that their actions are offensive and unwelcome, if feasible. Department personnel should report the matter promptly to their immediate supervisor, any supervisor, the Department Human Resource (HR) Administrator, or the City of Albuquerque Human Resources Department within one-hundred-and-eighty (180) days of the perceived harassment or sexual harassment.
2. Department personnel may also pursue action through the court system or any regulatory agency that is responsible for the enforcement of anti-discrimination laws, such as the City of Albuquerque Office of Civil Rights, the New Mexico Human Rights Commission, or the Equal Employment Opportunity Commission.
3. Any Department supervisor who observes or has knowledge of harassment shall immediately bring the matter to the attention of their direct supervisor and Department HR Administrator or City Human Resources Department. Failure to do so may result in disciplinary action, up to and including termination.
1. Retaliation is prohibited against any employee for filing a harassment complaint or assisting, testifying, or participating in the investigation of such complaint.
5. Department personnel accused of harassment may file a grievance/appeal, consistent with City Personnel Rules and Regulations on grievance procedures when they disagree with the investigation or disposition of a harassment claim.

**E. Department HR Administrator**

1. The Department HR Administrator shall:
  - a. Review all complaints and arrange for an investigation;
  - b. Inform the parties involved with the result of the investigation;
  - c. Inform the Internal Affairs Professional Standards (IAPS) Division as soon as possible if a Standard Operating Procedure (SOP) violation exists;
  - d. Immediately notify the Chief of Police and the District Attorney's Office if the complaint contains evidence of criminal activity;
  - e. Include or request a determination about whether the person is harassing other Department personnel and whether other Department personnel participated in, or encouraged the harassment;
  - f. Maintain a file of harassment complaints in a secured area; and
  - g. Provide the Chief of Police with an annual summary of these complaints.



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F. Department Supervisors

1. All Department supervisors shall be responsible for responding to and preventing acts of harassment. These responsibilities include, but are not limited to:
  - a. Monitoring their employee's work environment for evidence that harassment may be occurring;
  - b. Counseling all personnel on the types of behavior prohibited and the Department procedures for reporting and resolving complaints of harassment;
  - c. Stopping any observed acts that may be considered harassment and taking appropriate steps to intervene whether or not the involved personnel are within their line of supervision;
  - d. Taking immediate and appropriate action to limit the work contact between two (2) Department personnel when there has been a complaint of harassment;
  - e. Assisting any employee who has a complaint of harassment in documenting and filing a complaint with the Department HR Administrator;
    - i. The supervisor to whom a complaint is given, shall meet with the employee and document the incidents to include the following:
      1. The person(s) doing or participating in the harassment;
      2. The dates on which the harassment occurred;
      3. Frequency of the conduct;
      4. The severity of the conduct; and
      5. Whether the conduct unreasonably interferes with work performance.
    - ii. The supervisor taking the complaint shall immediately deliver the complaint to the Department HR Administrator.
    - iii. Failure to take action to stop known harassment shall be grounds for discipline up to and including termination.
    - iv. Failure to notify the Department HR Administrator of a harassment complaint shall be grounds for discipline.
  - f. Cooperate in the investigation of the complaint; and
  - g. Be familiar with City AI Number 7-18 in its entirety.
    - i. Examples of harassment/sexual harassment are outlined in City AI Number 7-18, which are not to be construed as an all-inclusive list of prohibited acts under this policy or City AI Number 7-18.

5

G. Department Personnel

1. Department personnel shall be responsible for assisting in the prevention of harassment through the following acts:
  - a. Refraining from participation in, or encouragement of, actions that are or could be perceived as harassment;
  - b. Reporting acts of harassment to a supervisor;
  - c. Assisting any employee who confides that they are being harassed by encouraging them to report it to a supervisor; and
  - d. Cooperating with any investigation in response to any allegation of harassment.

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- i. Refusal to cooperate in an investigation may result in disciplinary action, up to and including termination.

**3**

**H. Confidentiality**

The complaint filed, including the name of the complainant, and the names of all Department personnel who provided statements, shall be kept confidential to the greatest extent possible, consistent with the Department's obligation to investigate allegations of harassment promptly and thoroughly.

**N/A**

**1-5-5 Categories of Leave or Assignment**

- A. Department personnel who have been accused of harassment as outlined in section 1-5-4 D. of this SOP and pursuant to supervisory discretion, may be classified in one of the following leave or assignment categories:

- 1. Administrative Leave;

- a. Subject to written approval by the Chief of Police or their designee, sworn personnel may be required to surrender their Department-issued vehicle, badge of office, firearm(s) and refrain from conducting any work on behalf of the Department until they are permitted to return to work.

- 2. Administrative Assignment; or

- a. Subject to written approval by the Chief of Police or their designee, Department personnel may be temporarily transferred to a non-enforcement role or as otherwise directed.
- b. Sworn personnel may be required to surrender their Department-issued vehicle, badge of office, and firearm(s).

- 3. Investigative Assignment.

- a. Subject to written approval by the Chief of Police or their designee, Department personnel may be temporarily moved to a different division within the Department until transferred to their original duty post or as otherwise directed.





## **1-5 HARASSMENT/SEXUAL HARASSMENT IN THE WORKPLACE**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)
- 3-46 Discipline System (Formerly 1-09)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

City Administrative Instruction (AI) Number 7-18 Harassment/Sexual Harassment Policy  
City of Albuquerque Personnel Rules and Regulations Section 903 Grievance Resolution

#### **D. Rescinded Special Order(s)**

[SO 23-120 Amendment to SOP 1-5 Harassment/Sexual Harassment in the Workplace](#) ~~None~~

### **1-5-1 Purpose**

The purpose of this policy is to provide the foundation and guidelines for identifying harassment in the workplace and information on how harassment complaints will be identified and investigated.

### **1-5-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to provide a work environment free from all forms of harassment. Harassment is a prohibited form of discrimination under federal, state, and City laws and is misconduct subject to disciplinary action by the Department. This policy applies to all forms of harassment, including sexual harassment and supplements, but does not replace, City of Albuquerque Administrative Instruction (AI) Number 7-18.

### **N/A 1-5-3 Definitions**

#### **A. Harassment**

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2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

**B. Sexual Harassment**

Any unwelcome sexual advances, requests for sexually motivated physical contact, or other verbal expressions, physical conduct, or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of employment or obtaining public services;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or obtaining public services; or
3. That conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment, obtaining public services, or creating an intimidating, hostile, or offensive environment in which to work or obtain public service.

**6 1-5-4 Rules and Responsibilities**

- A. All Department personnel shall be responsible for maintaining a work environment free of any form of harassment.

- N/A** B. Consistent with SOP Complaints Involving Department Personnel and SOP Discipline System, the Department shall hold Department personnel fully accountable for complying with this Standard Operating Procedure (SOP) and shall take appropriate measures to ensure that such conduct does not occur. Any Department personnel found to have engaged in prohibited harassment shall be subject to disciplinary action up to and including termination (refer to SOP Complaints Involving Department Personnel and SOP Discipline System for sanction classifications and additional duties).

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  - b. Department personnel shall not make offensive or derogatory comments based on race, color, religion, gender, sex, national origin, ancestry, age, disability, medical condition, sexual orientation, gender identity, or veteran status, either directly or indirectly, to another person.



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CPOAB Draft 07/15/2024

c. Department personnel shall not sexually harass any person.

2. Unwelcome verbal or physical conduct that does not rise to the level of sexual harassment may violate other City policies and, therefore, is prohibited.

N/A

D. Reporting Harassment

1. Department personnel who believe they are a victim of harassment or sexual harassment are encouraged to tell the person responsible for the behavior that their actions are offensive and unwelcome, if feasible. Department personnel should report the matter promptly to their immediate supervisor, any supervisor, the Department Human Resource (HR) Administrator, or the City of Albuquerque Human Resources Department within one-hundred-and-eighty (180) days of the perceived harassment or sexual harassment.

2. Department personnel may also pursue action through the court system or any regulatory agency that is responsible for the enforcement of anti-discrimination laws, such as the City of Albuquerque Office of Civil Rights, the New Mexico Human Rights Commission, or the Equal Employment Opportunity Commission.

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3. Any Department supervisor who observes or has knowledge of harassment shall immediately bring the matter to the attention of their direct supervisor and Department HR Administrator or City Human Resources Department. Failure to do so may result in disciplinary action, up to and including termination.

1

4. Retaliation is prohibited against any employee for filing a harassment complaint or assisting, testifying, or participating in the investigation of such complaint.

5. Department personnel accused of harassment may file a grievance/appeal, consistent with City Personnel Rules and Regulations on grievance procedures when they disagree with the investigation or disposition of a harassment claim.

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- d. Immediately notify the Chief of Police and the District Attorney's Office if the complaint contains evidence of criminal activity;
- e. Include or request a determination about whether the person is harassing other Department personnel ~~are being harassed by the person~~ and whether other Department personnel participated in, or encouraged the harassment;
- f. Maintain a file of harassment complaints in a secured area; and
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  - b. Counseling all personnel on the types of behavior prohibited and the Department procedures for reporting and resolving complaints of harassment;
  - c. Stopping any observed acts that may be considered harassment and taking appropriate steps to intervene whether or not the involved personnel are within their line of supervision; ~~and~~
  - d. Taking immediate and appropriate action to limit the work contact between two (2) Department ~~employees~~ personnel when there has been a complaint of harassment; ~~and~~
  - e. Assisting any employee who has a complaint of harassment in documenting and filing a complaint with the Department HR Administrator;
    - i. The supervisor to whom a complaint is given, shall meet with the employee and document the incidents to include the following:
      1. The person(s) doing or participating in the harassment;
      2. The dates on in which the harassment occurred;
      3. Frequency of the conduct;
      4. The severity of the conduct; and
      5. Whether the conduct unreasonably interferes with work performance.
    - ii. The supervisor taking the complaint shall immediately deliver the complaint to the Department HR Administrator.
    - iii. Failure to take action to stop known harassment shall be grounds for discipline up to and including termination.
    - iv. Failure to notify the Department HR Administrator of a harassment ~~complaint of harassment~~ shall be grounds for discipline.
  - f. Cooperate in the investigation of the complaint; and
  - g. Be familiar with City AI Number 7-18 in its entirety.
    - i. Examples of harassment/sexual harassment are outlined in City AI Number 7-18, which are not to be construed as an all-inclusive list of prohibited acts under this policy or City AI Number 7-18.

5

G. Department Personnel

1. Department personnel shall be responsible for assisting in the prevention of harassment through the following acts:
  - a. Refraining from participation in, or encouragement of, actions that are or could be perceived as harassment;
  - b. Reporting acts of harassment to a supervisor;



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**SOP 1-5 (Formerly 1-12)**

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**2**

- c. Assisting any employee who confides that they are being harassed by encouraging them to report it to a supervisor; and
- d. Cooperating with any investigation in response to any allegation of harassment.
  - i. Refusal to cooperate in an investigation may result in disciplinary action, up to and including termination.

**3**

**H. Confidentiality**

The complaint filed, including the name of the complainant, and the names of all Department personnel who provided statements, shall be kept confidential to the greatest extent possible, consistent with the Department's obligation to investigate allegations of harassment promptly and thoroughly.

**N/A**

**1-5-5 Categories of Leave or Assignment**

A. Department ~~Sworn~~ personnel who have been accused of harassment as outlined in section 1-5-4 D. of this SOP and pursuant to supervisory discretion, may be classified in one of the following leave or assignment categories:

1. Administrative Leave;

- a. Subject to written approval by the Chief of Police or their designee, sworn personnel may be required to surrender their Department-issued vehicle, badge of office, firearm(s) and refrain from conducting any work on behalf of the Department until they are permitted to return to work.

2. Administrative Assignment; or

- a. Subject to written approval by the Chief of Police or their designee, Department personnel may be temporarily transferred to a non-enforcement role or as otherwise directed.
- b. Sworn personnel may be required to surrender their Department-issued vehicle, badge of office, and firearm(s).

3. Investigative Assignment.

- a. Subject to written approval by the Chief of Police or their designee, Department personnel may be temporarily moved to a different division within the Department until transferred to their original duty post or as otherwise directed.



## **1-31 COURT SERVICES UNIT**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

2-76 Court (Formerly 2-01)

2-80 Arrests, Arrest Warrants, and Booking Procedures (Formerly 2-14)

#### **B. Form(s)**

Entry of Appearance

Failure to Appear Notices

Notice of Trial

Tow-In Report

#### **C. Other Resource(s)**

Court Service Information System (CSIS)

Intoxilyzer Breath Alcohol Test Card

#### **D. Rescinded Special Order(s)**

None

### **1-31-1 Purpose**

The purpose of this policy is to outline the rules and responsibilities of the Court Services Unit.

### **1-31-2 Policy**

It is the policy of the Department to facilitate proper communication, information exchange, and case preparation by promoting a collaborative working relationship between the Albuquerque Police Department (Department) and the judicial and administrative system entities.

### **N/A 1-31-3 Definitions**

#### **A. Judicial and Administrative System Entities**

The Bernalillo County Metropolitan Court, Second Judicial District Court, United States District Court (Federal Court), Motor Vehicle Division (MVD), Office of the Attorney General (AG), Office of the District Attorney (DA), Law Office of the Public Defender, and private attorneys.

### **7 1-31-4 Rules and Responsibilities**



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**SOP 1-31 (Formerly 2-06 and 8-14)**

**CPOAB Draft 07/15/2024**

A. The Court Services Unit:

1. Provides case preparation and evidence sharing from the Department to the judicial system and administrative system entities; and
2. Assists the public, Department personnel, and judicial and administrative system entities with case preparation, questions regarding open cases and verification of cases on the court docket.
  - a. If Court Services personnel identify a conflict of interest while preparing a case, they shall notify a supervisor.

B. The Court Services Unit Supervisor shall:

1. Upon request, attend meetings about updates or any issues that may arise with any of the judicial and administrative system entities;
2. Review and respond to complaints, questions, and concerns from Department personnel about issues regarding cases or court hearings;
- N/A

 3. Review all Failure to Appear Notices received from judicial and administrative entities for potential policy violations as outlined SOP Court (refer to SOP Court for sanction classifications and additional duties);
- N/A

 4. Create an entry in the Internal Affairs database web application if there is no valid reason for the employee's failure to appear for a court hearing as outlined in SOP Court (refer to SOP Court for sanction classifications and additional duties); and
5. Review and reassign any cases in which a conflict of interest exists with Court Services personnel preparing the case.

C. Court Services Unit personnel shall:

1. Coordinate court appearances for Department personnel;
- N/A

 2. Process a Department employee's leave request from court hearings and submit the request through SharePoint as outlined in SOP Court (refer to SOP Court for sanction classifications and additional duties);
  - a. Court Services Unit personnel shall notify the judicial and administrative systems entities of the employee's vacation, leave, and training.
3. Monitor a Department employee's duty assignments throughout the Department;
4. Use the Court Service Information System (CSIS) to:





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**N/A**

- a. Download court docket reports;
  - b. Post the seven (7) day court docket on SharePoint within seven (7) days of the current date; and
  - c. Post the final (next day) court docket on SharePoint within twenty-four (24) hours of the current date.
5. Schedule misdemeanor pre-trial interview (PTI) requests from defense attorneys with Department personnel for cases that were filed before March 24<sup>th</sup>, 2022;
  - a. For cases filed after March 24<sup>th</sup>, 2022, the subpoena for PTI must be signed by a Bernalillo County Metropolitan Court judge.
6. Accept service of and distribute subpoenas requesting testimony at criminal and MVD proceedings to Department personnel, including:
  - a. Accepting subpoenas that are more than two (2) business days before the hearing/trial date; and
  - b. Emailing Department personnel copies of the subpoenas.
7. Review the following citations to ensure all information is complete and accurate before submitting them to the appropriate courts:
  - a. Printed or handwritten State of New Mexico Uniform Traffic Citations; and
  - b. Printed or handwritten misdemeanor citations.
    - i. If the issuing employee did not correctly complete the citation, Court Services Unit personnel shall return the citation to the issuing employee to be corrected and resubmitted.
8. Review criminal summons documents to assure:
  - a. The charges are listed correctly;
  - b. Sworn personnel have signed the criminal summons;
  - c. A supervisor has signed the criminal summons;
  - d. The defendant's information is listed and correct; and
  - e. Whether the document is listed as a criminal summons.
9. Complete the criminal summons log for all criminal summonses that were received from sworn personnel and sent to the Bernalillo County Metropolitan Court;
10. Submit the criminal summonses to the Bernalillo County Metropolitan Court;
  - a. Sworn personnel shall issue criminal summons consistent with SOP Arrests, Arrest Warrants, and Booking Procedures (refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classification and additional duties).

**N/A**



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**SOP 1-31 (Formerly 2-06 and 8-14)**

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11. Gather and submit the following information and documents to the DA's Office for discovery requests on misdemeanors crimes, such as driving while under the influence (DWI) and domestic violence:

- a. An Intoxilyzer Breath Alcohol Test Card;
- b. A Tow-In Report;
- c. The State of New Mexico Uniform Crash Report (if applicable); and
- d. Any video footage from on-body recording devices (OBRD).

12. Be signed into the phone system and be available to take incoming phone calls.

- a. If unavailable and a message is left, return the phone call.

6

D. The Court Services Unit Specialist shall:

1. Prepare case files for Department personnel by ensuring that the case files include all paperwork needed for prosecution, including, but not limited to:

- a. Any related Uniform Incident Report or Supplemental Reports;
- b. State of New Mexico Criminal Complaints and/or criminal summons;
- c. Related citations;
- d. Witness/victim statements;
- e. Entry of Appearance forms;
- f. OBRD videos;
- g. Notice of dismissal; and
- h. Any physical evidence.

2. When possible, provide case files to Department personnel three (3) or more business days before the court date as follows:

- a. Provide discovery to the defendant and/or defense attorney; and
- b. Deliver all paperwork that requires a certified hardcopy to the officer's gun locker room in the Bernalillo County Metropolitan Court.
  - i. Department personnel shall return the paperwork from the case files to the officer's gun locker room in the Bernalillo County Metropolitan Court or the Court Services Unit after the court hearing.

3. Provide discovery to the Law Office of the Public Defender and the DA's Office for all officer prosecution cases;

- a. If an attorney is not listed on the Notice of Trial for traffic (TR) cases, the case shall not be processed by Court Services Unit personnel.
  - i. Exceptions to this are as follows:
    1. Suspended or revoked government-issued driver's license;
    2. Careless or reckless driving;
    3. Traffic crashes; and
    4. Parking (PR) citation cases if an attorney is listed.





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4. Research and update case files as needed; and
5. Be signed into the phone system and be available to take incoming phone calls.
  - a. If unavailable and a message is left, return the phone call.

REDLINED



## **1-31 COURT SERVICES UNIT**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

2-76 Court (Formerly 2-01)

2-80 Arrests, Arrest Warrants, and Booking Procedures (Formerly 2-14)

#### **B. Form(s)**

Entry of Appearance

Failure to Appear Notices

Notice of Trial

Tow-In Report

#### **C. Other Resource(s)**

Court Service Information System (CSIS)

Intoxilyzer Breath Alcohol Test Card

#### **D. Rescinded Special Order(s)**

None

### **1-31-1 Purpose**

The purpose of this policy is to outline the rules and responsibilities of the Court Services Unit.

### **1-31-2 Policy**

It is the policy of the Department to facilitate proper communication, information exchange, and case preparation by promoting a collaborative working relationship between the Albuquerque Police Department (Department) and the judicial and administrative system entities.

### **N/A 1-31-3 Definitions**

#### **A. Judicial and Administrative System Entities**

The Bernalillo County Metropolitan Court, Second Judicial District Court, United States District Court (Federal Court), Motor Vehicle Division (MVD), Office of the Attorney General (AG), Office of the District Attorney (DA), Law Office of the Public Defender, and private attorneys.

### **7 1-31-4 Rules and Responsibilities**



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A. The Court Services Unit:

1. Provides case preparation and evidence sharing from the Department to the judicial system and administrative system entities; and
2. Assists the public, Department personnel, and judicial and administrative system entities with case preparation, questions regarding open cases and verification of cases on the court docket.

2-a. If Court Services personnel identify a conflict of interest while preparing the case, they shall notify a supervisor.

B. The Court Services Unit Supervisor shall:

1. Upon request, attend meetings about updates or any issues that may arise with any of the judicial and administrative system entities;
2. Review and respond to complaints, questions, and concerns from Department personnel about issues regarding cases or court hearings;
3. Review all Failure to Appear Notices received from judicial and administrative entities for potential policy violations as outlined SOP Court (refer to SOP Court for sanction classifications and additional duties); ~~and~~
4. Create an entry in the Internal Affairs database web application if there is no valid reason for the employee's failure to appear for a court hearing as outlined in SOP Court (refer to SOP Court for sanction classifications and additional duties); and
- ~~4.5.~~ Review and reassign any cases in which a conflict of interest exists with Court Services personnel preparing the case.

N/A

N/A

C. Court Services Unit personnel shall:

1. Coordinate court appearances for Department personnel;
2. Process a Department employee's leave request from court hearings and submit the request through SharePoint as outlined in SOP Court (refer to SOP Court for sanction classifications and additional duties);
  - a. Court Services Unit personnel shall notify the judicial and administrative systems entities of the employee's vacation, leave, and training.
3. Monitor a Department employee's duty assignments throughout the Department;
4. Use the Court Service Information System (CSIS) to:

N/A



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**SOP 1-31 (Formerly 2-06 and 8-14)**

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N/A

- a. Download court docket reports;
  - ~~a.~~ b. Post the seven (7) day court docket on SharePoint within seven (7) days of the current date; and
  - ~~b.~~ c. Post the final (next day) court docket on SharePoint within twenty-four (24) hours of the current date.
5. Schedule misdemeanor pre-trial interview (PTI) requests from defense attorneys with Department personnel for cases that were filed before March 24<sup>th</sup>, 2022;
  - a. For cases filed after March 24<sup>th</sup>, 2022, the subpoena for PTI must be signed by a Bernalillo County Metropolitan Court judge.
6. Accept service of and distribute subpoenas requesting testimony at criminal and MVD proceedings to Department personnel, including:
  - a. Accepting subpoenas that are more than two (2) business days before the hearing/trial date; and
  - b. Emailing Department personnel copies of the subpoenas.
7. Review the following citations to ensure all information is complete and accurate before submitting them to the appropriate courts:
  - a. Printed or handwritten State of New Mexico Uniform Traffic Citations; and
  - b. Printed or handwritten misdemeanor citations.
    - i. If the issuing employee did not correctly complete the citation, Court Services Unit personnel shall return the citation to the issuing employee to be corrected and resubmitted.
8. Review criminal summons documents to assure:
  - a. The charges are listed correctly;
  - b. Sworn personnel have signed the criminal summons;
  - c. A supervisor has signed the criminal summons;
  - d. The defendant's information is listed and correct; and
  - e. Whether the document is listed as a criminal summons.
9. Complete the criminal summons log for all criminal summonses that were received from sworn personnel and sent to the Bernalillo County Metropolitan Court;
10. Submit the criminal summonses to the Bernalillo County Metropolitan Court;
  - a. Sworn personnel shall issue criminal summons consistent with SOP Arrests, Arrest Warrants, and Booking Procedures (refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classification and additional duties).

N/A



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11. Gather and submit the following information and documents to the DA's Office for discovery requests on misdemeanors crimes, such as driving while under the influence (DWI) and domestic violence:

- a. An Intoxilyzer Breath Alcohol Test Card;
- b. A Tow-In Report;
- c. The State of New Mexico Uniform Crash Report (if applicable); and
- d. Any video footage from on-body recording devices (OBRD).

12. Be signed into the phone system and be available to take incoming phone calls.

- a. If unavailable and a message is left, return the phone call.

6

D. The Court Services Unit Specialist shall:

1. Prepare case files for Department personnel by ensuring that the case files include all paperwork needed for prosecution, including, but not limited to:

- a. Any related Uniform Incident Report or Supplemental Reports;
- b. State of New Mexico Criminal Complaints and/or criminal summons;
- c. Related citations;
- d. Witness/victim statements;
- e. Entry of Appearance forms;
- f. OBRD videos;
- g. Notice of dismissal; and
- h. Any physical evidence.

2. When possible, provide case files to Department personnel three (3) or more business days before the court date as follows:

- a. Provide discovery to the defendant and/or defense attorney; and
- b. Deliver all paperwork that requires a certified hardcopy to the officer's gun locker room in the Bernalillo County Metropolitan Court.
  - i. Department personnel shall return the paperwork from the case files to the officer's gun locker room in the Bernalillo County Metropolitan Court or the Court Services Unit after the court hearing.

3. Provide discovery to the Law Office of the Public Defender and the DA's Office for all officer prosecution cases;

- a. If an attorney is not listed on the Notice of Trial for traffic (TR) cases, the case shall not be processed by Court Services Unit personnel.
  - i. Exceptions to this are as follows:
    - 1. Suspended or revoked government-issued driver's license;
    - 2. Careless or reckless driving;
    - 3. Traffic crashes; and
    - 4. Parking (PR) citation cases if an attorney is listed.



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4. Research and update case files as needed; and
5. Be signed into the phone system and be available to take incoming phone calls.
  - a. If unavailable and a message is left, return the phone call.

REDLINED



## **2-50 CRASH REVIEW BOARD (CRB)**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 1-95 Metro Traffic Division (Formerly 4-06 and 6-3)
- 2-47 Crashes Involving Police Vehicles (Formerly 1-18)
- 3-46 Discipline System (Formerly 1-09)

#### **B. Form(s)**

State of New Mexico Uniform Crash Report (UCR)

#### **C. Other Resource(s)**

National Highway Traffic Safety Administration (NHTSA)

#### **D. Rescinded Special Order(s)**

None

### **2-50-1 Purpose**

The purpose of this policy is to convene a Crash Review Board (CRB) to review and classify all Albuquerque Police Department-issued (Department) vehicle crashes as preventable or non-preventable. The CRB reviews all preventable crashes for cause analysis to prevent similar types of crashes in the future.

### **2-50-2 Policy**

It is the policy of the Department to provide guidelines for the CRB, which reviews all Department-issued vehicle crashes.

N/A

### **2-50-3 Definitions**

#### **A. Crash**

An unintended event resulting in injury or damage involving one (1) or more motor vehicles as defined by the National Highway Traffic Safety Administration (NHTSA).

#### **B. Non-Crash**

Damage caused by an intentional act that is not a crash, under normal driving conditions, which strikes a motor vehicle likely to cause damage. This includes, but is not limited to, a Pursuit Intervention (PIT) maneuver.



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**C. Non-Preventable Crash**

A crash that involved a motor vehicle that could not have been averted by an act, or failure to act, by the driver when the driver exercised normal judgment and foresight and was unable to avoid it or which steps would have risked causing another kind of mishap.

**D. Preventable Crash**

A crash in which the driver failed to do everything that reasonably could have been done to avoid the crash, and if a driver, who exercises normal judgment and foresight could have foreseen the possibility of the crash, and avoided it by taking steps within their control which would not have risked causing another kind of mishap.

**6 2-50-4 Rules**

**N/A** A. CRB personnel shall review all crashes involving Department-issued vehicles, to determine whether or not the crash was preventable or non-preventable. The CRB will not hear crashes that result in a fatality or serious injury, consistent with SOP Metro Traffic Division (refer to SOP Metro Traffic Division for sanction classifications and additional duties).

1. Fatal or serious injury crashes shall be reviewed by Traffic Division personnel who have been certified in crash reconstruction.

**B. Appointments to the CRB**

1. The CRB shall consist of:

- a. The Metro Traffic Division Commander (chairperson);
- b. The Metro Traffic Division Lieutenant;
- c. A Metro Traffic Division Sergeant;
- d. A Metro Traffic Division Officer;
- e. One (1) Operations Review Section employee who shall review crashes involving Department-issued vehicles; and
- f. The Department Safety Officer who serves as an ex officio member and provides technical assistance to the CRB, such as loss reduction and hazard elimination principles and recognized practices and principles applicable to the crash review process.

2. Each calendar year, the Metro Traffic Division Commander appoints members to the CRB as follows:

- a. The Metro Traffic Division Commander who acts as the chairperson;
- b. The Metro Traffic Division Lieutenant;
- c. A Metro Traffic Division Sergeant; and
- d. A Metro Traffic Division Officer.





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**SOP 2-50 (Formerly 3-66)**

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3. Department personnel serving in the following positions shall serve on the CRB on a permanent basis:

- a. The Department Safety Officer; and
- b. An Operations Review Section employee.

4. Department personnel serving in the following positions shall complete meeting packets for the CRB on a permanent basis:

- a. An Internal Affairs Professional Standards (IAPS) Division professional staff member; and
- b. A Metro Traffic Division Administrative Assistant.

**C. Reviewing Crashes that Involve Department-Issued Vehicles**

1. When reviewing Department-issued vehicle crashes, CRB personnel shall:

- a. Post a Department Memorandum in the Department's document management system with the date, time, and location the crash review board shall meet; and
  - i. The involved personnel's attendance at the CRB's vehicle crash review is voluntary; therefore, no overtime is authorized.
  - ii. Only the involved personnel shall be allowed to attend the CRB.
  - iii. Department personnel who were not involved in the crash shall not be permitted to attend the review.
  - iv. If the involved personnel does not wish to attend the CRB, CRB personnel shall rely on the facts and information in the UCR. CRB personnel may use photographs and video from the Department-issued vehicle crash investigation.
    - 1. CRB personnel shall have the authority to require the involved personnel to attend the CRB if they determine it is necessary to speak with the involved personnel to make a determination regarding the Department-issued vehicle crash. If involved personnel are required to attend the CRB, overtime is authorized.
  - v. When the involved personnel wants to appear at the CRB voluntarily but cannot attend due to scheduling conflicts, such as court hearings, calls for service, previously scheduled training, or vacation, the Traffic Division Lieutenant shall reschedule the review until the next CRB meeting;
    - 1. CRB personnel shall reschedule the review at the request of the involved personnel; and
    - 2. CRB personnel shall only allow the involved personnel one (1) continuance per crash.
- b. Review each Department-issued vehicle crash not resulting in a fatality or serious injury, and determine whether the crash was a preventable crash, a non-preventable crash, or a non-crash.
  - i. CRB personnel shall serve in an advisory capacity, having no disciplinary authority. The Chief of Police, or Superintendent of Police Reform, or their



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**N/A**

designee shall have the authority and responsibility to discipline subordinates.

ii. CRB personnel shall submit all CRB rulings to the Chief of Police, or Superintendent of Police Reform, or their designee.

iii. CRB's rulings are not subject to review or appeal.

iv. Rulings may include, but are not limited to:

**N/A**

1. Remedial or refresher training for the involved personnel;

2. Review or modification of the involved personnel's training or tactics;

3. Modification or re-evaluation of Department-issued vehicle or equipment;

4. Review or modification of Department policies and procedures; and

5. Evaluation of Department personnel for vision defects, stress-related problems, or other conditions affecting their fitness for duty.

2. The Chief of Police or Superintendent of Police Reform, or their designee shall have final authority to decide who shall review the case if a conflict in the CRB's determination occurs.

**D. Disciplinary Guidelines**

1. CRB personnel do not have disciplinary authority.

a. The Chief of Police, or Superintendent of Police Reform, or their designee shall have the authority and responsibility to discipline subordinates.

**6**

2. CRB personnel shall classify all preventable crashes as a Class 6 offense consistent with SOP Discipline System (refer to SOP Discipline System for sanction classifications and additional duties)

**N/A**

a. The Metro Traffic Division Administrative Assistant shall forward all CRB data to the IAPS Division, and the CRB.

b. The Chief of Police, or Superintendent of Police Reform, or their designee shall consider mitigating and aggravating circumstances when determining the amount of discipline to be imposed, as outlined in SOP Complaints Involving Department Personnel (refer to SOP Complaints Involving Department Personnel for sanction classifications and additional duties).

3. CRB personnel shall consider the incident a non-crash when a Department-issued vehicle's damage is limited to no more than one (1) tire or rim, whether intentional or accidental, and one (1) mounted spare tire can resolve the incident.

**N/A**

a. Department personnel shall report these incidents as outlined in SOP Crashes Involving Police Vehicles (refer to SOP Crashes involving Police Vehicles for sanction classifications and additional duties).

**E. Photographs for Review by the CRB**



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1. The Metro Traffic Division Administrative Assistant shall request all crash-related photographs from the Scientific Evidence Division (SED).
  - a. Once the Metro Traffic Division Administrative Assistant collects the crash-related photos, CRB personnel shall review them.

REDLINED



## **2-50 CRASH REVIEW BOARD (CRB)**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 1-95 Metro Traffic Division (Formerly 4-06 and 6-3)
- 2-47 Crashes Involving Police Vehicles (Formerly 1-18)
- 3-46 Discipline System (Formerly 1-09)

#### **B. Form(s)**

State of New Mexico Uniform Crash Report (UCR)

#### **C. Other Resource(s)**

National Highway Traffic Safety Administration (NHTSA)

#### **D. Rescinded Special Order(s)**

None

### **2-50-1 Purpose**

The purpose of this policy is to convene a Crash Review Board (CRB) to review and classify all Albuquerque Police Department-issued (Department) vehicle crashes as preventable or non-preventable. The CRB reviews all preventable crashes for cause analysis to prevent similar types of crashes in the future.

### **2-50-2 Policy**

It is the policy of the Department to provide guidelines for the CRB, which reviews all Department-issued vehicle crashes.

N/A

### **2-50-3 Definitions**

#### **A. Crash**

An unintended event resulting in injury or damage involving one (1) or more motor vehicles as defined by the National Highway Traffic Safety Administration (NHTSA).

#### **B. Non-Crash**

Damage caused by an intentional act that is not a crash, under normal driving conditions, which strikes a motor vehicle likely to cause damage ~~this includes, but is not limited to.~~ This includes, but is not limited to, a Pursuit Intervention (PIT) maneuver.



**C. Non-Preventable Crash**

A crash that involved a motor vehicle that could not have been averted by an act, or failure to act, by the driver when the driver exercised normal judgment and foresight and was unable to avoid it or which steps would have risked causing another kind of mishap.

**D. Preventable Crash**

A crash in which the driver failed to do everything that reasonably could have been done to avoid the crash, and if a driver, who exercises normal judgment and foresight could have foreseen the possibility of the crash, and avoided it by taking steps within their control which would not have risked causing another kind of mishap.

**6 2-50-4 Rules**

**N/A**

A. CRB personnel shall review all crashes involving Department-issued vehicles, to determine whether or not the crash was preventable or non-preventable. The CRB will not hear crashes that result in a fatality or serious injury, consistent with SOP Metro Traffic Division (refer to SOP Metro Traffic Division for sanction classifications and additional duties).

1. Fatal or serious injury crashes shall be reviewed by Traffic Division personnel who have been certified in crash reconstruction.

**B. Appointments to the CRB**

1. The CRB shall consist of:

- a. The Metro Traffic Division Commander (chairperson);
- b. The Metro Traffic Division Lieutenant;
- c. A Metro Traffic Division Sergeant;
- d. A Metro Traffic Division Officer;
- e. One (1) Operations Review Section employee who shall review crashes involving Department-issued vehicles; and
- f. The Department Safety Officer who serves as an ex officio member and provides technical assistance to the CRB, such as loss reduction and hazard elimination principles and recognized practices and principles applicable to the crash review process.

2. Each calendar year, the Metro Traffic Division Commander appoints members to the CRB as follows:

- a. The Metro Traffic Division Commander who acts as the chairperson;
- b. The Metro Traffic Division Lieutenant;
- c. A Metro Traffic Division Sergeant; and



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- d. A Metro Traffic Division Officer.
- 3. Department personnel serving in the following positions shall serve on the CRB on a permanent basis:
  - a. The Department Safety Officer; and
  - b. An Operations Review Section employee.
- 4. Department personnel serving in the following positions shall complete meeting packets for ~~serve in an advisory position on~~ the CRB on a permanent basis:
  - a. An Internal Affairs Professional Standards (IAPS) Division professional staff member ~~civilian employee~~; and
  - b. A ~~The~~ Metro Traffic Division Administrative Assistant.
- C. Reviewing Crashes that Involve Department-Issued Vehicles
  - 1. When reviewing Department-issued vehicle crashes, CRB personnel shall:
    - a. Post a Department Memorandum in the Department's document management system with the date, time, and location the crash review board shall meet; and ~~and~~
      - i. The involved personnel's attendance at the CRB's vehicle crash review is voluntary; therefore, no overtime is authorized.
      - ii. Only the involved personnel shall be allowed to attend the CRB.
      - iii. Department personnel who were not involved in the crash shall not be permitted to attend the review.
      - iv. If the involved personnel does not wish to attend the CRB, CRB personnel shall rely on the facts and information in the UCR. CRB personnel may use photographs and video from the Department-issued vehicle crash investigation.
        - 1. CRB personnel shall have the authority to require the involved personnel to attend the CRB if they determine it is necessary to speak with the involved personnel to make a determination regarding the Department-issued vehicle crash. If involved personnel are required to attend the CRB, no overtime is authorized.
      - v. When the involved personnel wants to appear at the CRB voluntarily but cannot attend due to scheduling conflicts, such as court hearings, calls for service, previously scheduled training, or vacation, the Traffic Division Lieutenant shall reschedule the review until the next CRB meeting;
        - 1. CRB personnel shall reschedule the review at the request of the involved personnel; and ~~and~~
        - 2. CRB personnel shall only allow the involved personnel one (1) continuance per crash.
    - b. Review each Department-issued vehicle crash not resulting in a fatality or serious injury, and determine whether the crash was a preventable crash, a non-preventable crash, or a non-crash.





ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-50 (Formerly 3-66)

CPOAB Draft 07/15/2024

N/A

- i. CRB personnel shall serve in an advisory capacity, having no disciplinary authority. The Chief of Police, or Superintendent of Police Reform, or their designee shall have the authority and responsibility to discipline subordinates.
- ii. CRB personnel shall submit all CRB rulings to the Chief of Police, or Superintendent of Police Reform, or their designee.
- ~~iii. Rulings of the CRB are not subject to review or appeal by any other existing Department boards.~~  
CRB's rulings are not subject to review or appeal by any other existing Department boards.
- ~~iv.iii. The involved personnel's Bureau Deputy Chief may override the CRB's findings.~~  
~~iv. Rulings may include, but are not limited to:~~
  1. Remedial or refresher training for the involved personnel;
  2. Review or modification of the involved personnel's training or tactics;
  3. Modification or re-evaluation of Department-issued vehicle or equipment;
  4. Review or modification of Department policies and procedures; and
  5. Evaluation of Department personnel for vision defects, stress-related problems, or other conditions affecting their fitness for duty.

N/A

2. The Chief of Police ~~or~~ or Superintendent of Police Reform, or their designee shall have final authority to decide who shall review the case if a conflict in the CRB's determination occurs.

D. Disciplinary Guidelines

1. CRB personnel do not have disciplinary authority.
  - a. The Chief of Police, or Superintendent of Police Reform, or their designee shall have the authority and responsibility to discipline subordinates.
2. CRB personnel shall classify all preventable crashes as a Class 6 offense consistent with SOP Discipline System (refer to SOP Discipline System for sanction classifications and additional duties)
  - a. The Metro Traffic Division Administrative Assistant shall forward all CRB data to the IAPS Division, and the CRB, ~~and the Civilian Police Oversight Agency (CPOA).~~
  - b. The Chief of Police, or Superintendent of Police Reform, or their designee shall consider mitigating and aggravating circumstances when determining the amount of discipline to be imposed, as outlined in SOP Complaints Involving Department Personnel (refer to SOP Complaints Involving Department Personnel for sanction classifications and additional duties).
3. CRB personnel shall consider the incident a non-crash when a Department-issued vehicle's damage is limited to no more than one (1) tire or rim, whether intentional or accidental, and one (1) mounted spare tire can resolve the incident.

6

N/A

N/A



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**SOP 2-50 (Formerly 3-66)**

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- a. Department personnel shall report these incidents as outlined in SOP Crashes Involving Police Vehicles (refer to SOP Crashes involving Police Vehicles for sanction classifications and additional duties).

~~F~~E. Photographs for Review by the CRB

1. The Metro Traffic Division Administrative Assistant shall request all crash-related photographs from the Scientific Evidence Division (SED).
  - a. Once the Metro Traffic Division Administrative Assistant collects the crash-related photos, CRB personnel shall review them.

REDLINED





## **2-21 APPARENT NATURAL DEATH/SUICIDE OF AN ADULT**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 2-73 Collection, Submission, and Disposition of Evidence and Property (Formerly 2-08)
- 2-92 Crimes Against Children Investigations (Formerly 2-33)

#### **B. Form(s)**

PD 3066 Apparent Natural Death Worksheet (In TraCS)

#### **C. Other Resource(s)**

None

#### **D. Rescinded Special Order(s)**

None

### **2-21-1 Purpose**

The purpose of this policy is to outline the procedures for Albuquerque Police Department (Department) personnel when responding to and investigating adult apparent natural deaths and suicides.

### **2-21-2 Policy**

It is the policy of the Department to investigate any adult apparent natural death or suicide to document the cause(s) of such deaths and to ensure that no evidence is lost or concealed.

### **N/A 2-21-3 Definitions**

#### **A. Natural Death**

Death caused by advanced age or disease as opposed to an accident or violence.

#### **B. Next of Kin**

The nearest adult relative, spouse, child, parent, or sibling of a person who has died.

### **7 2-21-4 Procedures**

#### **A. Apparent Natural Death**



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PROCEDURAL ORDERS

**SOP 2-21 (Formerly 3-22)**

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1. For all adult apparent natural death calls, except calls for service where a death occurs in a hospital, hospice care facility, or nursing home, sworn personnel shall:

- a. Secure the scene;
- b. Check for signs of life;
- c. Investigate the incident;
- d. Complete a Uniform Incident Report;
- e. Complete the Apparent Natural Death Worksheet;
- f. Call the Office of the Medical Investigator (OMI) for all unattended deaths, including apparent overdoses; and
  - i. Sworn personnel shall call a Crime Scene Specialist (CSS) to the scene if the OMI verifies the death to be suspicious.
  - ii. When questions arise about whether a death is suspicious or not, the reporting officer is encouraged to contact an on-duty or on-call Scientific Evidence Division (SED)/CSS supervisor for guidance.
- g. Coordinate with the OMI to make a death notification to the next of kin and document that they coordinated with the OMI in their Uniform Incident Report.
  - i. An officer shall only make a death notification to the next of kin when accompanied by another officer.
  - ii. Sworn personnel may request Emergency Communications Center (ECC) personnel to dispatch a Chaplain to assist in a death notification to the next of kin.
    1. Telephonic death notifications to the next of kin do not require a second officer.
    2. Telephonic death notifications should only be attempted when all other attempts at contact have been unsuccessful.

N/A

N/A

**B. Apparent Suicide or Accidental Death**

1. For apparent suicides or accidental deaths, sworn personnel shall:

- a. Secure the scene;
- b. Check for signs of life;
- c. Conduct a preliminary investigation;
  - i. Sworn personnel shall take statements from witnesses if witnesses are present.
- d. Complete a Uniform Incident Report;
- e. Request that a CSS respond to the scene;
  - i. After confirming through the OMI that the death is by suicide, only the investigating CSS shall make arrangements with the Evidence Unit for the release of evidence to the next of kin, consistent with SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence and Property for sanction classifications and additional duties).
  - ii. When questions arise about whether a death is suspicious or not, the reporting officer is encouraged to contact an on-duty or on-call Scientific Evidence Division (SED)/CSS supervisor for guidance.

N/A



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**SOP 2-21 (Formerly 3-22)**

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- f. Request that the OMI respond to the scene; and
  - i. Sworn personnel shall coordinate with the OMI to make a death notification to the next of kin and document the information in their Uniform Incident Report.
- g. Make the death notification to the next of kin when accompanied by another officer.
  - i. Sworn personnel may call a Chaplain to assist in a notification of death to the next of kin.
    - 1. Telephonic death notifications to the next of kin do not require a second officer.

N/A

N/A

- 2. The dispatched supervisor shall ensure that the investigation is comprehensive and complete.

N/A

- C. Crimes Against Children Unit (CACU) Detectives investigate child deaths when the child is seventeen (17) years old or younger, consistent with SOP Crimes Against Children Investigations (refer to SOP Crimes Against Children Investigations for sanction classifications and additional duties).



## **2-21 APPARENT NATURAL DEATH/SUICIDE OF AN ADULT**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 2-73 Collection, Submission, and Disposition of Evidence and Property (Formerly 2-08)
- 2-92 Crimes Against Children Investigations (Formerly 2-33)

#### **B. Form(s)**

PD 3066 Apparent Natural Death Worksheet (In TraCS)

#### **C. Other Resource(s)**

None

#### **D. Rescinded Special Order(s)**

None

### **2-21-1 Purpose**

The purpose of this policy is to outline the procedures for Albuquerque Police Department (Department) personnel when responding to and investigating adult apparent natural deaths and suicides.

### **2-21-2 Policy**

It is the policy of the Department to investigate any adult apparent natural death or suicide to document the cause(s) of such deaths and to ensure that no evidence is lost or concealed.

### **N/A 2-21-3 Definitions**

#### **A. Natural Death**

Death caused by advanced age or disease as opposed to an accident or violence.

#### **B. Next of Kin**

The nearest adult relative, spouse, child, parent, or sibling of a person who has died.

### **7 2-21-4 Procedures**

#### **A. Apparent Natural Death**



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PROCEDURAL ORDERS

SOP 2-21 (Formerly 3-22)

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1. For all adult apparent natural death calls, except calls for service where a death occurs in a hospital, hospice care facility, or nursing home, sworn personnel shall:

- a. Secure the scene;
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- c. Investigate the incident;
- d. Complete a Uniform Incident Report;
- e. Complete the Apparent Natural Death Worksheet;
- f. Call the Office of the Medical Investigator (OMI) for all unattended deaths, including apparent overdoses; and
  - i. Sworn personnel shall call a Crime Scene Specialist (CSS) to the scene if the OMI verifies the death to be suspicious.
  - ii. When questions arise about whether a death is suspicious or not, the reporting officer is encouraged to contact an on-duty or on-call Scientific Evidence Division (SED)/CSS supervisor for guidance.
- g. Coordinate with the OMI to make a death notification to the next of kin and document that they coordinated with the OMI in their Uniform Incident Report.
  - i. An officer shall only make a death notification to the next of kin when accompanied by another officer.
  - ii. Sworn personnel may request Emergency Communications Center (ECC) personnel to dispatch a Chaplain to assist in a death notification to the next of kin.
    1. Telephonic death notifications to the next of kin do not require a second officer.
    - ~~2.~~ Telephonic death notifications should only be attempted when all other attempts at contact have been unsuccessful.

N/A

N/A

B. Apparent Suicide or Accidental Death

1. For apparent suicides or accidental deaths, sworn personnel shall:

- a. Secure the scene;
- b. Check for signs of life;
- c. Conduct a preliminary investigation;
  - i. Sworn personnel shall take statements from witnesses if witnesses are present.
- d. Complete a Uniform Incident Report;
- e. Request that a CSS respond to the scene;
  - i. After confirming through the OMI that the death is by suicide, only the investigating CSS shall make arrangements with the Evidence Unit for the release of evidence to the next of kin, consistent with SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence and Property for sanction classifications and additional duties).
  - ~~ii.~~ When questions arise about whether a death is suspicious or not, the reporting officer is encouraged to contact an on-duty or on-call Scientific Evidence Division (SED)/CSS supervisor for guidance.

N/A



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**SOP 2-21 (Formerly 3-22)**

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- f. Request that the OMI respond to the scene; and
  - i. Sworn personnel shall coordinate with the OMI to make a death notification to the next of kin and document the information in their Uniform Incident Report.
- g. Make the death notification to the next of kin when accompanied by another officer.
  - i. Sworn personnel may call a Chaplain to assist in a notification of death to the next of kin.
    - 1. Telephonic death notifications to the next of kin do not require a second officer.

N/A

N/A

- 2. The dispatched supervisor shall ensure that the investigation is comprehensive and complete.

N/A

- C. Crimes Against Children Unit (CACU) Detectives investigate child deaths when the child is seventeen (17) years old or younger, consistent with SOP Crimes Against Children Investigations (refer to SOP Crimes Against Children Investigations for sanction classifications and additional duties).



## **2-83 HOSPITAL PROCEDURES AND RULES**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 2-16 Reports (Formerly 1-05)
- 2-78 Domestic Abuse Investigations (Formerly 4-25)
- 2-82 Restraints and Transportation of Individuals (Formerly 2-19)

#### **B. Form(s)**

Criminal Complaint  
APD Pre-Booking Worksheet

#### **C. Other Resource(s)**

None

#### **D. Rescinded Special Order(s)**

SO 23-99 Amendment to SOP 2-83 Hospital Procedures and Rules  
SO 24-06 Amendment to SOP 2-83 Hospital Procedures and Rules

### **2-83-1 Purpose**

The purpose of this policy is to outline the procedures Albuquerque Police Department (Department) sworn personnel and Prisoner Transport Unit (PTU) personnel must follow when taking in-custody individuals to a hospital, including those individuals who have been admitted into a hospital facility for an extended period of time.

### **2-83-2 Policy**

It is the policy of the Department to ensure that medical care is provided to in-custody individuals and intoxicated persons when such care is needed based on approved medical and legal procedures.

**N/A**

### **2-83-3 Definition**

#### **A. Intoxicated Person**

A person whose mental or physical functioning is substantially impaired due to the use of drugs and/or alcohol and the person has become disorderly or unable to care for their safety.



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**SOP 2-83 (Formerly 2-11)**

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**B. Guard**

For the purpose of this policy, sworn or PTU personnel assigned to watch over an in-custody individual, to prevent them from leaving hospital facilities, and to control their access to non-medical staff.

**C. District Attorney Bridge Team**

An Office of the Second Judicial District Attorney team that meets daily to review caseloads.

**D. Violent Felony**

For the purpose of this Standard Operating Procedure (SOP), means a homicide; criminal sexual penetration; robbery with a deadly weapon; kidnapping/false imprisonment; felony aggravated battery inflicting great bodily harm and/or death; or aggravated assault with a deadly weapon, and shooting at or from a dwelling.

**6 2-83-4 Rules**

**A. Hospital Guard Duty Call for Service Determination**

**N/A**

1. Supervisors may consider having the arresting sworn personnel issue a criminal summons or submit the case to the District Attorney (DA)'s Office for prosecution as an alternative to guarding any non-violent in-custody individual suspected of committing a misdemeanor crime.
2. When sworn personnel transport an individual who is in custody for a felony crime to a hospital facility for medical treatment and hospital staff inform the officer that they will admit the individual to the hospital facility, sworn personnel shall:
  - a. Notify their immediate supervisor; and
  - b. Complete a Pre-Booking Worksheet and Criminal Complaint form.
    - i. If applicable, sworn personnel shall have a copy of any confirmed warrants.
3. The immediate supervisor shall notify the on-duty Watch Commander of the in-custody individual's admission to a hospital facility.
4. The on-duty Watch Commander shall:
  - a. Determine if the individual shall remain in custody if Department personnel transported them from the Prisoner Transport Center or other detention centers to a hospital facility, and Metropolitan Court personnel have stamped their Pre-Booking Worksheet as release on recognizance (ROR);
  - b. Have the discretion to cancel guard duty and release from custody, individuals with non-violent felony charges after they have reviewed and considered the following:





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**N/A**

**N/A**

- i. The Criminal Complaint;
    - ii. The facts of the case;
    - iii. The severity of the crime;
    - iv. The individual's previous criminal history; and
    - v. Whether they believe the individual is a danger to the community based upon their current medical status.
  - c. If the on-duty Watch Commander wants an additional review, they may request a further review from the Office of the DA's Bridge Team (Bridge Team).
    - i. The Bridge Team will determine whether the individual will remain in custody.
  - d. If it is determined that the individual shall be released at the hospital, the on-duty Watch Commander will ensure the charging officer submits the case to the DA for prosecution before the end of their shift consistent with SOP Submission of Felony Cases to the District Attorney (refer to SOP Submission of Felony Cases to the District Attorney for sanction classifications and additional duties).
  - e. Notify the affected Area Commander before the end of their shift that the individual was released from custody, and which steps were taken to make the determination.
  - f. If the on-duty Watch Commander is unsure if the prisoner meets the criteria for release, the on-duty Watch Commander shall consult with the affected Area Commander and the on-call Duty Chief.
  - g. Complete a memo to the affected Deputy Chief regarding the circumstances surrounding the release from custody.
5. Sworn or PTU personnel shall notify the hospital facility charge nurse and security personnel when the individual is being released from police custody, and any police restrictions on the individual are lifted.

**N/A**

**B. Domestic Abuse**

Department personnel shall not leave an individual in custody for domestic abuse unguarded at a hospital facility as outlined in SOP Domestic Abuse Investigations (refer to SOP Domestic Abuse Investigations for sanction classifications and additional duties).

**C. Hospital Guard Duty Rotation Cycle**

1. The hospital guard-duty rotation schedule takes effect at midnight on the first of each month and shall rotate as follows:
  - a. January is the Southwest Area Command;
  - b. February is the Foothills Area Command;
  - c. March is the Northeast Area Command;
  - d. April is the Southeast Area Command;
  - e. May is the University Area Command;
  - f. June is the Valley Area Command;
  - g. July is the Northwest Area Command;



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- h. August is the Southwest Area Command;
- i. September is the Foothills Area Command;
- j. October is the Northeast Area Command;
- k. November is the Southeast Area Command; and
- l. December is the University Area Command.

**D. Hospital Guard Duty Assignments**

1. PTU personnel shall be responsible for the first (1<sup>st</sup>) in-custody individual admitted into any hospital or medical facility.
  - a. PTU personnel shall only assume guard duty once an in-custody individual has been admitted and moved to a hospital room.
  - b. When PTU personnel are unable to accommodate guard duty responsibilities due to staffing levels, area command personnel scheduled for hospital guard duty that month shall be responsible for guarding the in-custody individual until PTU personnel are able to cover the guard duty shift.
2. When a second (2<sup>nd</sup>) in-custody individual is taken to any hospital, the area command scheduled for hospital guard duty that month is responsible for guarding the second (2<sup>nd</sup>) in-custody individual.
3. If there is a third (3<sup>rd</sup>) in-custody individual taken to any hospital, area command personnel that are scheduled for the following month shall assume hospital guard duty for the third (3<sup>rd</sup>) prisoner.
  - a. This order shall continue for the fourth (4<sup>th</sup>) and subsequent in-custody individuals.
4. At no time shall area command personnel be responsible for more than one (1) in-custody individual in any given month.
5. If area command personnel for the current month are relieved of their hospital guard duty during their assigned month, and there are area command personnel from the following months who are guarding an in-custody individual, it is area command personnel who are responsible for that current month's hospital guard duty to relieve that area command's personnel.

**7**

**2-83-5**

**Procedures**

**A. In-Custody Individual Requiring Non-Emergency Medical Treatment**

**N/A**

1. Sworn personnel shall transport the in-custody individual to a hospital within the Department's jurisdiction before booking. Sworn personnel shall follow the procedures outlined in SOP Restraints and Transportation of Individuals when transporting the in-custody individual (refer to SOP Restraints and Transportation of Individuals for sanction classifications and additional duties).



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- a. If the in-custody individual has insurance that ensures their care at a specific hospital or prefers a particular hospital, sworn personnel shall transport the individual to that hospital. This procedure applies as long as the hospital is within the Department's jurisdiction.

**B. In-Custody Individual Requiring Emergency Medical Treatment**

1. Sworn personnel shall ensure when an in-custody individual needs emergency medical treatment, the in-custody individual is transported by ambulance only.
2. When possible, sworn personnel shall ensure that the in-custody individual's identification documentation is available for ambulance and hospital personnel.
  - a. If identification papers are unavailable, sworn personnel shall provide any available identification information, such as the in-custody individual's name and date of birth, to ambulance and hospital personnel.
3. In all cases involving emergency medical services (EMS) personnel, sworn personnel shall defer to their choice of a hospital.

**6**

**C. Securing Weapons at Hospitals**

1. If sworn or PTU personnel are injured or wounded and are admitted to a hospital facility, their weapon(s) shall be secured by the accompanying sworn or PTU personnel or a supervisor.
2. If sworn or PTU personnel are called to a hospital for any event that requires them to take law enforcement action, they shall remain armed. This includes when they must enter the interior of the hospital.
3. If sworn or PTU personnel are not responding to a call at a hospital but are on official business, they shall remain armed.

**D. Sworn or PTU Personnel's Responsibility While on Hospital Guard Duty Assignments**

1. Sworn or PTU personnel who assume hospital guard duty shall:
  - a. Ensure that all arresting documentation is present at the start of their hospital guard duty shift;
    - i. If the arresting documentation is not with the in-custody individual, the sworn or PTU personnel who assume hospital guard duty shall contact the original arresting officer or detective to ensure those documents are on hand.
  - b. Restrain in-custody individuals at all times, and this includes when hospital staff move the in-custody individual to another location within the hospital facility or when the individual uses the restroom and shower facilities. Sworn personnel may use either handcuffs or leg shackles, depending on the circumstances and the individual's condition;

**5**

**N/A**



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**N/A**

- i. Exceptions may be made for medical requirements, the elderly, or other individuals with physical handicaps that prevent using handcuffs or leg shackles.
- ii. Department personnel shall carefully evaluate the circumstances when determining whether exceptions apply. The nature of an in-custody individual's illness, injury, or physical handicap when considering the level of threat the in-custody individual poses to Department personnel.
- iii. Department personnel are reminded that partial restraint is preferred to having an in-custody individual not restrained at all. This principle applies to both handcuffs and leg shackles, where feasible and appropriate, to maintain security while ensuring the dignity and well-being of the individual in custody.
- c. Prohibit in-custody individuals from using any hospital telephones or cell phones;
  - i. Sworn or PTU personnel shall ensure all telephones are removed from the hospital room;
- d. Verify that only plastic utensils are used for meals and shall ensure that they collect all utensils and straws at the end of each meal;
  - i. Department personnel shall only order meals for in-custody individuals in person through hospital personnel.
- e. Request to transfer the in-custody individual to another hospital room as soon as possible if the safety or security of an in-custody individual becomes compromised;
- f. Prohibit visits from the in-custody individual's family members and friends unless exigent circumstances exist and the visit has been pre-approved by the Bureau Deputy Chief or the on-call duty Chief;
- g. Permit in-custody individual's attorney to visit;
  - i. Before meeting with the arrestee, the attorney must consent to a pat-down search for weapons, as well as other items that the in-custody individual is not allowed access to, as outlined in this policy.
- h. Document all visits in a supplemental report to the initial Uniform Incident Report by the end of shift. The report should include the name and relationship of the visitor to the in-custody individual; and
  - i. Advise anyone who asks them to deviate from the requirements in this Standard Operating Procedure (SOP) that they are prohibited from doing so.

**5**

- 2. Sworn personnel shall not leave an in-custody individual unattended at a hospital or medical facility.
  - a. When feasible, sworn personnel shall maintain line-of-sight supervision of the in-custody individual.
  - b. If the in-custody individual has a medical isolation order, sworn personnel shall perform visual checks of the in-custody individual every fifteen (15) minutes.



E. Protective Custody of Intoxicated Persons

**N/A**

1. Sworn personnel may transport intoxicated persons who have become disorderly to a health care facility for protective custody when it appears that the intoxicated person:
  - a. Has no local residence;
  - b. The intoxicated person is unable to care for their safety; or
  - c. Is a danger to others if not taken into protective custody.

**N/A**

2. Sworn personnel may transport intoxicated persons to the Comprehensive Assessment Recover through Excellence (CARE) Campus Detox (formerly Metropolitan Assessment and Treatment (MATS) as long as they are non-violent and are medically cleared for admission.

- a. Intoxicated persons must be able to walk under their own power.

3. Sworn personnel shall take an individual to the nearest health care facility within Bernalillo County if an individual discloses that they are using prescription medication and do not have it in their possession.

**N/A**

4. Sworn personnel shall complete a Uniform Incident Report on all protective custody incidents by the end of their shift, consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties).



## **2-83 HOSPITAL PROCEDURES AND RULES**

### **Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

#### **A. Related SOP(s)**

- 2-16 Reports (Formerly 1-05)
- 2-78 Domestic Abuse Investigations (Formerly 4-25)
- 2-82 Restraints and Transportation of Individuals (Formerly 2-19)

#### **B. Form(s)**

Criminal Complaint  
APD Pre-Booking Worksheet

#### **C. Other Resource(s)**

None

#### **D. Rescinded Special Order(s)**

[SO 23-99 Amendment to SOP 2-83 Hospital Procedures and Rules](#)  
[SO 24-06 Amendment to SOP 2-83 Hospital Guard Duty and Rotation Cycle Procedures and Rules](#)

~~SO 21-04 Hospital Guard Duty and Rotation Procedures~~  
~~SO 22-08 Hospital Guard Duty and Rotation Procedures~~

### **2-83-1 Purpose**

The purpose of this policy is to outline the procedures Albuquerque Police Department (Department) sworn personnel and ~~Prisoner Transport Unit~~ Prisoner Transport Unit (PTU) personnel must follow when taking in-custody individuals to a hospital, including those individuals who have been admitted into a hospital facility for an extended period of time.

### **2-83-2 Policy**

It is the policy of the Department to ensure that medical care is provided to in-custody individuals and intoxicated persons when such care is needed based on approved medical and legal procedures.

N/A

### **2-83-3 Definition**

#### **A. Intoxicated Person**

A person whose mental or physical functioning is substantially impaired due to the use of drugs and/or alcohol and the person has become disorderly or unable to care for





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their safety.

B. Guard

For the purpose of this policy, sworn or ~~Prisoner Transport Unit~~ PTU personnel ~~who have been assigned to watch over an in-custody individual, to prevent them in-custody individual from leaving hospital facilities, and to control their access to the in-custody individual from non-medical staff.~~

C. District Attorney Bridge Team

An Office of the Second Judicial District Attorney team that meets daily to review caseloads.

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D. Violent Felony

For the purpose of this Standard Operating Procedure (SOP), means a homicide; criminal sexual penetration; robbery with a deadly weapon; kidnapping/false imprisonment; felony aggravated battery inflicting great bodily harm and/or death; or aggravated assault with a deadly weapon, and shooting at or from a dwelling. ~~For the purpose of this Standard Operating Procedure (SOP), means a homicide; criminal sexual penetration; robbery with a deadly weapon; kidnapping/false imprisonment; felony aggravated battery inflicting great bodily harm and/or death; or aggravated assault with a deadly weapon, and shooting at or from a dwelling.~~

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2-83-4 Rules

A. Hospital Guard Duty Call for Service Determination

N/A

1. Supervisors may consider having the arresting sworn personnel issue a criminal summons or submit the case to the District Attorney (DA)'s Office for prosecution as an alternative to guarding any non-violent in-custody individual suspected of committing a misdemeanor crime.
2. When sworn personnel transport an individual who is in custody for a felony crime to a hospital facility for medical treatment and hospital staff informs the officer that they will admit the individual to the hospital facility, sworn personnel shall:
  - a. Notify their immediate supervisor; and
  - b. Complete a Pre-Booking Worksheet and Criminal Complaint form.
    - i. If applicable, sworn personnel shall have a copy of any confirmed warrants.



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3. The immediate supervisor shall notify the on-duty Watch Commander of the in-custody individual's admission to a hospital facility.
4. The on-duty Watch Commander shall:
  - a. Determine if the individual shall remain in custody if Department personnel transported them from the Prisoner Transport Center or other detention centers to a hospital facility, and Metropolitan Court personnel have stamped their Pre-Booking Worksheet as release on recognizance (ROR);
  - b. Have the discretion to cancel guard duty and release from custody, individuals with non-violent felony charges after they have reviewed and considered the following: ~~Contact the on-call DA and provide them with the following information and documentation:~~
    - i. The Criminal Complaint;
    - ii. The facts of the case;
    - iii. The severity of the crime;
    - iv. The individual's previous criminal history; and
    - v. Whether they believe the individual is a danger to the community based upon their current medical status.
  - c. If the on-duty Watch Commander wants an additional review, they may request a further review from the Office of the DA's Bridge Team (Bridge Team).
    - i. The Bridge Team will determine whether the individual will remain in-custody.
  - d. If it is determined that the individual shall be released at the hospital, the on-duty Watch Commander ensure will ensure the charging officer submits the case to the DA for prosecution before the end of their shift ~~the charging officer submits the case to the DA for prosecution before the end of their shift~~ consistent with SOP Submission of Felony Cases to the District Attorney (refer to SOP Submission of Felony Cases to the District Attorney for sanction classifications and additional duties).
  - e. Notify the affected Area Commander before the end of their shift that the individual was removed released from custody, and which steps which were taken to make the determination.
  - f. If the on-duty Watch Commander is unsure if the prisoner meets the criteria for release, the on-duty Watch Commander shall consult with the affected Area Commander and the on-call Duty Chief.
  - g. Complete a memo to the affected Deputy Chief regarding the circumstances surrounding the release from custody.
  - d.
5. ~~When the on-call DA does not feel comfortable making the decision whether to release the individual or maintain custody at the time that the in-custody individual is admitted into the hospital facility, the on-call DA will forward the information to the Bridge Team for their formal determination.~~

~~The Bridge Team meets daily and will be responsible for making the final determination.~~

N/A

N/A

N/A





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- ~~— If the Bridge Team advises that a hospital guard duty guard call for service is necessary, sworn personnel shall continue the hospital guard duty per the hospital duty on-call rotation listed in this Standard Operation Procedure (SOP).~~
- ~~— If the Bridge Team advises that the in-custody individual's history and circumstances of their arrest do not necessitate a hospital guard duty call for service, Department personnel shall no longer be assigned to guard the individual, and the individual shall be released to the hospital facility.~~

~~11. If the on-duty Watch Commander and the on-call DA are unable to make a determination by the end of the on-duty Watch Commander's work shift, they shall notify the incoming Watch Commander for the affected area command.~~

- ~~— The Watch Commander for the affected area command shall follow the above steps until the Bridge Team has made the final decision.~~

5. Sworn or Prisoner Transport Unit PTU personnel shall notify the hospital facility charge nurse and security personnel when the individual is being released from police custody, and any police restrictions on the individual are lifted.

N/A

B. Domestic Abuse ~~Violence~~

Department personnel shall not leave an individual in custody for domestic abuse ~~violence~~ unguarded at a hospital facility as outlined in SOP Domestic Abuse Investigations ~~Violence~~ (refer to SOP Domestic Abuse Investigations ~~Violence~~ for sanction classifications and additional duties).

C. Hospital Guard Duty Rotation Cycle

1. The hospital guard-duty rotation schedule takes effect at midnight on the first of each month and shall rotate as follows:
  - a. January is the ~~Northeast~~ Southwest Area Command;
  - b. February is the ~~Southeast~~ Foothills Area Command;
  - c. March is the ~~Valley~~ Northeast Area Command;
  - d. April is the ~~Northwest~~ Southeast Area Command;
  - e. May is the ~~Southwest~~ University Area Command;
  - f. June is the ~~Foothills~~ Valley Area Command;
  - g. July is the ~~Northeast~~ Northwest Area Command;
  - h. August is the ~~Southeast~~ Southwest Area Command;
  - i. September is the ~~Valley~~ Foothills Area Command;
  - j. October is the ~~Northwest~~ Northeast Area Command;
  - k. November is the ~~Southwest~~ Southeast Area Command; and
  - l. December is the ~~Foothills~~ University Area Command.

D. Hospital Guard Duty Assignments



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1. ~~Prisoner Transport Unit~~ PTU personnel shall be responsible for the first (1<sup>st</sup>) in-custody individual admitted into any hospital or medical facility.
    - a. PTU personnel shall only assume guard duty once an in-custody individual has been admitted and moved to a hospital room.
    - b. When PTU personnel are unable to accommodate guard duty responsibilities due to staffing levels, area command personnel scheduled for hospital guard duty that month shall be responsible for guarding the in-custody individual until PTU personnel are able to cover the guard duty shift.
  2. When a second (2<sup>nd</sup>) in-custody individual is taken to any hospital, the area command scheduled for hospital guard duty that month is responsible for guarding the second (2<sup>nd</sup>) in-custody individual.
  3. If there is a third (3<sup>rd</sup>) in-custody individual taken to any hospital, area command personnel that are scheduled for the following month shall assume hospital guard duty for the third (3<sup>rd</sup>) prisoner.
    - a. This order shall continue for the fourth (4<sup>th</sup>) and subsequent in-custody individuals.
- ~~4.~~ 5. At no time shall area command personnel be responsible for more than one (1) in-custody individual in any given month.
- ~~5.~~ 6. If area command personnel for the current month are relieved of their hospital guard duty during their assigned month, and there are area command personnel from the following months who ~~that~~ are guarding an in-custody individual, it is area command personnel who are responsible for that current month's hospital guard duty to relieve that area command's personnel.

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2-83-5

**Procedures**

A. In-Custody Individual Requiring Non-Emergency Medical Treatment

N/A

1. Sworn personnel shall transport the in-custody individual to a hospital within the Department's jurisdiction before booking. Sworn personnel shall follow the procedures outlined in SOP Restraints and Transportation of Individuals when transporting the in-custody individual (refer to SOP Restraints and Transportation of Individuals for sanction classifications and additional duties).
  - ~~b.~~ a. If the in-custody individual has insurance that ensures their care at a specific hospital or prefers a particular hospital, sworn personnel shall transport the individual to that hospital. This procedure applies as long as the hospital is within the Department's jurisdiction.

B. In-Custody Individual Requiring Emergency Medical Treatment



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1. Sworn personnel shall ensure when an in-custody individual needs emergency medical treatment, the in-custody individual is transported by ambulance only.
2. When possible, sworn personnel shall ensure that the in-custody individual's identification documentation is available for ambulance and hospital personnel.
  - a. If identification papers are unavailable, sworn personnel shall provide any available identification information, such as the in-custody individual's name and date of birth, to ambulance and hospital personnel.
3. In all cases involving emergency medical services (EMS) personnel, sworn personnel shall defer to their choice of a hospital.

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C. Securing Weapons at Hospitals

1. If sworn or ~~Prisoner Transport Unit~~PTU personnel are injured or wounded and are admitted to a hospital facility, their weapon(s) shall be secured by the accompanying sworn or ~~Prisoner Transport Unit~~PTU personnel or a supervisor.
2. If sworn or ~~Prisoner Transport Unit~~PTU personnel are called to a hospital for any event that requires them to take law enforcement action, they shall remain armed. This includes when they must enter the interior of the hospital.
3. If sworn or ~~Prisoner Transport Unit~~PTU personnel are not responding to a call at a hospital but are on official business, they shall remain armed.

D. Sworn or ~~Prisoner Transport Unit~~PTU Personnel's Responsibility While on Hospital Guard Duty Assignments

1. Sworn or ~~Prisoner Transport Unit~~PTU personnel who assume hospital guard duty shall:
  - a. Ensure that all arresting documentation is present at the start of their hospital guard duty shift;
  - ~~b. i.~~ If the arresting documentation is not with the in-custody individual, the sworn or ~~Prisoner Transport Unit~~PTU personnel who assume hospital guard duty shall contact the original arresting officer or detective to ensure those documents are on hand.
  - ~~e. b.~~ Restrain in-custody individuals at all times, and this includes when hospital staff move the in-custody individual to another location within the hospital facility or when the individual uses the restroom and shower facilities; ~~In situations where restraint is necessary, Sworn personnel officers may use either handcuffs or leg shackles, depending on the circumstances and the individual's condition;~~

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N/A



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N/A

- i. Exceptions may be made for medical requirements, the elderly, or other individuals with physical handicaps that prevent using handcuffs or leg shackles.
- ii. Department personnel shall carefully evaluate the circumstances when determining whether exceptions apply. The nature of an in-custody individual's illness, injury, or physical handicap when considering the level of threat the in-custody individual poses to Department personnel.
- iii. Department personnel are reminded that partial restraint is preferred to having an in-custody individual not restrained at all. This principle applies to both handcuffs and leg shackles, where feasible and appropriate, to maintain security while ensuring the dignity and well-being of the individual in custody.
- ~~e.c.~~ Prohibited in-custody individuals from using any hospital telephones or cell phones;
  - i. Sworn or ~~Prisoner Transport Unit~~ PTU personnel shall ensure all telephones are removed from the hospital room;
- ~~e.d.~~ Verify that only plastic utensils are used for meals and shall ensure that they collect all utensils and straws at the end of each meal;
  - i. Department personnel shall only order meals for in-custody individuals in person through hospital personnel.
- ~~f.e.~~ Request to transfer the in-custody individual to another hospital room as soon as possible if the safety or security of an in-custody individual becomes compromised;
- ~~f.~~ Prohibit visits from the in-custody individual's family members and ~~friends; and~~
  - ii. Unless exigent circumstances exist and the visit has been pre-approved by the Bureau Deputy Chief or the on-call duty Chief;
- ~~f.~~
- ~~g.~~ Permit in-custody individual's attorney is able to visit with prisoner;
  - i. Before meeting with the arrestee, the attorney must consent to a pat-down search for weapons, as well as other items that the in-custody individual is not allowed access to, as outlined above in this policy.
- ~~h.~~ All visits will be documented in a supplemental report to the initial Uniform Incident Report original arrest by the end of shift. The report should include the name and relationship of the visitor to the in-custody individual; and
- ~~g.i.~~ Advise anyone who asks them to deviate from the requirements in this Standard Operating Procedure (SOP) that they are prohibited from doing so.

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2. Sworn personnel shall not leave an in-custody individual unattended at a hospital or medical facility.
  - a. When feasible, sworn personnel shall maintain line-of-sight supervision of the in-custody individual.
  - b. If the in-custody individual has a medical isolation order, sworn personnel shall perform visual checks of the in-custody individual every fifteen (15) minutes.



~~b.~~

E. Protective Custody of Intoxicated Persons

**N/A**

1. Sworn personnel may transport intoxicated persons who have become disorderly to a health care facility for protective custody when it appears that the intoxicated person:

- a. Has no local residence;
- b. The intoxicated person is unable to care for their safety; or
- c. Is a danger to others if not taken into protective custody.

**N/A**

2. Sworn personnel may transport intoxicated persons to the Comprehensive Assessment Recover through Excellence (CARE) Campus Detox (formerly Metropolitan Assessment and Treatment (MATS)) as long as they are non-violent and are medically cleared for admission.

- a. Intoxicated persons must be able to walk under their own power.

3. Sworn personnel shall take an individual to the nearest health care facility within Bernalillo County if an individual discloses that they are using prescription medication and do not have it in their possession.

**N/A**

4. Sworn personnel shall complete a Uniform Incident Report on all protective custody incidents by the end of their shift, consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties).



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SOP 1-6 (Formerly 4-15)

Effective: 01/23/2024 Review: 01/23/2025 Replaces: 06/28/2022

## 1-6 PATROL RIDE-ALONG PROGRAM

### Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

#### A. Related SOP(s)

[1-12 Volunteer and Internship Programs \(Formerly 1-45\)](#)

#### B. Form(s)

Confidentiality Agreement Form  
Liability Waiver Agreement Form  
PD 1002 Ride-Along Request Form

#### C. Other Resource(s)

City of Albuquerque One Albuquerque Volunteers Program

#### D. Rescinded Special Order(s)

Amendment to SOP 1-6 Patrol Ride-Along Program

### 1-6-1 Purpose

The purpose of the Patrol Ride-Along Program is to provide education and training for professional staff members and community members involved with the Albuquerque Police Department (Department).

### 1-6-2 Policy

It is the policy of the Department to provide ride-alongs for professional staff members and community members as an opportunity to advance their knowledge of law enforcement.

### N/A 1-6-3 Definitions

None

### N/A 1-6-4 Rules

#### A. Eligibility for Participation in the Patrol Ride-Along Program

1. The Patrol Ride-Along Program is neither a public relations program nor is it intended to satisfy a community member's curiosity about police work.
2. Professional Staff members and community members are permitted to participate in patrol ride-alongs for the purpose of meeting their training and educational needs.





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Effective: 01/23/2024 Review: 01/23/2025 Replaces: 06/28/2022

3. A professional staff member or community member who wants to participate in the Patrol Ride-Along Program must be eligible for the Department's Volunteer Program or Internship Program, consistent with SOP Volunteer and internship Programs, and belong to one (1) of the following qualifying groups:
  - a. Another law enforcement agency;
  - b. Civilian Police Oversight Agency (CPOA);
  - c. Civilian Police Oversight Agency Board (CPOAB);
  - d. Community Policing Council (CPC);
  - e. A Professional Staff member;
  - f. Police Officer applicant;
  - g. A volunteer in the Department's Chaplain Unit;
  - h. A volunteer in the Department's Volunteer Program;
  - i. An intern in the Department's Intern Program; or
  - j. With approval from the Office of the Chief of Police.
4. A professional staff member, community member, or Police Service Aide (PSA) applicant who applies to participate in the Patrol Ride-Along Program who is under the age of eighteen (18) is only eligible for a ride-along through the PSA program.
5. A professional staff member or community member shall only be permitted to participate in two (2) patrol ride-alongs per year.
6. A member of the CPOA and the CPOAB is permitted to participate in two (2) ride-alongs every six (6) months.

B. Unauthorized Patrol Ride-Along

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1. Officers and PSAs shall abide by the Patrol Ride-Along requirements prior to authorizing any community member or professional staff member to ride along on patrol.

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1-6-5

**Procedures**

A. Submission of Ride-Along Request Form

N/A

1. A community member must register to participate through [oneabqvolunteers.com](https://oneabqvolunteers.com) consistent, with SOP Volunteer and Internship Program (refer to SOP Volunteer and Internship Program for sanction classifications and additional duties), including completion of the Liability Waiver Form and the Confidentiality Agreement Form.
2. The Volunteer Coordinator-must submit a completed Ride-Along Request Form to the area commander or their designee prior to their scheduled ride-along.



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Effective: 01/23/2024 Review: 01/23/2025 Replaces: 06/28/2022

- a. The Volunteer Coordinator shall track all ride-along forms to ensure a professional staff member or community member, except for the CPOA and CPOAB does not exceed two (2) patrol ride-alongs per year.

B. Control by Area Commander

1. An Area Commander or their designee shall schedule the ride-along and shall assign the officer who will take the professional staff member or community member on a ride-along.
2. An Area Commander may establish additional requirements that are necessary to carry out the Patrol Ride-Along Program.
3. A professional staff member, community member, or CPOA member shall not be permitted to participate in a ride-along prior to submission of the Ride-Along Request Form and approval from an Area Commander or their designee.

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