

First Quarter Report

January-March 2022

INTERNAL AFFAIRS PROFESSIONAL STANDARDS



Contents

Message from the Commander	3
Introduction	4
Data Collection	4
Statistical Data/Assignments	6
Graphs: Gender/Ethnicity/Race	7
Graphs: Investigations	8
Graphs: Findings/Allegations	9
Graphs: Sustained Allegations/Actions Taken	10
Length of suspensions	11
Summary	12

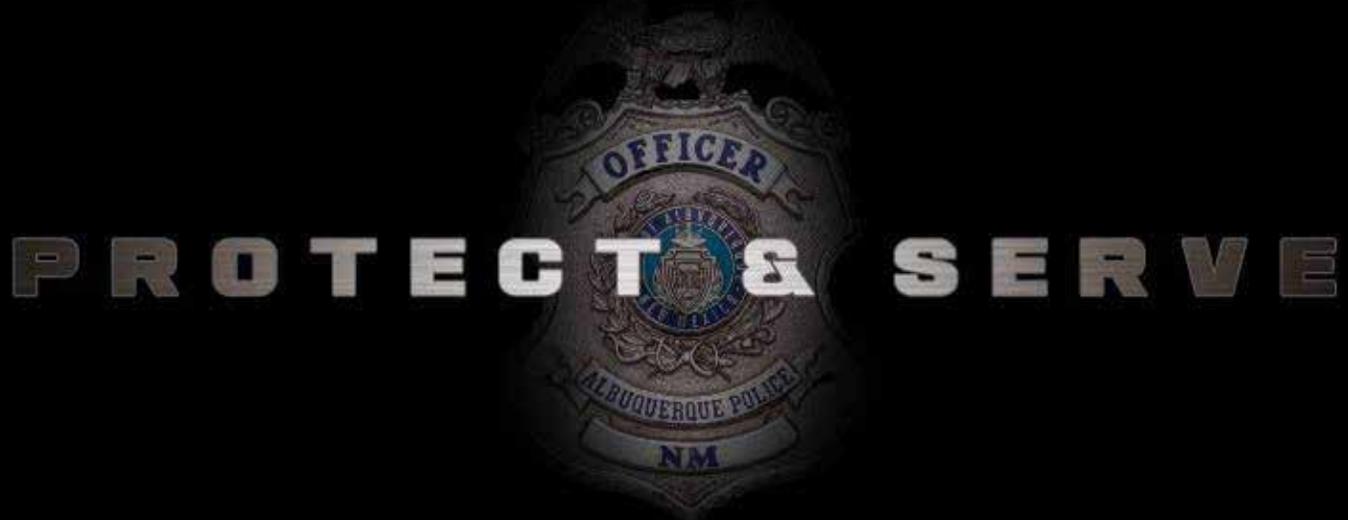
Message from the Commander

Commander Zakary Cottrell has been with APD since 2004. He has been the Commander of the Internal Affairs Professional Standards Division since December 2019.

As Commander of the Internal Affairs Professional Standards Division (IAPS), it is my mission to uphold the high standards of professionalism expected of officers of all ranks in the department. IAPS Detectives, Sergeants and Lieutenants work diligently every day to accomplish this mission. While achieving the expected results is not easy, we strive to conduct the most thorough investigations possible while complying with timeline requirements. We are hopeful that many of the practices and policies that we have enacted will set a strong, positive tone for the first quarter of 2022 and beyond. We look for others in the community to help us achieve this – we are all in this together.

During the first quarter of 2022, we saw an increase in the amount of investigations received at IAPS, as compared to the first quarter of 2021.

The Bureau of Police Reform in the Office of the Superintendent is responsible for reviewing all internal investigations and determining discipline for consistency. The Professional Integrity Commander, Deputy Superintendent and the Superintendent of Police Reform were created to ensure consistency across all proposed disciplinary sanctions. Since the implementation of these positions, APD has attained consistency with disciplinary findings and established protocols, to include departure from the recommendations of the disciplinary matrix. In an effort to foster consistency, Internal Affairs Force Division (IAFD) case files are developed in the same manner as IAPS and share the same process resulting in an increase in the amount of investigations received at IAPS.



Introduction

The Albuquerque Police Department’s mission is to build relationships through community policing that will lead to reduced crime and increased safety.

This report reflects accurate and complete data as of March 31st, 2022. The Albuquerque Police Department (APD) uses dynamic, live databases wherein counts of recorded allegations, findings, and case dispositions are subject to revision as reporting standards and processes develop within APD’s Internal Affairs Professional Standards Division (IAPS). Due to the aforementioned nature of IAPS data, historical records presented may vary slightly from those reported in prior APD IAPS reports.

The purpose of this report is to provide the city’s administration, APD executive staff, the city council, police oversight board and the residents of

Albuquerque with statistics and outcomes pertaining to IAPS investigations.

Data within this report is comprised of allegations, findings, and dispositions of investigative cases involving both sworn personnel (law enforcement officers certified through the New Mexico Department of Public Safety (DPS)) and civilian personnel. All figures presented in this report are labeled as representing one of these two employee cohorts, or an aggregation of both.



Data Collection

Within this report, the first quarter reporting period is the period from January 1st, 2022 through March 31st, 2022.

All data were pulled from APD’s data warehouse by methodically retrieving all cases recorded with an Incident Type of “IA Investigation” or “Firearms Discharges” (specific to only cases involving discharges of a firearm at an animal) and filtered by the relevant reporting periods. Due to significant redundancies between the Incident Types “IA Investigation” and “Force Internal Investigation”, at the beginning of 2022, APD decided to document all misconduct investigations under the Incident Type of “IA Investigation”.

The date a case is received by IAPS is the date an investigation has begun. Cases presented as received by IAPS within the relevant reporting periods include data pertaining to the count of distinct employees facing one or more distinct allegations, their divisions, their demographic profiles, and their employee cohorts.

The date a case is completed by IAPS is the date an investigation has concluded. Cases presented as completed by IAPS within the relevant reporting periods include data pertaining to distinct employees, the distinct allegations and alleged policy violations within the case, the findings of investigations, and the actions taken as a result of said findings.

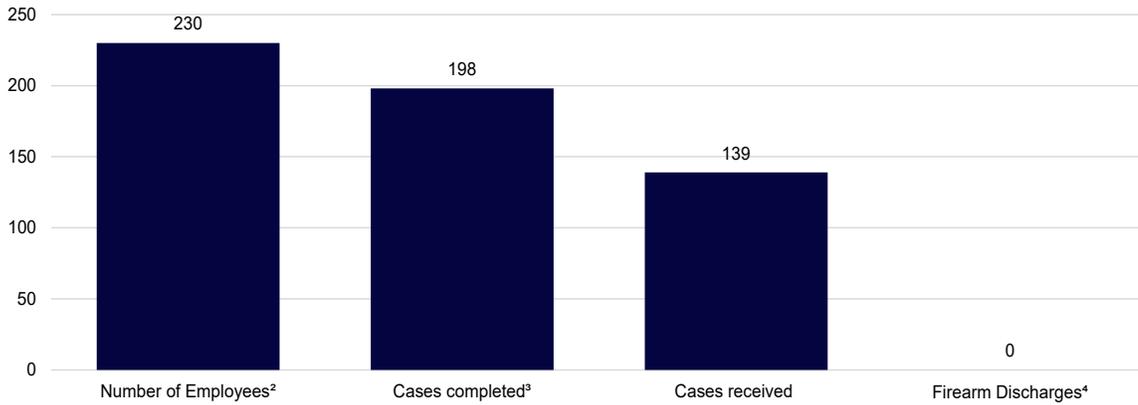


Statistical Data¹

Internal Affairs Statistics, First Quarter (January 1, 2022-March 31, 2022)

Internal Investigations

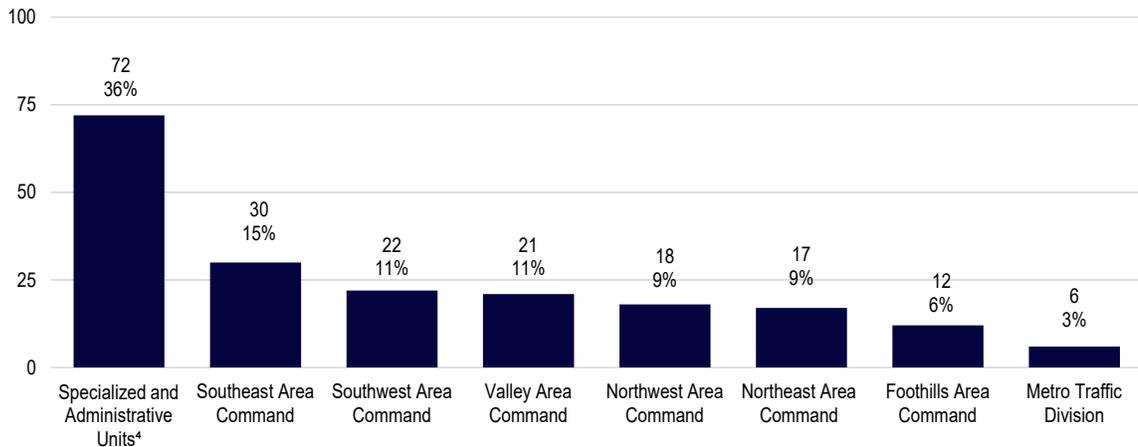
Statistical Data¹



Statistical data as of March 31, 2022. This data covers the period from January 1, 2022 through March 31, 2022.

1. There could be minor changes to the statistics due to changes in data or file status.
2. Different employees.
3. Completed cases with dispositions different from Administratively Closed, Exonerated, Not Sustained, Sustained, Sustained/NBOOC and Unfounded are not included in the count.¹
4. Includes only Incidents where Type Of Firearm Discharged is "Animal Shooting".

Assignment of the subject of investigation (Includes Sworn and Civilian personnel)

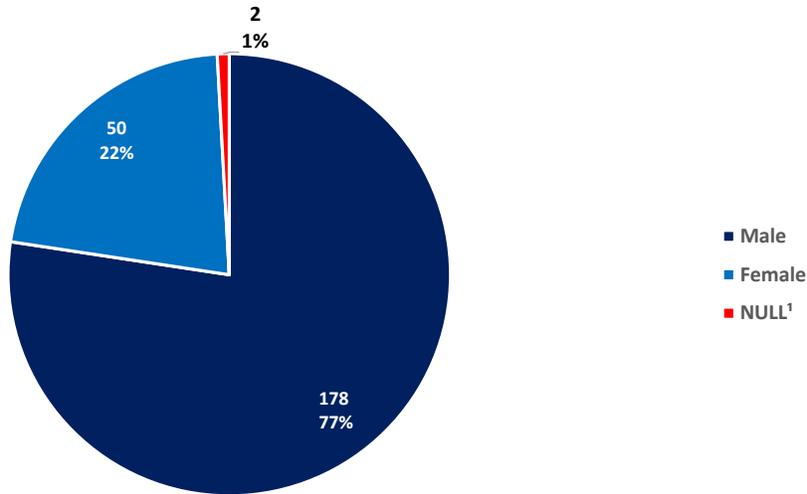


As of March 31, 2022, 61% of the investigations at IAPS include subjects within the six area commands.

4. Specialized and Administrative Units category includes: Academy, Academy Training Division, Aviation Division, CID/Family Advocacy Center, Communications, Community Outreach Division, Criminal Enforcement Division, Criminal Investigations Division, Field Services, Homeland Security/Special Events Div, Internal Affairs, Internal Affairs Force Division, Internal Affairs Professional Stds Div, Investigative Services Division, Operations Review, Planning Division, Records Division, Scientific Evidence Division, Special Operations Division, Special Services Division.

Graphs

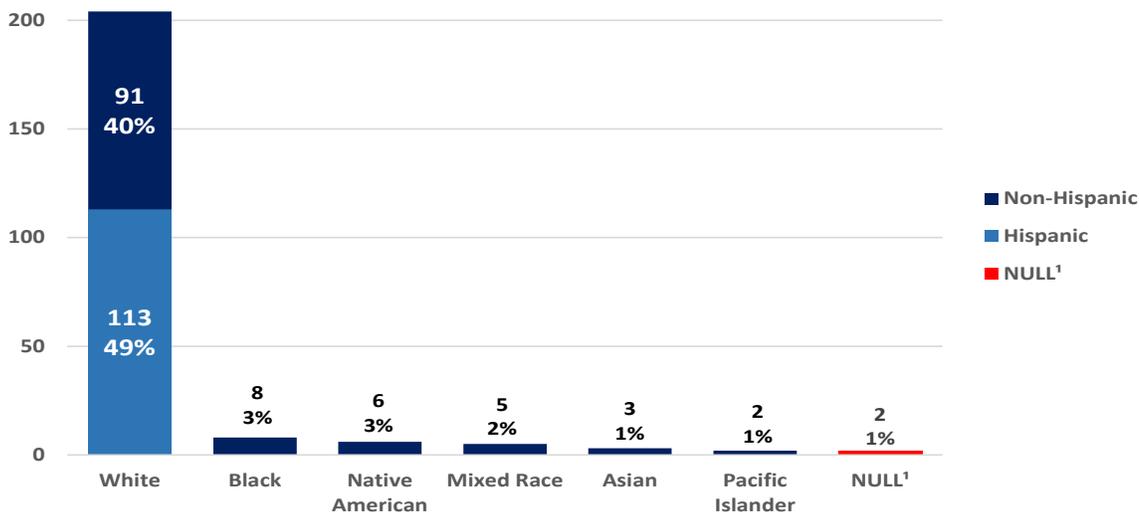
Gender (Includes Sworn and Civilian Personnel)



Gender data as of March 31, 2022. This data covers the period from January 1, 2022 through March 31, 2022.

1. Null represents an employee that, after a reasonable effort, IAPS could not determine who this employee was.

Race and Ethnicity (Includes Sworn and Civilian Personnel)

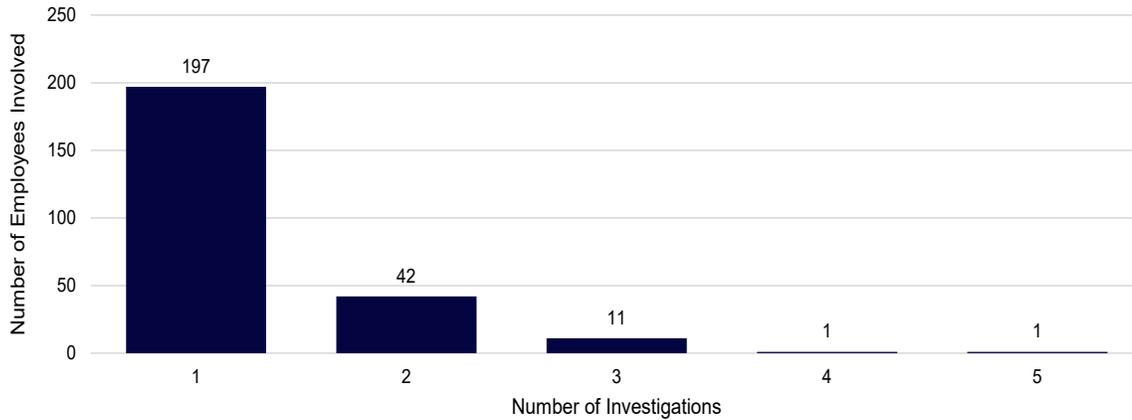


Race and Ethnicity data as of March 31, 2022. This data covers the period from January 1, 2022 through March 31, 2022.

1. Null represents an employee that, after a reasonable effort, IAPS could not determine who this employee was.

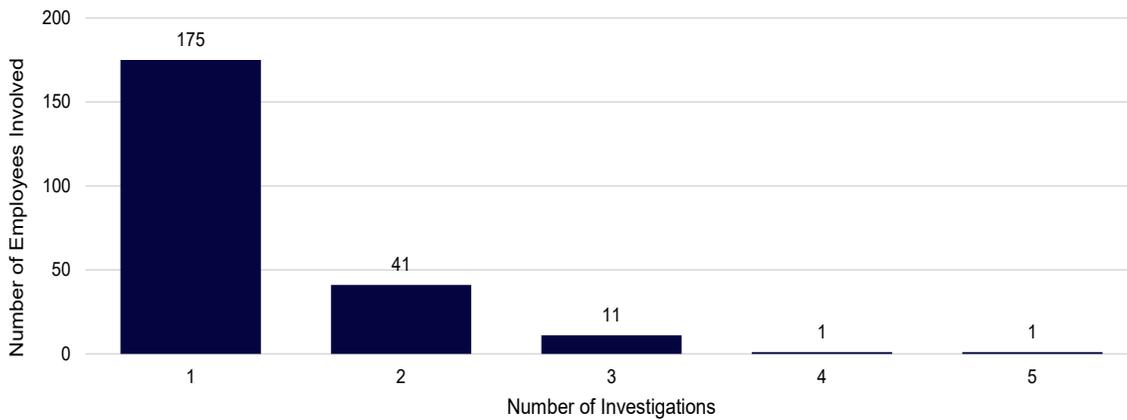
Graphs

Number of Investigations employees are subject to (Includes Sworn and Civilian Personnel)



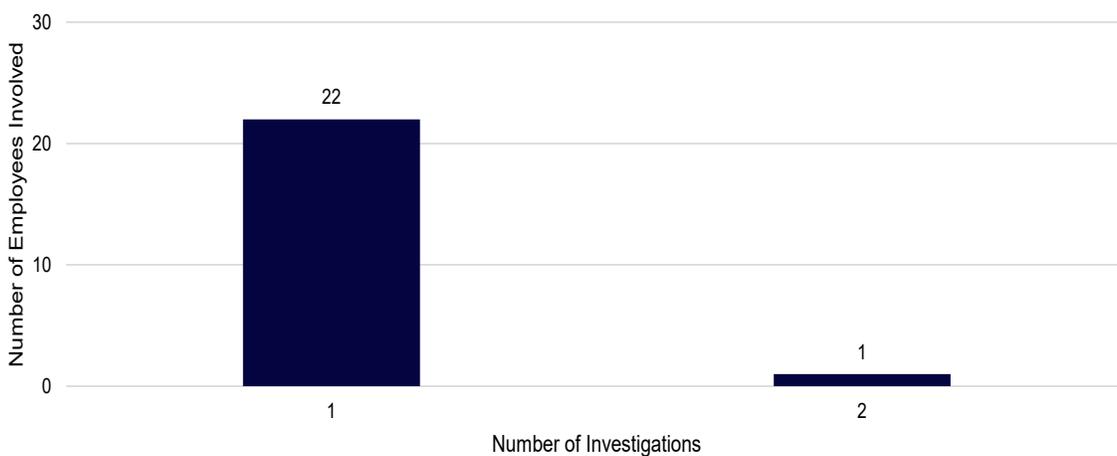
Employees subject to Investigations (Sworn and Civilian Personnel) data as of March 31, 2022. This data covers the period from January 1, 2022 through March 31, 2022.

Number of Investigations employees are subject to (Includes Sworn Personnel Only)



Employees subject to Investigations (Sworn Personnel Only) data as of March 31, 2022. This data covers the period from January 1, 2022 through March 31, 2022.

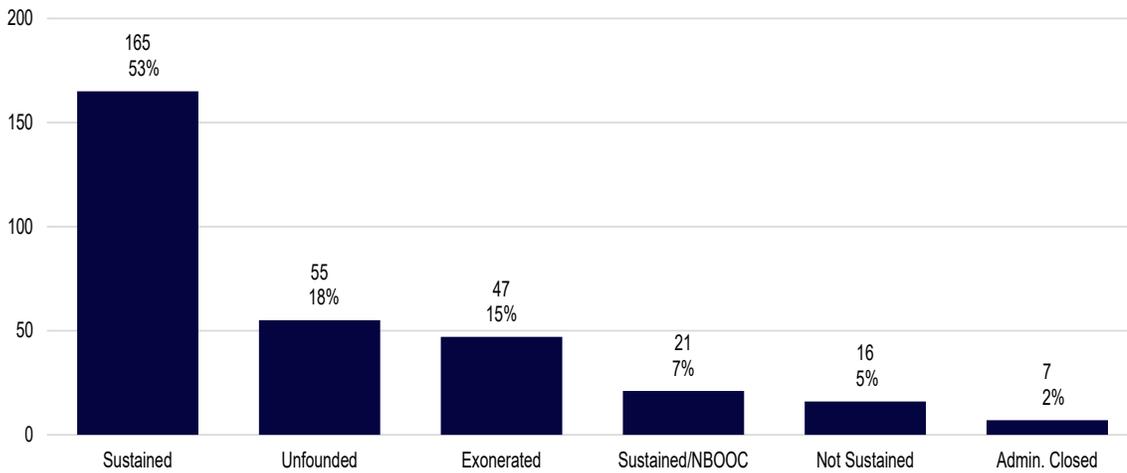
Number of Investigations employees are subject to (Includes Civilian Personnel Only)



Employees subject to Investigations (Civilian Personnel Only) data as of March 31, 2022. This data covers the period from January 1, 2022 through March 31, 2022.

Graphs

Findings of All Personnel (Includes Sworn and Civilian Personnel)



As of March 31, 2022: 165 (53%) of the 311 allegations recorded including Sworn personnel were sustained, 55 (18%) were unfounded, 47 (15%) were exonerated, 21 (7%) were Sustained/Not Based On Original Complaint, 16 (5%) were not sustained, and 7 (2%) were administratively closed

Definition of Findings

Sustained: Investigation classification when the investigator determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.

Unfounded: Investigation classification when the investigator determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.

Exonerated: Investigation classification where the investigator determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.

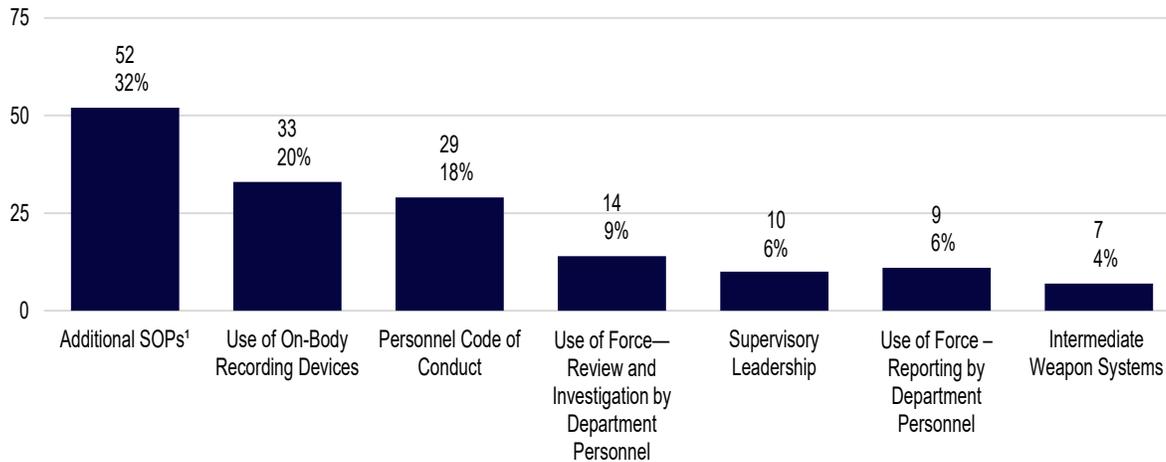
Sustained Violation Not Based on Original Complaint: Investigation classification where the investigator determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct occur.

Not Sustained: Investigation classification when the investigator is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.

Administratively Closed: Investigation classification where the investigator determines: a. the allegations are duplicative; b. the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile. i. Such complaints may be reopened if additional information becomes available.

Graphs

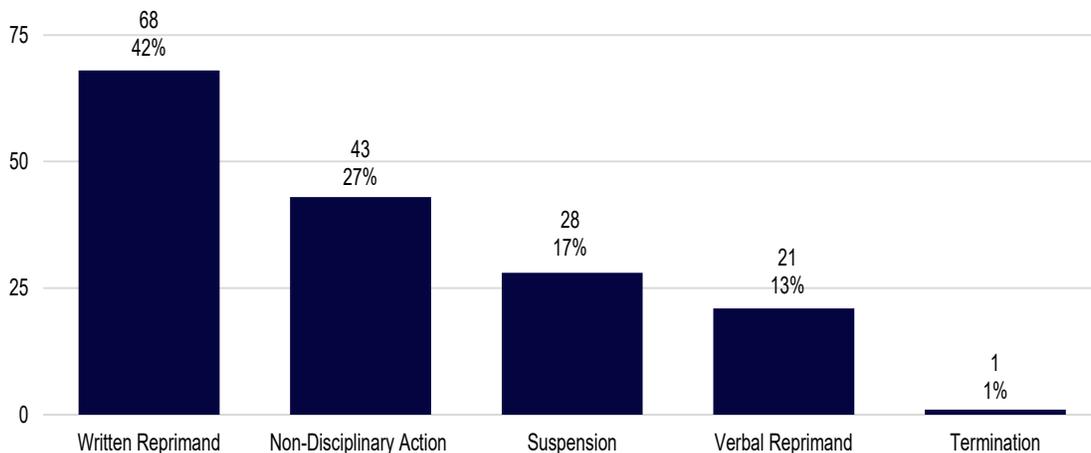
Sustained and Sustained/NBOOC Allegations Faced by Sworn Personnel Only



As of March 31, 2022: the majority of the allegations sustained or sustained NBOOC pertaining to sworn personnel in the 1st quarter were: Additional SOPs 52 (32%), comprised of an aggregation of allegations individually less than 3% of all allegations, Use of On- Body Recording Devices 33 (20%), violations of Personnel Code of Conduct 29 (18%), followed by the category of UOF Review and Investigation by Department personnel 14 (9%), Supervisor Leadership 10 (6%) Use of Force Reporting by Department Personnel 9 (6%), and Intermediate Weapon System 7 (4%).

1. Additional SOPs category includes: Complaints Involving Department Policy or Personnel, Court, Submission of Evidence, Confiscated Property, and Found Items, Preliminary and Follow Up Criminal Investigations, Interviews and Interrogations, Department Vehicles, Use of Force - General, Response to Behavioral Health Issues, Search and Seizure without a Warrant, Uniforms, Pursuit by Motor Vehicle, Aviation Division, Firearms and Ammunition Authorization, Performance Evaluations, Restraints and Transportation of Individuals, Arrests, Arrest Warrants, and Booking Procedures, Scheduled and Unscheduled Leave, Towing and Wrecker Services, Bid/Transfers, Use of Force - De-Escalation, Special Order, Hospital Procedures and Rules, Specialized Tactical Units, Reports, Officer's Duties and Conduct, Overtime, Compensatory Time, and Work Shift Designation.

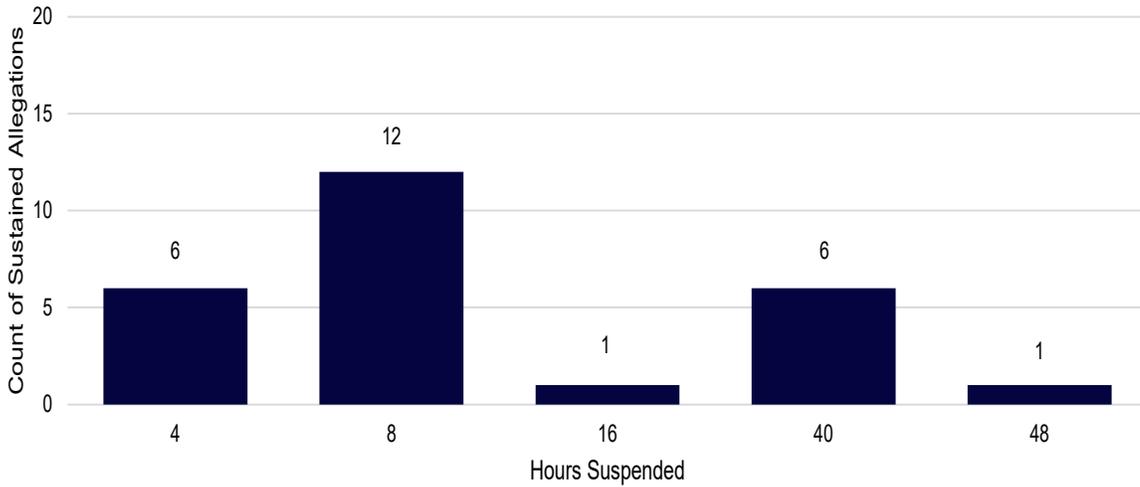
Actions Taken Based on Sustained Allegations Faced by Sworn Personnel



As of March 31, 2022: 161 allegations including Sworn personnel were sustained or sustained/NBOOC. The actions taken for those sustained or sustained/NBOOC allegations were: written reprimand: 67 (42%), no disciplinary corrective action, 43 (27%), suspension, 28 (17%), verbal reprimand: 21 (13%), and Termination: 1 (1%).

Graphs

Length of Suspension in Hours for Sustained/Sustained NBOOC Individual Allegations That Resulted in Suspension by Sworn Personnel

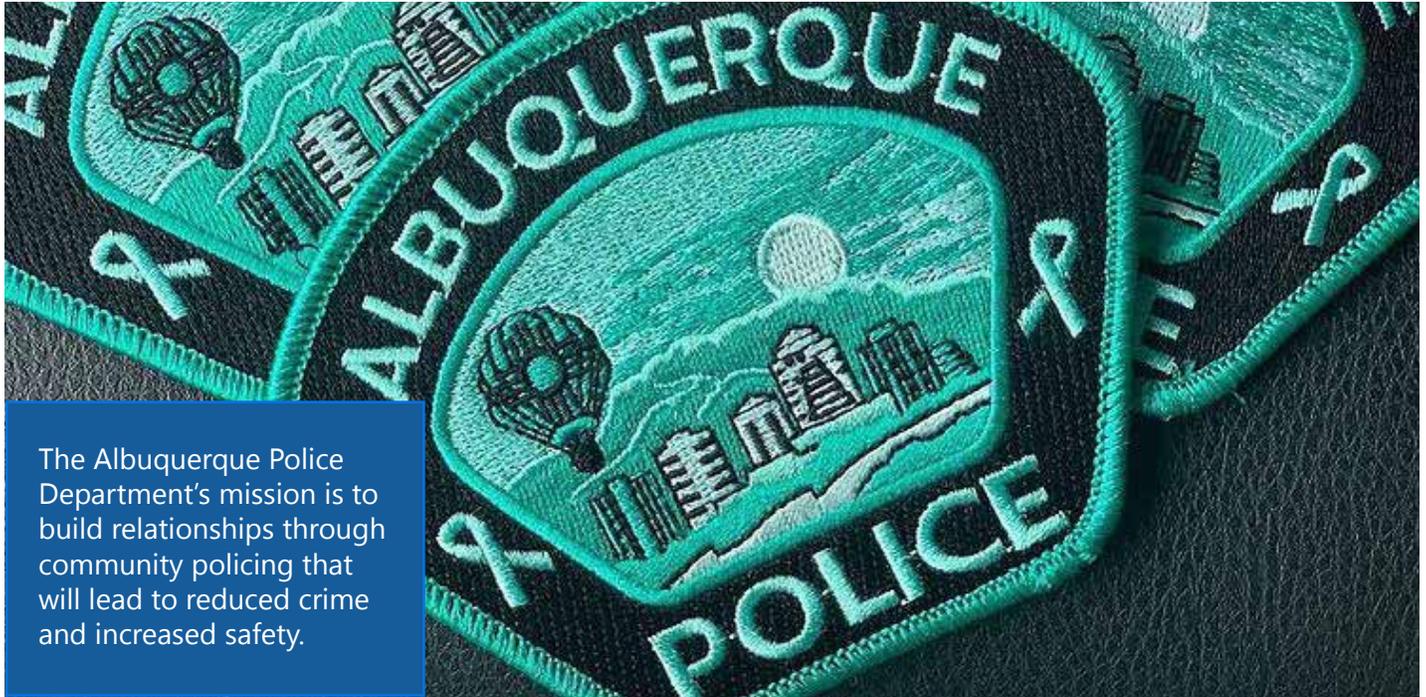


As of March 31, 2022: 28 sustained allegations including Sworn personnel ended in suspension. The length for those sustained or sustained/NBOOC allegations were: 6 with 4hr suspension time, 12 allegations with 8 hours suspension time, 1 with 16 hr suspension, 6 with 40 hr suspension, 1 with 48 hr suspension and 1 with 80 hr suspension.



Summary

Looking Ahead and Moving Forward



The Albuquerque Police Department's mission is to build relationships through community policing that will lead to reduced crime and increased safety.

We all know that we are in a new era of public safety and law enforcement.

With approximately 1,500 employees of the Albuquerque Police Department, we are committed to positive change, ensuring that APD progresses in the right direction.

At APD, the Bureau of Police Reform in the Office of the Superintendent is responsible for reviewing all internal investigations and determining discipline for consistency. The Professional Integrity Commander, Deputy Superintendent and the Superintendent of Police Reform were created to ensure consistency across all proposed disciplinary sanctions. Since the

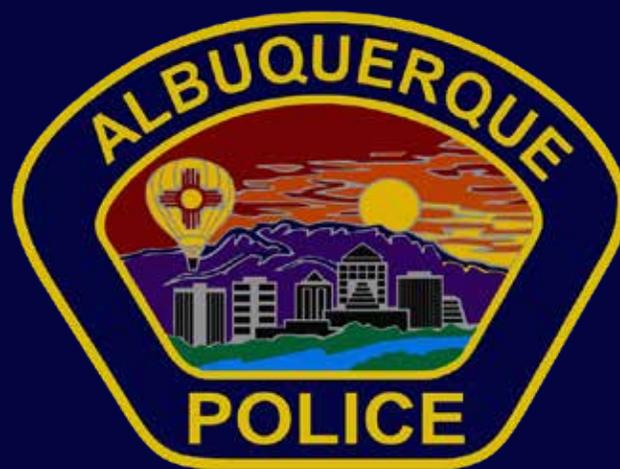
implementation of these positions, APD has attained consistency with disciplinary findings and established protocols. APD's disciplinary process includes the ability to request a pre-determination hearing for discipline that results in suspension. For those misconduct cases that do not have the pre-determination hearing, officers are required to sign their discipline memo acknowledging receipt of the violation with their supervisor. Adequate explanation is now provided in disciplinary action packets for selection of sanctioned discipline.



For more information, please contact the City of Albuquerque Public Records Request Department (IPRA) at:

<https://nextrequest.cabq.gov/>

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<https://www.cabq.gov/police>



Emergency Calls: 911
Non-Emergency
Calls: (505) 242-2677