

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

1:14-cv-1025 JB/JFR

THE CITY OF ALBUQUERQUE,

Defendant,

v.

**THE ALBUQUERQUE POLICE
OFFICERS' ASSOCIATION,**

Intervenor.

**NOTICE OF FILING ALBUQUERQUE POLICE DEPARTMENT'S
TWENTIETH PROGRESS AND STATUS REPORT**

COMES NOW, Defendant City of Albuquerque, and hereby files the attached “Progress and Status Summary of the USDOJ Settlement Agreement Entered into by the United States of America and the City of Albuquerque Regarding the Albuquerque Police Department Twentieth Reporting Period, February 1, 2024 to July 31, 2024.” (Exhibit A).

Paragraph 319 of the Third Amended and Restated Court-Approved Settlement Agreement (“CASA”), Doc. 988-2 requires, “Within six months of the Operational Date, APD agrees to file a status report with the Court, with a copy also provided to the Monitor and DOJ. This report shall delineate the steps taken by APD during the reporting period to implement this Agreement; APD’s assessment of the status of its progress; plans to correct any problems; and response to any

concerns raised in the Monitor’s previous report. Beginning with the Monitor’s first report, and following the schedule for Monitor reports in Paragraph 308, APD agrees to file a status report one month before the Monitor reports are due, for the duration of this Agreement.”

The Albuquerque Police Department respectfully submits this “Progress and Status Summary of the USDOJ Settlement Agreement Entered into by the United States of America and the City of Albuquerque Regarding the Albuquerque Police Department Twentieth Reporting February 1, 2024 to July 31, 2024” as Exhibit A, which the City now files with the Court as required by Paragraph 319 of the CASA.

Respectfully submitted:

Defendant City of Albuquerque

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CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2024, I filed the foregoing pleading electronically through the CM/ECF system which caused all parties or counsel and the Independent Monitor to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

/s/ Taylor S. Rahn

Taylor S. Rahn

**Progress and Status Summary of the USDOJ Settlement Agreement
Entered into by the United States of America and the City of Albuquerque
Regarding the Albuquerque Police Department
Twentieth Reporting Period**

February 1, 2024 to July 31, 2024

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Acronym List

AAR After Action Report
 ACS Albuquerque Community Safety
 BSS Behavioral Sciences Section
 BNMM Black New Mexico Movement
 CAC Crimes Against Children
 CAD Computer-Aided Dispatch
 CARE Child Abuse Response Evaluators
 CASA Court Approved Settlement Agreement
 CIS Crisis Intervention Section
 CIU Crisis Intervention Unit
 CJCC Criminal Justice Coordinating Council
 CNT Crisis Negotiation Team
 COAST Crisis Outreach and Support Team
 COD Compliance and Oversight Division
 CEU Community Engagement Unit
 COP Community-Oriented Policing
 CPC Civilian Police Complaint (IAPS and CPOA)
 CPCs Community Policing Councils
 CPOA Civilian Police Oversight Agency
 CTU Comprehensive Training Unit
 DAP Discipline Action Packet
 DOJ Department of Justice
 DTI Department of Technology and Innovation
 ECC Emergency Communication Center
 ECIT Enhanced Crisis Intervention Team
 ECW Electronic Control Weapon (Taser)
 EIS Early Intervention System
 EIRS Early Intervention and Recognition System
 ERP Enterprise Resource Planning
 ERT Emergency Response Team
 FRB Force Review Board
 FSB Field Service Bureau
 FTEP Field Training Evaluation Program
 FTO Field Training Officer
 GVRU Gun Violence Reduction Unit

HIPAA Health Insurance Portability and Accountability Act
 IADLEST International Association of Directors of Law
 Enforcement Standards and Training
 IAFD Internal Affairs Force Division
 IAPS Internal Affairs Professional Standards
 IAR Internal Affairs Request
 IM Independent Monitor
 IMR Independent Monitor's Report
 IMT Independent Monitoring Team
 MATF Multi-Agency Task Force
 MHRAC Mental Health Response Advisory Committee
 MOE Maintenance of Effort
 MOU Memorandum of Understanding
 NASRO National Association of School Resource Officers
 NCP National Certification Program
 NNSC National Network for Safe Communities
 OBRD On-Body Recording Device
 OIS Officer Involved Shooting
 OJT On-the-Job Training
 PDH Pre-Determination Hearing
 PEMS Performance Evaluation Management System
 PIA Process Improvement Analyst
 PMU Performance Metrics Unit
 POP Problem-Oriented Policing
 PPRB Policy and Procedures Review Board
 PRT Proactive Response Team
 PRU Performance Review Unit
 SAP Self-Assessment Plan
 SCION Selfcare Interactive Online Network
 SID Special Investigation Division
 SOD Special Operations Division
 SOP Standard Operating Procedure
 SRO School Resource Officer
 TDY Temporary Duty
 USDOJ United States Department of Justice

Letter from Chief Harold J. Medina

I am pleased to present the Twentieth Progress Report for the Albuquerque Police Department (APD). The Department is officially in full operational compliance with the Court Approved Settlement Agreement. Through diligent effort in transitioning the department to a self-governing institution, reform has been achieved through developing a sustainable strategy to oversee force investigations, misconduct investigations, and early intervention.

Our team of dedicated front-line officers, supervisors, command staff, curriculum developers, implementation team, and quality assurance team continue to ensure the department maintains the highest level of commitment to established processes that strengthen our Department for the community we serve.

To all members of the community, our efforts are first and foremost for you. We will continue to work towards making our Department one that continuously looks inward to improve, collaborate, evolve, and more importantly to serve. A department I am honored to be a part of.

Respectfully,



Harold J. Medina
Chief of Police



Executive Summary **February 2024 – July 2024**

Full and Effective Compliance

In May of this year, the Independent Monitoring Team (IMT) reported that APD successfully gained full and effective compliance with all provisions outlined in the Court Approved Settlement Agreement (CASA). Continuity with reform is the goal of APD while utilizing the infrastructure in place to review CASA-related policies annually, self-assess compliance, deliver timely training, apply discipline fairly, and investigate uses of force.

Pursuant to the Amended Order establishing the External Force Investigation Team (EFIT), EFIT worked diligently with APD to return control of investigations to APD personnel. EFIT successfully transitioned out of their role at the end of last year and APD has sustained quality and timely use of force investigations without EFIT oversight for close to a year. The Internal Affairs Force Division (IAFD) continues to illustrate a commitment and the competence to effectively self-govern investigations.

The Performance and Evaluation Management System (PEMS) is a proven tool to enhance supervision. With a focus on staff development, supervisors throughout the department are utilizing PEMS to help manage performance through guidance and/or training.

An additional milestone achieved in this reporting period includes full operational compliance for all CASA paragraphs relating to discipline, providing strong evidence that APD's policies, supervisory oversight, and disciplinary systems are working as designed.

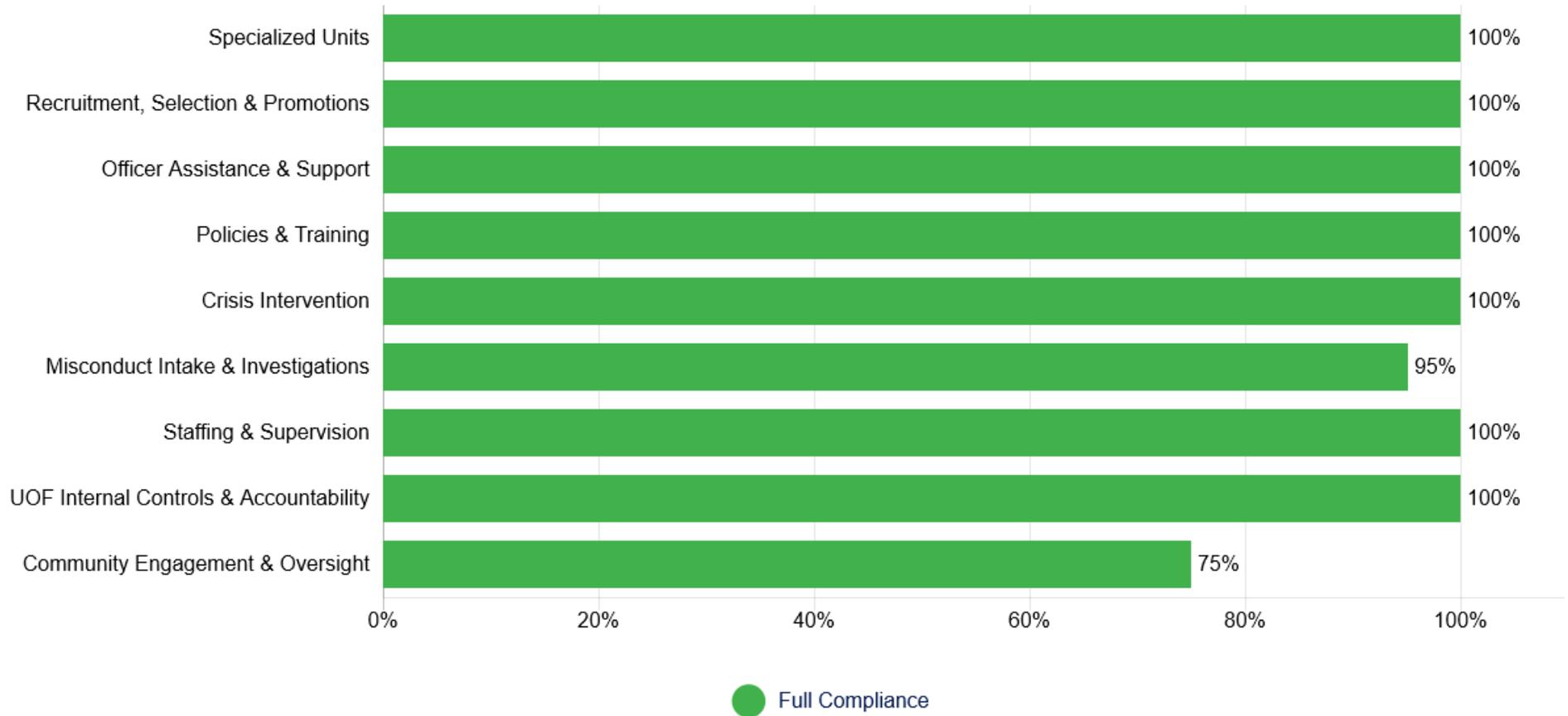
Two-Year Sustainment Period

APD seizes the opportunity to prove that it can govern reform without independent oversight. APD needs to maintain operational compliance for two years, called the sustainment period. Two years ago APD executed its first self-assessment, providing the IMT and the Department of Justice (DOJ) with APD's methodology of assessing compliance and outcome reports. The self-assessments are organized by topic and provide compliance outcomes in scorecard format for accessible readability. Each self-assessment contains proofs of practice that are supporting documentation used as evidence of compliance. To date, APD has completed fourteen (14) self-assessments that are made available to the public online and continue to develop more as paragraphs are moved to self-monitoring status.

Compliance Reporting

This report reflects compliance levels with all provisions of the CASA – not just APD's compliance. This report includes current secondary compliance paragraphs for the Civilian Police Oversight Agency (CPOA). APD remains committed to supporting the CPOA's goal of reaching full compliance.

IMR-19 Overall CASA Compliance by Section¹

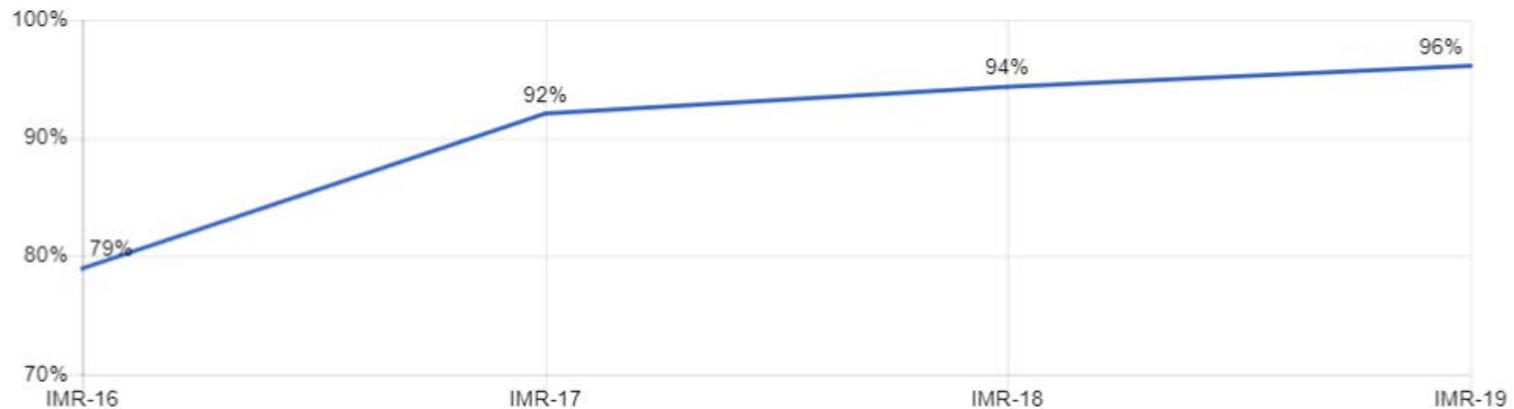


¹ Sections Misconduct Intake and Community Engagement & Oversight represent compliance with paragraphs for the CPOA.

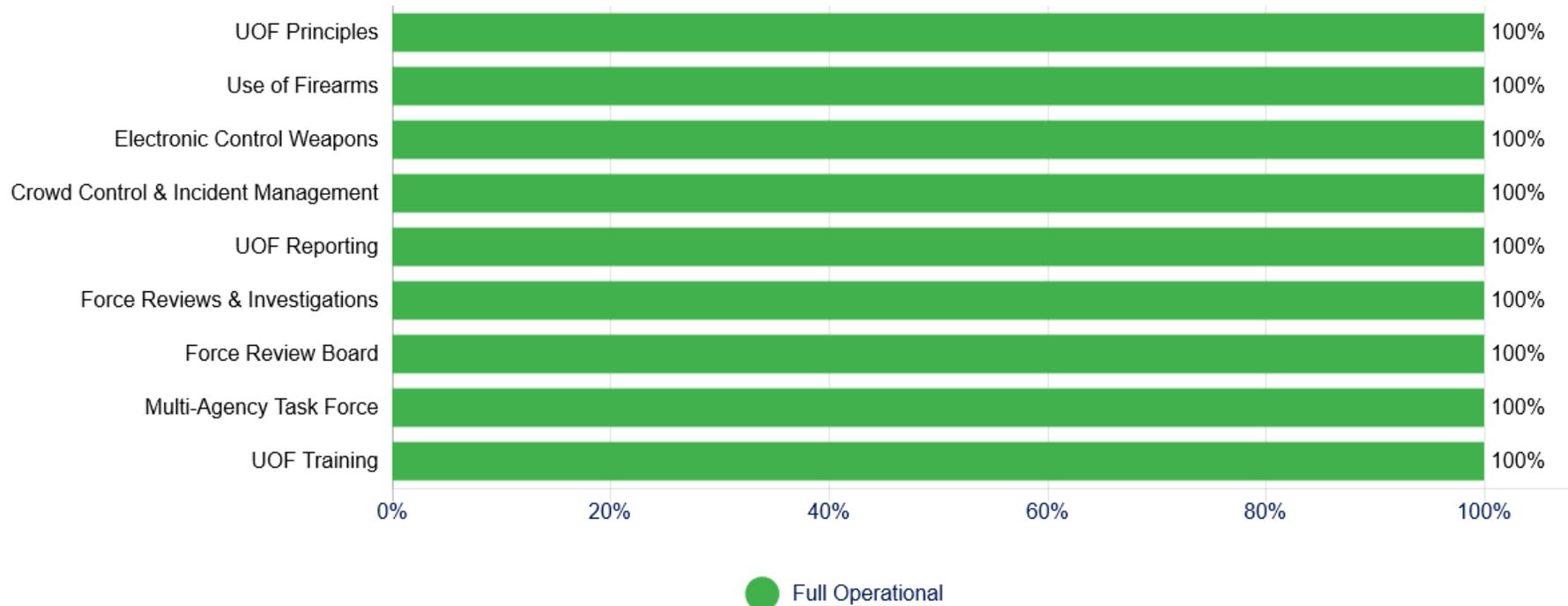
Progress of Overall CASA Operational Compliance

The graphs throughout this report show the last four (4) Independent Monitor Reports (IMR), issued every six months, which represent compliance for the last two years.

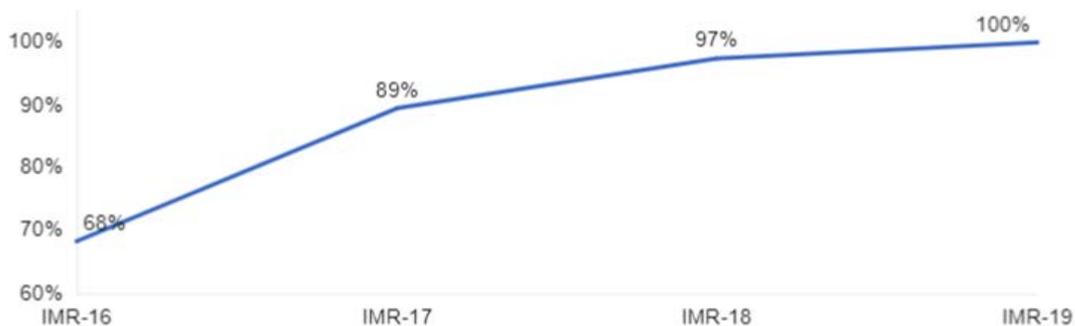
IMR-19 reflects compliance at 96% based on other City agencies' standing with the provisions in the CASA. **APD is 100% compliant with all CASA provisions.**



Section 1: Use of Force Controls & Accountability, Paragraphs 14 – 89
Operational Compliance by Sub-Section



Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



Summary of FRB Referrals:

Number of Referrals	Case Type Generated From	Action Taken to Fulfill Referral
1	Level 2	Equipment Evaluation
3	Level 2: 1 Level 3 OIS: 1 In Custody Death: 1	Refresher Training, Department Wide Training Development, Mandatory Training Referral
5	Level 2: 2 Level 3: 1 In Custody Death: 2	Case Review, Verbal Counseling, Command Initiated Assessment
1	Level 2	Job Well Done
1	Level 2	IAR

Summary of Cases Reviewed by FRB:

Case Type	Number of Cases Reviewed	% Reviewed within 60 Days (P78a)	% Presented by IAFD or SOD (P78b)	Number of Cases that Generated a Referral (P78c)
Level 2	16	100%	100%	6
Level 3	1	100%	100%	1
Level 3 OIS	7	100%	100%	1
In Custody Death	2	100%	100%	3
Tactical Activation	6	100%	100%	0

Quarterly Use of Force Data Presentations (P78e):

Quarter #	Quarter Start Date	Quarter End Date	Presentation submitted for Review	Presented Date	Referrals Generated
Q1	01/01/24	03/31/24	04/25/24	05/02/24	0

Document Findings and Recommendations within 15 business days (P78d)

# of Force Review Board Meetings	# of Force Review Board Reports Generated	% that met the 15 business-day timeline
12	12	100%

Section 2: Specialized Units Paragraphs 90 – 109

Operational Compliance by Sub-Section

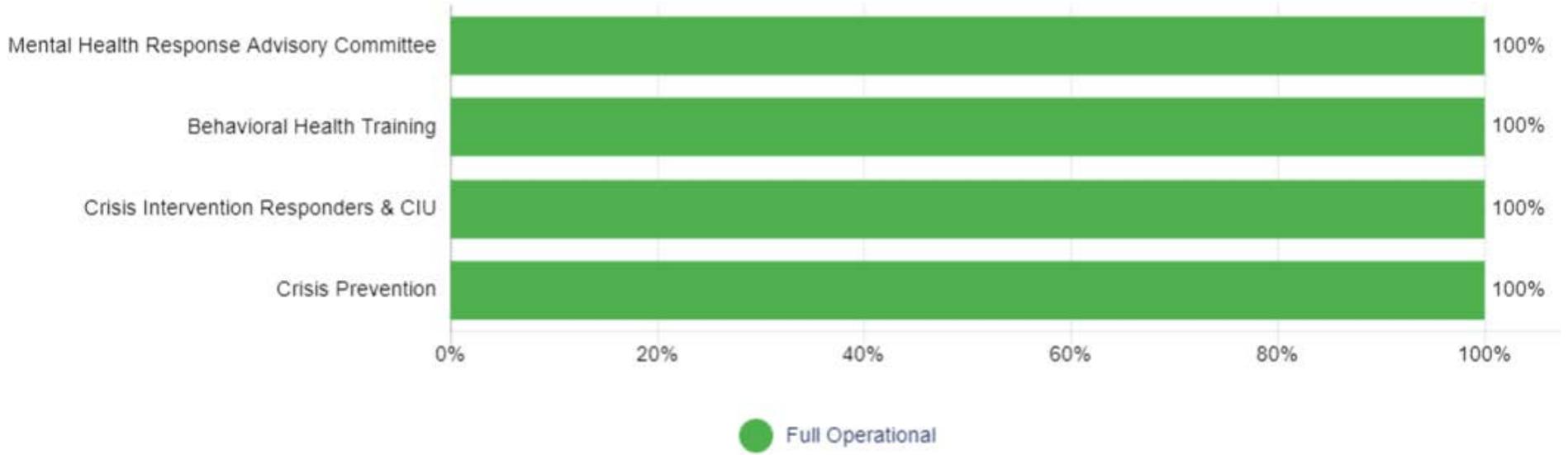


Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



Section 3: Crisis Intervention Paragraphs 110 – 137

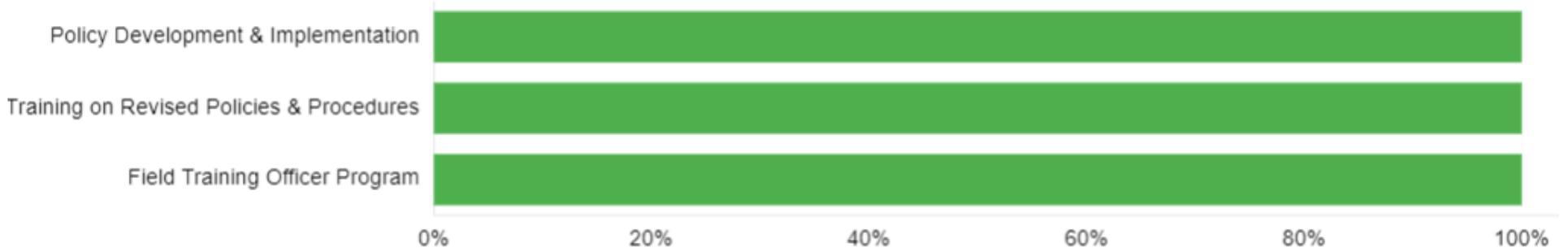
Operational Compliance by Sub-Section



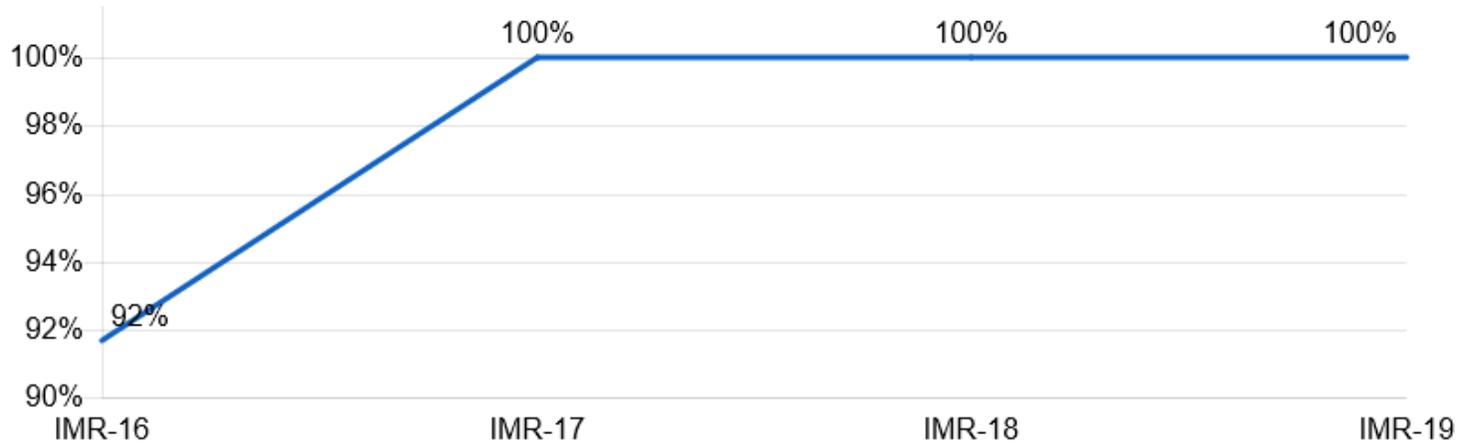
Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



Section 4: Policies and Training Paragraphs 138 – 161



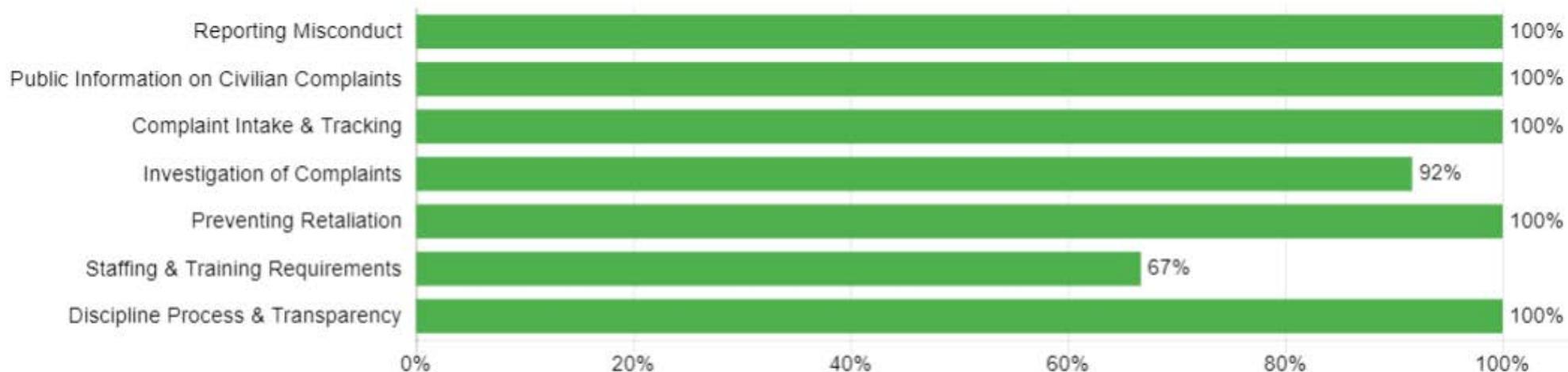
Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



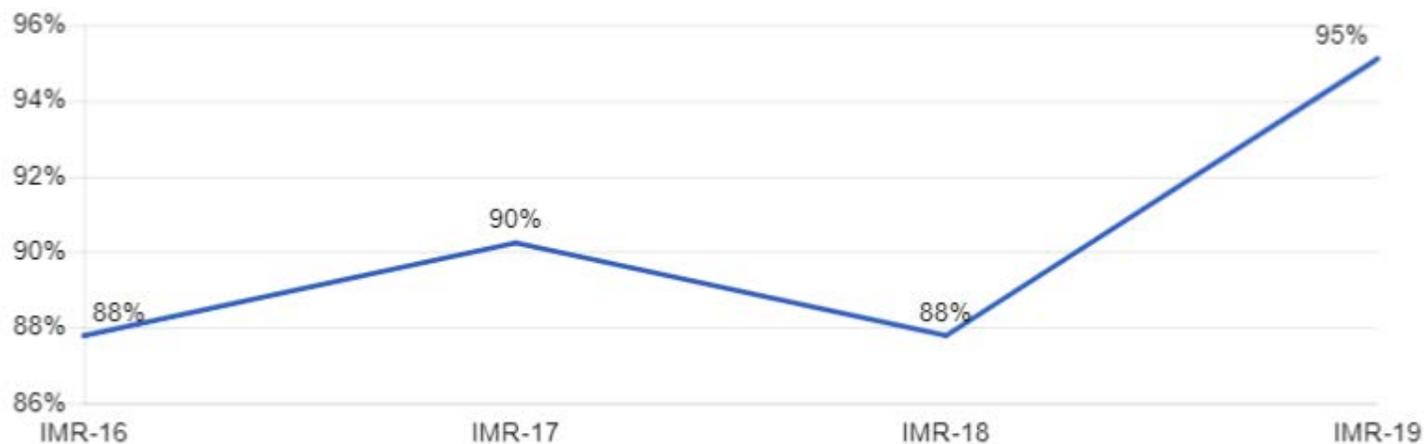
CASA-related Standard Operating Procedures published February 1, 2024 – July 31, 2024:

SOP Number	SOP Title	Publication Date
1-1	Personnel Code of Conduct	05/15/24
1-9	Compliance and Oversight Division	05/03/24
1-10	Peer Support Program	03/05/24
1-61	Internal Affairs Force Division (IAFD)	05/03/24
1-90	Investigative Services Division (ISD)	02/14/24
2-12	Pursuit Intervention Technique (PIT)	04/26/24
2-35	Emergency Response Team (ERT)	04/26/24
2-38	Daily Staffing and Briefings	02/14/24
3-14	Supervision	02/06/24
3-30	Line Inspection Process	02/14/24
3-33	Performance Evaluation and Management System (PEMS)	05/14/24
3-44	Review of Completed Administrative Investigation Cases	04/10/24
1-36	Department Wellness Program	07/05/24
1-20	Behavioral Sciences Section	07/19/24

Section 5: Misconduct & Adjudication Paragraphs 162 – 202²

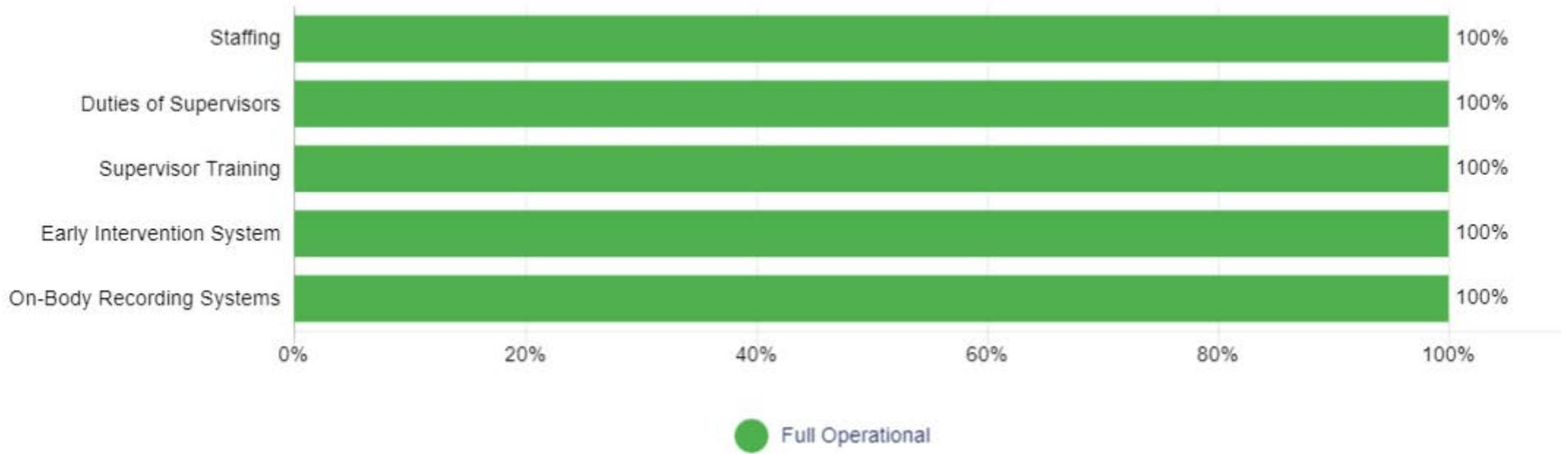


Operational Compliance for the Past Two Years (IMR-16 through IMR-19)

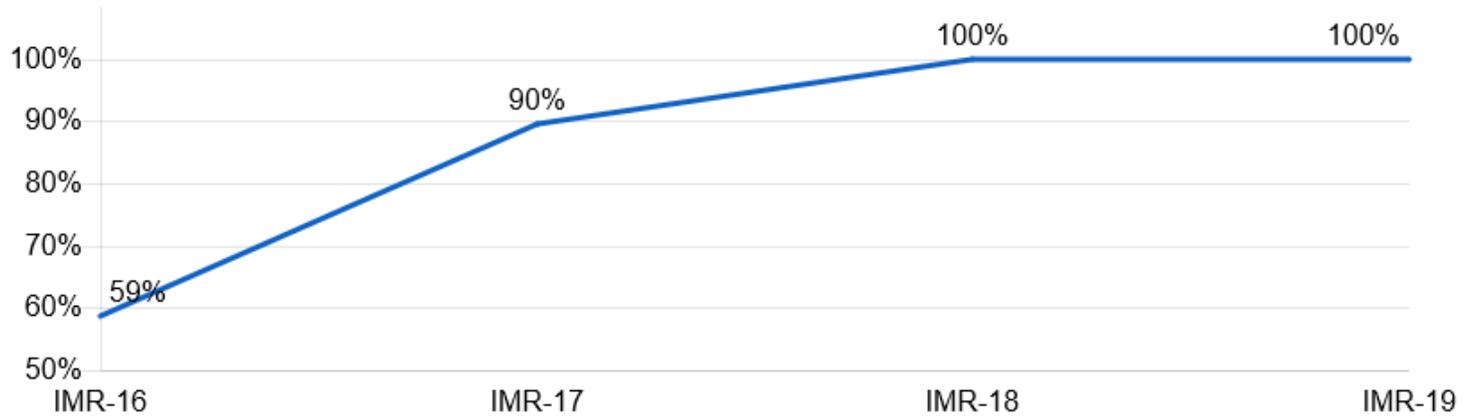


² IMR-19 reflects compliance at 96% based on CPOA's compliance with the provisions of the CASA. APD is 100% compliant with all CASA provisions.

Section 6: Staffing & Supervision Paragraphs 203 – 231



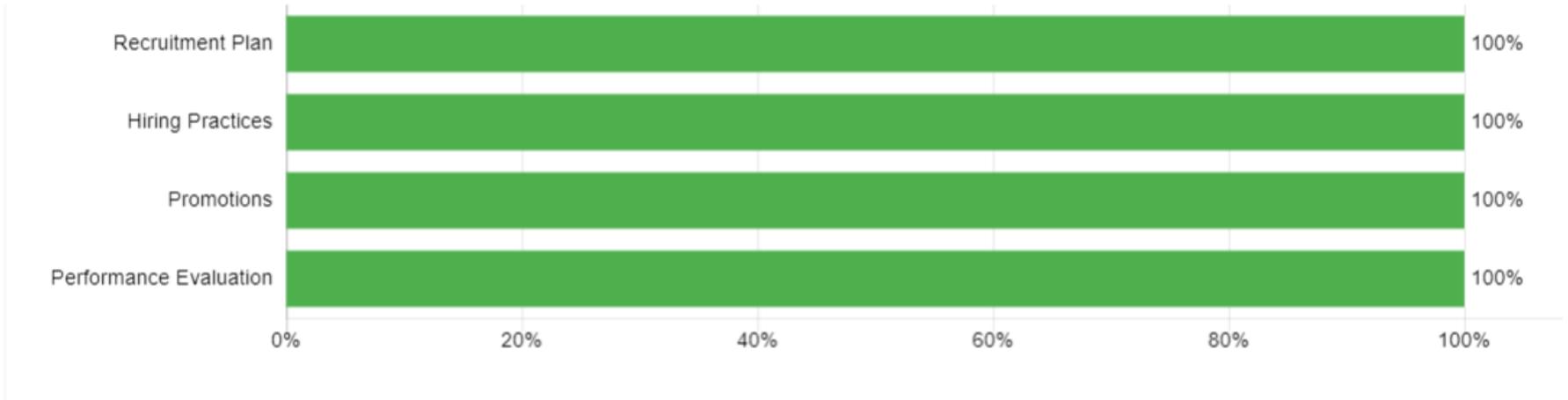
Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



Performance Evaluation Management System (PEMS) assessments conducted in February 1, 2024 – July 31, 2024:

Types of Assessment	Number of Assessments Completed	Average Number of Days to Complete
Advisable Assessments	36	9.9
Actionable Assessments	2	11
Command Initiated	9	4

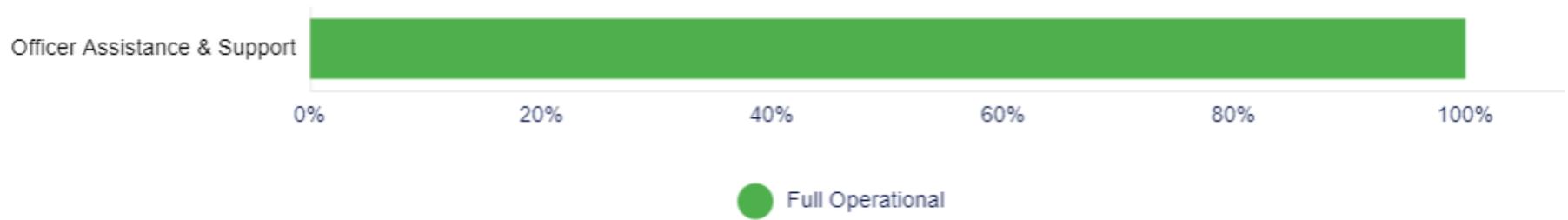
Section 7: Recruitment, Selection, & Promotions Paragraphs 232 – 246



Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



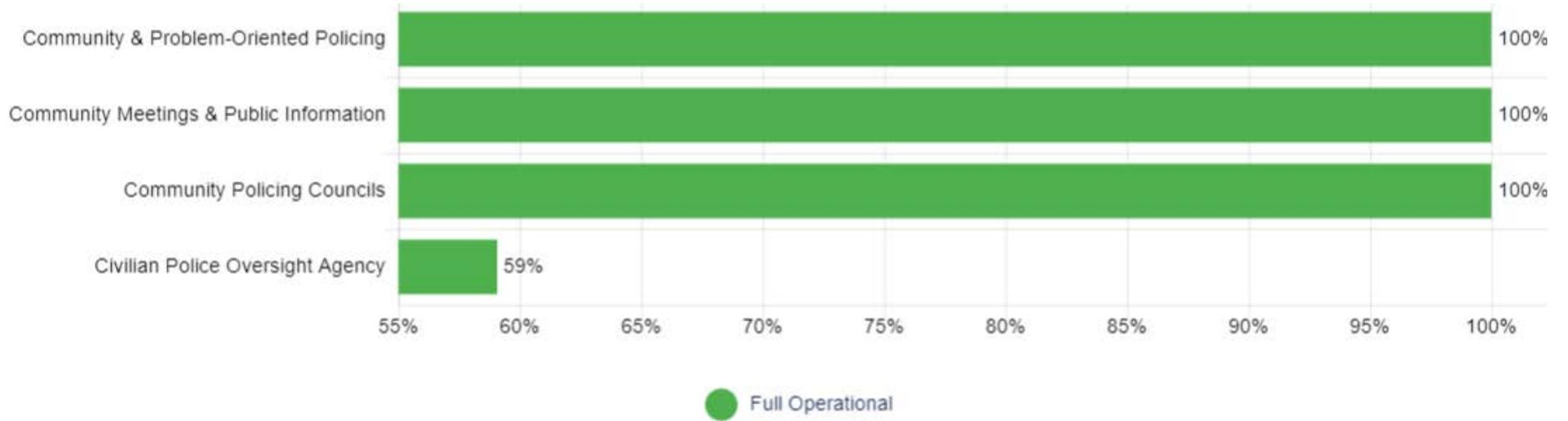
Section 8: Officer Assistance & Support Paragraphs 247 – 253



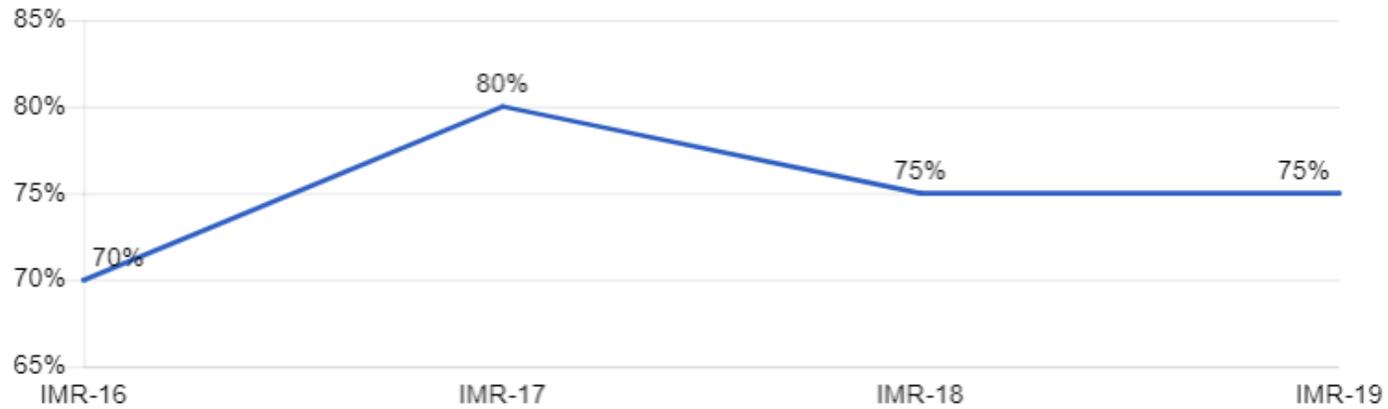
Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



Section 9: Community Engagement & Oversight Paragraphs 255-292³



Operational Compliance for the Past Two Years (IMR-16 through IMR-19)



Appendix A: Completed Action Items

³ IMR-19 reflects compliance at 96% based on CPOA's compliance with the provisions of the CASA. APD is 100% compliant with all CASA provisions.

Paragraph Number	Action Item	CASA Section	Completed Date	Status
79	Submit 2020, 2021 data for the annual UOF report (from backlog)	UOF Internal Controls & Accountability	05/08/24	Complete
79	Publication of 2023 Annual UOF Report	UOF Internal Controls & Accountability	06/28/24	Complete
78	IAFD presenters to complete a public speaking workshop to enhance FRB presentations	UOF Internal Controls & Accountability	03/04/24	Complete
78	IAFD Commander to prepare a Course of Business document identifying IAFD personnel who attended the public speaking workshop.	UOF Internal Controls & Accountability	03/12/24	Complete
260	Update Area Command Public Information Plan	Community Engagement & Oversight	05/31/24	Complete
255	Obtain the training status of when the training curriculum will be completed from the Academy for Supervisor training related to the community event tracker system.	Community Engagement & Oversight	03/19/24	Complete
231	Obtain Special Order stating which officers are piloting AXON Fleet	Staffing & Supervision	02/29/24	Complete
220 223 224 226 228 230	Follow-up with City Legal to consider state statutes with the AXON Fleet pilot system.	Staffing & Supervision	03/13/24	Complete
218	Get lesson plan updated with Benchmark changes and need to update the process based on those changes. Send training to the Academy for review.	Staffing & Supervision	02/21/24	Complete
218	Coordinate with the Academy to get familiar with their supervisor training calendar.	Staffing & Supervision	02/21/24	Complete
218	Recruiting for PEMS unit to send to BIT Training as the train-to-replace plan.	Staffing & Supervision	03/29/24	Complete

218	Revise the lesson plan for supervisor's training for parties (DOJ, City Legal and Monitors) for review	Staffing & Supervision	05/03/24	Complete
218	Get revised lesson plan to IMT for review. Include a summary of changes for the IMT.	Staffing & Supervision	05/03/24	Complete
218	Have training ready to include PEMS training during the Supervisor Training session for newly promoted sergeants in May 2024.	Staffing & Supervision	05/20/24	Complete
218	Submit a course of business memo that discusses the PEMS training that occurred in May 2024	Staffing & Supervision	07/18/24	Complete
211	Update the training calendar to notate which training is CASA related	Staffing & Supervision	02/26/24	Complete
205	Obtain training status of when the training curriculum will be completed from the Academy for supervisor training related to the community event editor system.	Staffing & Supervision	03/19/24	Complete
201	Submit a course of business document explaining how Operational Compliance was achieved.	Misconduct Intake, Investigations & Adjudication	03/01/24	Complete
128	Follow-up meeting with CIU Commander, future CIU Commander, and APD Data Analyst with Records to discuss stopgap measure to extract these specific reports	Crisis Intervention	03/12/24	Complete