

**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
Fifteenth Report
August 1, 2021 to January 31, 2022**

Table of Contents

I. Introduction.....	4
III. Executive Summary and Key Steps Taken by the Administration.....	5
IV. Progress Report Organization	7
V. Compliance Levels and the CASA’s Measurable Paragraphs.....	7
VI. Section Progress on the CASA’s measurable paragraphs.....	9
Section 1: Use of Force: Internal Controls and Accountability (Paragraphs 14-89).....	10
A. Use of Force Principles (14-16)	10
B. Use of Firearms (17-23)	12
C. Electronic Control Weapons (24-38).....	15
D. Crowd Control and Incident Management (39-40).....	21
E. Use of Force Reporting (41-49)	22
F. Force Reviews and Investigations	24
F1. Supervisory Force Reviews (50-59)	26
F2. Force Investigations by the Internal Affairs Division (60-77)	32
G. Force Review Board (78-80).....	44
H. Multi-Agency Task Force (81-85)	48
I. Use of Force Training (86-89)	50
Section 2: Specialized Units (Paragraphs 90 – 109)	53
A. Specialized Tactical Units (SOD 90-109)	53
B. Specialized Investigative Units (SID 106-109)	59
Section 3: Crisis Intervention (Paragraphs 110 – 137).....	61
A. Mental Health Response Advisory Committee (Paragraphs 110-117).....	61
B. Behavioral Health Training (Paragraphs 118-122)	65
D. Crisis Prevention (Paragraphs 132-137)	73
Section 4: Policies and Training Generally (Paragraphs 138 – 161)	76
A. Policy Development, review, and Implementation (138-161)	76
B. Training on Revised Policies, Procedures, and Practices (149-154).....	80
C. Field Training Officer Program (155-161)	82
Section 5: Misconduct Complaint Intake, Investigation, and Adjudication (Paragraphs 162 – 202).....	85
A. Reporting Misconduct.....	85
B. Public Information on Civilian Complaints (164-168)	86
C. Complaint Intake, Classification, and Tracking (169-182).....	87
D. Investigation of Complaints (183-194)	92
E. Preventing Retaliation (195-197)	98
F. Staffing and Training Requirements (198-202).....	99
Section 6: Staffing, Management, and Supervision (Paragraphs 203 – 231).....	103

Section 6: Staffing, Management, and Supervision (Paragraphs 203 – 231)..... 103

A. Staffing (204) 103

B. Duties of Supervisors (205-208)..... 104

C. Supervisor Training (209-211)..... 106

D. Early Intervention System (212-219)..... 107

E. On-Body Recording Systems for Documenting Police Activities..... 110

Section 7: Recruitment, Selection and Promotions (Paragraphs 232 – 246) 116

A. Recruitment Plan..... 116

C. Promotions 119

D. Performance Evaluation..... 121

Section 8: Officers Assistance and Support (Paragraphs 247 – 253) 122

Section 9: Community Engagement and Oversight (Paragraphs 254 – 293) 125

A. Community & Problem-Oriented Policing (Paragraphs 254-259) 125

B. Community Meetings & Public Information (Paragraphs 260-265) 131

C. Community Policing Councils (Paragraphs 266-270)..... 133

D. Civilian Police Oversight Agency (CPOA) (Paragraphs 271-292)..... 135

Section 10: Assessing Compliance (Paragraph 320) 143

A. Access and Confidentiality 143

VII. Conclusion144

VIII. Appendix147

I. Introduction

The Albuquerque Police Department (APD) and the City of Albuquerque (City) continue to work with the Department of Justice (DOJ) and the Independent Monitor (IM) to improve the overall functioning of the Department and work toward meeting the requirements of the Court Approved Settlement Agreement (CASA) No. CIV 14-1025-JB-SMV.

APD has received guided feedback from the IM, the City, and the DOJ for the reporting period of August 1, 2021, to January 31, 2022. In accordance with CASA paragraph 319, APD has prepared this progress report to delineate key steps taken, gauge progress, communicate correction plan status, and respond to concerns raised in the Monitor reports to implement the agreement.

II. Acronym List

AAR After Action Report	Enforcement Standards and Training
ACS Albuquerque Community Safety	IAFD Internal Affairs Force Division
BSS Behavioral Sciences Section	IAPS Internal Affairs Professional Standards
BNMM Black New Mexico Movement	IAR Internal Affairs Request
CAC Crimes Against Children	IM Independent Monitor
CAD Computer Aided Dispatch	IMR Independent Monitor's Report
CARE Child Abuse Response Evaluators	IMT Independent Monitoring Team
CASA Court Approved Settlement Agreement	MATF Multi-Agency Task Force
CIS Crisis Intervention Section	MHRAC Mental Health Response Advisory Committee
CIU Crisis Intervention Unit	MOE Maintenance of Effort
CJCC Criminal Justice Coordinating Council	MOU Memorandum of Understanding
CNT Crisis Negotiation Team	NASRO National Association of School Resource Officers
COA City of Albuquerque	NCP National Certification Program
COAST Crisis Outreach and Support Team	NNSC National Network for Safe Communities
COD Compliance and Oversight Division	OBRD On-Body Recording Device
CEU Community Engagement Unit	OIS Officer Involved Shooting
COP Community Oriented Policing	OJT On the Job Training
CPC Civilian Police Complaint (IAPS and CPOA)	OPA Office of Policy Analysis
CPCs Community Policing Councils	PDH Pre-Determination Hearing
CPOA Civilian Police Oversight Agency	PEMS Performance Evaluation Management System
CTU Comprehensive Training Unit	PIA Process Improvement Analyst
DAP Discipline Action Packet	PMU Performance Metrics Unit
DOJ Department of Justice	POP Problem Oriented Policing
DTI Department of Technology and Innovation	PPRB Policy and Procedures Review Board
ECC Emergency Communication Center	PRT Proactive Response Team
ECIT Enhanced Crisis Intervention Team	PRU Performance Review Unit
ECW Electronic Control Weapon (taser)	RAD Rapid Accountability Diversion
EIRS Early Intervention and Recognition System	RAM Risk Assessment Matrix
ELMS Enterprise Learning Management System	SID Special Investigation Division
ERP Enterprise Resource Planning	SOD Special Operations Division
ERT Emergency Response Team	SOP Standard Operating Procedure
FRB Force Review Board	SRO School Resource Officer
FSB Field Service Bureau	TDY Temporary Duty
FTAL Field Training Area Lieutenant	TraCs Traffic and Criminal software
FTAS Field Training Area Sergeant	TRU Telephone Reporting Unit
FTEP Field Training Evaluation Program	USDOJ United States Department of Justice
FTO Field Training Officer	VIP Violence Intervention Program
GVRU Gun Violence Reduction Unit	
HIPAA Health Insurance Portability and Accountability Act	
IADLEST International Association of Directors of Law	

III. Executive Summary and Key Steps Taken by the Administration

APD has made notable progress during this reporting period regarding the two critical issues: completing department-wide 2021 use of force training and improving Level 2 and Level 3 use of force investigations. This training requirement was not completed in 2020 resulting in a decrease in compliance levels in numerous paragraphs as outlined in Independent Monitor Reports (IMR) 13 and 14. By implementing this requirement in 2021, APD will gain secondary compliance in multiple paragraphs directly related to use of force training mandates.

Early in 2021, the City of Albuquerque (City) and the United States Department of Justice (DOJ) entered into a Stipulated Order which established the External Force Investigation Team (EFIT) to assist APD in conducting quality and timely investigations of Level 2 and Level 3 uses of force by APD officers. The Stipulated Order includes multiple mandates such as staffing levels, EFIT and the Internal Affairs Force Division (IAFD) conducting joint and timely investigations, and evaluation measurement for each investigation. EFIT went live on July 16, 2021, and will continue through the end of 2022. EFIT is required to complete and file with the Court quarterly reports to provide updates on IAFD progress. The first EFIT quarterly report covering July 16, 2021 to October 16, 2021, was filed with the court in November 2021. The full report can be located at, <https://documents.cabq.gov/police/reports/department-of-justice/efit-quarterly-report-1.pdf>.

EFIT noted they have observed improvements in areas such as IAFD interview skills, interview preparation, increased professionalism, and on-boarding of newly hired civilian investigators. EFIT also identified areas that need improvement such as adherence to the required process narrative and investigative plans, which were designed as roadmaps to assist IAFD in completing quality and timely investigations. The EFIT Stipulated Order is working as designed and IAFD has improved during this reporting period. APD will continue to work with EFIT and work towards operational compliance in IAFD-related paragraphs.

One major accomplishment was reaching and maintaining 25 investigators mandated in the EFIT Stipulated Order as of August 2021. During the last reporting period, the City created and began filling civilian investigator positions to supplement IAFD sworn staffing issues. To date, the number of civilian investigators continues to grow, they are doing well, and the City intends on continuous hiring of these positions.

Another notable accomplishment is with EFIT and IAFD conducting joint investigations; IAFD investigators have significantly improved in conducting interviews. This was one of the main areas in need of improvement as outlined in the EFIT Stipulated Order. In January 2022, three investigators (2 sworn and 1 civilian) were selected by EFIT to enter a phased transition for interviews during the course of use of force investigations. These three investigators will begin their phased transition, which will ultimately result in being able to conduct interviews on their own. There are additional investigators expected to enter the transition phase for interviews during the next reporting period. This is a major step forward for IAFD as interviews were one of the most criticized areas of use of force investigations.

Since the start of EFIT and during this reporting period, every case has been completed within timelines. This process is working as designed and IAFD is improving daily. The EFIT Stipulated Order requires a documented investigative process, called the Process Narrative, which was developed and implemented during the last reporting period. The Process Narrative is a step-by-step description of requirements from the use of force itself through the completion of the investigation. IAFD continues to struggle with

completing all components of the Process Narrative, which include administrative functions such as uploading documents into the investigative repository or completing an investigative plan. APD is developing an improved oversight component earlier in the investigative process to identify and remedy these issues prior to EFIT's evaluation. Ultimately, the City is experiencing improved and timely investigations, which has a cascading effect of improved case presentations at the Force Review Board.

The City has worked with the DOJ and IMT on how to address the use of force backlog. The EFIT will complete the use of force backlog investigations through an amended Stipulated Order. This will ensure the backlog is completed in a timely manner by subject matter experts that have proven their ability since July 16, 2021. This will allow IAFD personnel to continue to improve their investigative skills and focus on current use of force cases.

The City continues working with the Department of Justice and the Independent Monitor in order to transition the Department in multiple paragraphs towards self-assessment. The Department will take the place of the Independent Monitoring Team in the assessment and reporting of compliance levels for numerous Court-Approved Settlement Agreement (CASA) requirements.

APD annually reviews all policies to ensure they are current and up-to-date. The Standard Operating Procedure (SOP) that governs APD's discipline system, SOP 3-46 Discipline System was revised, received DOJ and IMT feedback and approval, and was published. Improvements to the policy regarding the chart of sanctions and corrective measures are empowering the principles of effective progressive discipline, which is being done through the Bureau of Police Reform with the Superintendent of Police Reform, Deputy Superintendent of Police Reform, and one commander reviewing and opining on cases. This is a different structure than before when there were multiple chains of command involved in the disciplinary process.

With newer leadership at the APD Training Academy, the academy has developed a full 2022 training calendar that outlines all training for 2022 to include the required use of force training. The Training Academy intends to administer select annual training, such as use of force, during the same time period each year. This will allow the department to plan ahead for staffing needs for non-Academy instructors, Academy staffing, and squad staffing in the field. The training calendar allows for the planning of training curriculum development or revision and making adjustments knowing what other training exists throughout the year.

A new early intervention system called Performance Evaluation and Management System (PEMS) policy and training was approved and training was completed in December 2021, resulting in 96.77% of sworn supervisors trained. The PEMS is scheduled to go live in February 2022.

Two full-time contract resources were brought in to assist the Benchmark Project, a dedicated Business Analyst and a Project Manager. Significant progress on the deployment of the system has been made in multiple modules such as Early Intervention, Internal Affairs and Civilian Police Oversight Agency for internal investigations, Personnel, and use of force investigations.

APD is working to improve data interpretation and reporting through expansion of data analytics staff. In collaboration with the Department of Justice and in response to the recommendations by AH Data Analytics' Gap Analysis, the City created the Data Division that will include both criminal and non-criminal data analysis. There are existing criminal data analysts and data analysts dedicated to areas such as compliance; however, the Data Division will centralize those efforts and be under a newly created Data

Director. The Data Director has been selected and is expected to start in April 2022. The Data Director will oversee and coordinate data analysis efforts to assist the department in not only reporting data in a cohesive manner, but using that data to drive future decisions. The Performance Metrics Unit (PMU) who conducts monthly audits is also positioned within the Accountability Bureau, which will allow for easy and streamlined coordination between auditing and data analysis.

Also in this reporting period, an exciting process and tool called ReformStat was adapted to assist APD in achieving CASA compliance for paragraphs not yet operational. ReformStat has been successfully administered in the Baltimore and New Orleans police departments, both of which are under consent decrees. Since 2018, APD has used action plans to assess and correct existing problems. Action plans were developed that identify specific strategies to move the non-operational paragraphs into compliance, which include recommendations outlined in IMRs. The action plans include the people who will be in charge of carrying out each task, deadlines and milestones for each task, the resources needed to complete the tasks, and measures to evaluate the process. APD anticipates the addition of the ReformStat process will enhance action plan efforts through monthly meetings with executive leadership that provide valuable real-time support, guidance, oversight, and authorization. APD conducted mock ReformStat meetings in January 2022 with scheduled, formal meetings in February 2022. ReformStat will begin with Crisis Intervention and the Training Academy in February 2022 and plan to add the Internal Affairs Force Division in March 2022.

IV. Progress Report Organization

This progress report aligns with the ten (10) CASA sections in response to recommendations set forth by the Monitor's Fourteenth Report (IMR-14). Each Section contains subsections and respective paragraphs. Each paragraph of the CASA is listed and is followed by the corresponding IMR-14 Recommendations (if any), APD's response to the recommendations, and in some cases APD's response to the paragraph in general.

The full CASA, Independent Monitor Reports (IMR's), past APD Progress Reports and other related documents can be located at:

<http://www.cabq.gov/police/documents-related-to-apds-settlement-agreement>.

V. Compliance Levels and the CASA's Measurable Paragraphs

There are two hundred seventy-six (276) paragraphs within the CASA with measurable requirements. As defined in IMR-1, compliance measurements in APD's monitoring process consists of three parts: primary, secondary, and operational as defined below:

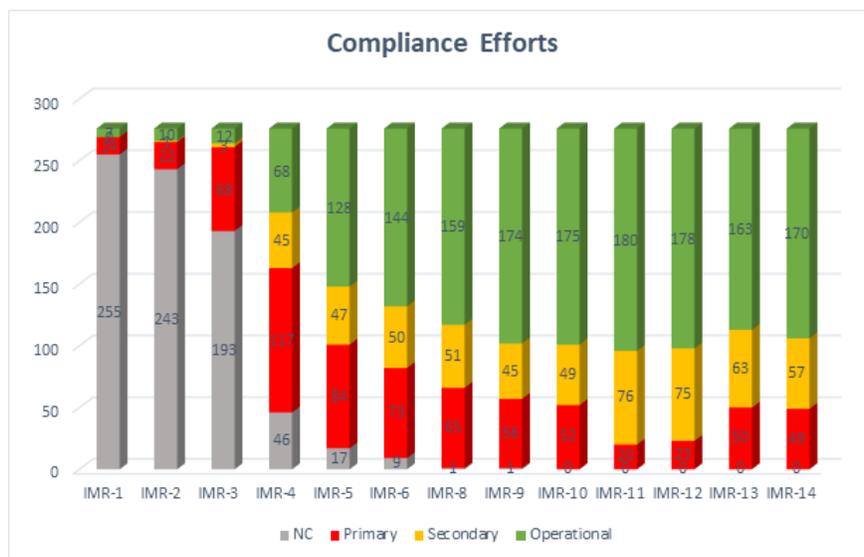
1. **Primary** compliance is the "policy" part of compliance. To attain primary compliance, APD must have in place operational policies and procedures designed to guide officers, supervisors and managers in the performance of the tasks outlined in the CASA. As a matter of course, the policies must be reflective of the requirements of the CASA; must comply with national standards for effective policing policy; and must demonstrate trainable and evaluable policy components.

2. **Secondary** compliance can be attained by implementing supervisory, managerial and executive practices designed to (and effective in) implementing the policy as written, e.g., sergeants routinely enforce the policies among field personnel and are held accountable by managerial and executive levels of the Department for doing so. By definition, there should be operational artifacts (reports, disciplinary records, remands to retraining, follow-up, and even revisions to policies if necessary, indicating that the policies developed in the first stage of compliance are known to, followed by, and important to supervisory and managerial levels of the agency).
3. **Operational** compliance is attained at the point that the adherence to policies is apparent in the day-to-day operation of the agency e.g., line personnel are routinely held accountable for compliance, not by the monitoring staff, but by their sergeants, and Sergeants are routinely held accountable for compliance by their lieutenants and command staff. In other words, APD “owns and enforces its own policies”.

As of the release of IMR-15, APD’s overall compliance rates compared to IMR - 14 were as follows:

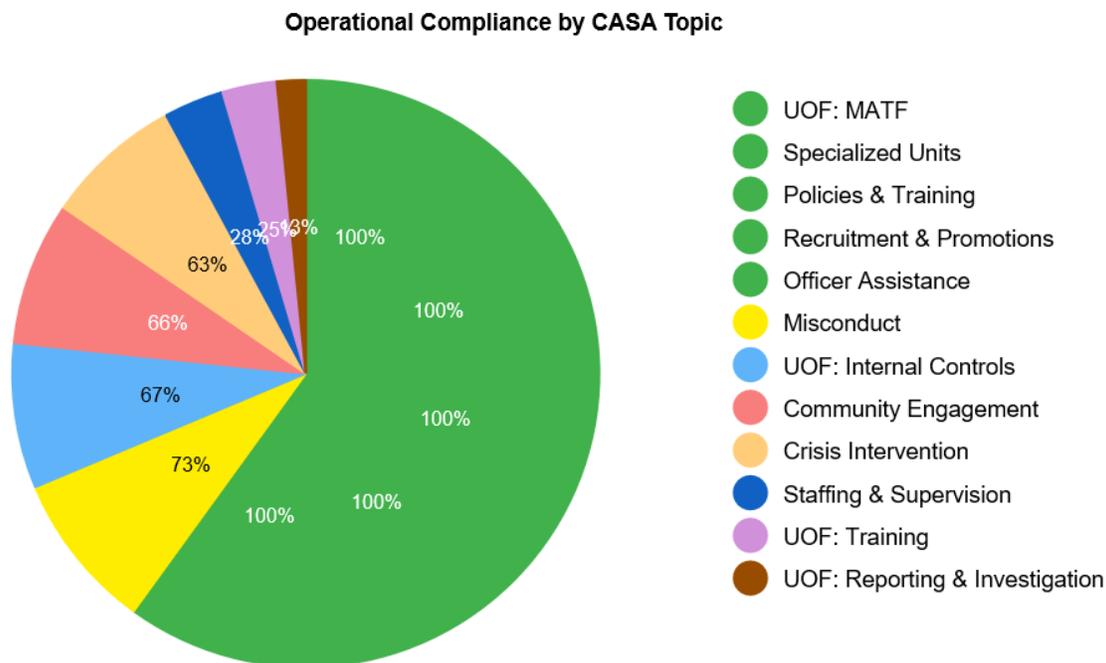
Compliance Level	IMR 13 Percentage Compliant	IMR 14 Percentage Compliant	% Change in Compliance Rate from IMR 13 to IMR 14
Primary (policy)	100%	100%	No change
Secondary (training)	82%	82%	No Change
Operational compliance (day to day operations)	59%	62%	An increase of 3%

The following table shows paragraph compliance rates, from IMR – 1 through IMR-14 (no IMR – 7)¹. The red represents the number of paragraphs in Primary Compliance, yellow represents the number in Secondary Compliance, and green represents the number of paragraphs in Operational Compliance. The next IMR will be filed with the court on May 11, 2022.



¹ There was no IMR – 7 by agreement between the DOJ, City, and Monitor with the approval of the Court.

With the CASA broken down into (10) sections, an overview of paragraphs in operational compliance as of IMR-14 by topic is depicted below. Each section in this report includes a compliance level chart for easier reading.



VI. Section Progress on the CASA’s measurable paragraphs

The Section portions of this report provide detailed information about the progress APD has made with the measurable CASA paragraphs during the reporting period from August 1, 2021, to January 31, 2022, and includes progress made, plans to correct any problems, APD responses to IMR recommendations and general updates. The reader should be aware all recommendations listed throughout this progress report are from IMR-14 and each recommendation has a corresponding recommendation number. IMR-14 may be located at:

<https://www.cabq.gov/police/documents-related-to-apds-settlement-agreement>

Compliance history tables are provided for each of the paragraphs. The red represents Primary Compliance, yellow represents Secondary Compliance, and green represents Operational Compliance.

P=Primary (policy)
S=Secondary (training)
O=Operational compliance (day to day operations)

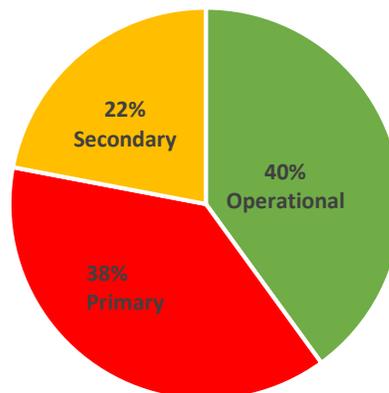
The reporting periods for each IMR are:

IMR #	Date Range
IMR-1	November, 2014 – November, 2015
IMR-2	December, 2015 – January, 2016
IMR-3	February, 2016 – Aril, 2016
IMR-4	May, 2016 - July, 2016
IMR-5	August, 2016 – January, 2017
IMR-6	February, 2017 – July, 2017
IMR-8	February, 2018 – July 31, 2018

IMR #	Date Range
IMR-9	August 1, 2018 – January 31, 2019
IMR-10	February 1, 2019 – July 31, 2019
IMR-11	August 1, 2019 – January 31, 2020
IMR-12	February 1, 2020 – July 31, 2020
IMR-13	August 1, 2020 – January 31, 2021
IMR-14	February 1, 2021 – July 31, 2021
IMR-15	August 1, 2021 – January 31, 2022

Section 1: Use of Force: Internal Controls and Accountability (Paragraphs 14-89)

There are 73 measurable paragraphs in Section 1:
 40% are in Operational Compliance,
 22% are in Secondary Compliance,
 38% are in Primary Compliance.



A. Use of Force Principles (14-16)

14. Use of force by APD officers, regardless of the type of force, tactics, or weapon used, shall abide by the following requirements:

- a. officers shall use advisements, warnings, and verbal persuasion, when possible, before resorting to force;
- b. force shall be de-escalated immediately as resistance decreases;
- c. officers shall allow individuals time to submit to arrest before force is used whenever possible;
- d. APD shall explicitly prohibit neck holds, except where lethal force is authorized;
- e. APD shall explicitly prohibit using leg sweeps, arm-bar takedowns, or prone restraints, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons; to overcome active resistance; or as objectively reasonable where physical removal is necessary to overcome passive resistance and handcuff the subject;
- f. APD shall explicitly prohibit using force against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons; to overcome active resistance; or as objectively reasonable where physical removal is necessary to overcome passive resistance;

- g. officers shall not use force to attempt to effect compliance with a command that is unlawful;
- h. pointing a firearm at a person shall be reported as a Level 1 use of force, and shall be done only as objectively reasonable to accomplish a lawful police objective; and
- i. immediately following a use of force, officers, and, upon arrival, a supervisor, shall inspect and observe subjects of force for injury or complaints of pain resulting from the use of force and immediately obtain any necessary medical care. This may require an officer to provide emergency first aid until professional medical care providers arrive on scene.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: APD has implemented all of paragraph 14 into policy and training. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

Please see MR-14 Recommendations for Paragraphs 14 — 16 after Paragraph 16.

15. APD shall develop and implement an overarching agency-wide use of force policy that complies with applicable law and comports with best practices. The use of force policy shall include all force techniques, technologies, and weapons, both lethal and less lethal that are available to APD officers, including authorized weapons, and weapons that are made available only to specialized units. The use of force policy shall clearly define and describe each force option and the factors officers should consider in determining which use of such force is appropriate. The use of force policy will incorporate the use of force principles and factors articulated above and shall specify that the use of unreasonable force will subject officers to discipline, possible criminal prosecution, and/or civil liability.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: APD's current use of force policy suite was implemented in January 2020. The policy includes all force techniques, technologies and weapons, both lethal and less lethal, that are available to all APD officers. A revision of this policy suite will be presented to the Policy and Procedures Review Board (PPRB) in February and March 2022. APD policy suite meets the requirements for this paragraph and increased compliance.

Please see MR-14 Recommendations for Paragraphs 14 — 16 after Paragraph 16.

16. In addition to the overarching use of force policy, APD agrees to develop and implement protocols for each weapon, tactic, or use of force authorized by APD, including procedures for each of the types of force addressed below. The specific use of force protocols shall be consistent with the use of force principles in Paragraph 14 and the overarching use of force policy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	S	P	S	S	S	S	P	P

APD Response: APD Use of Force policy is congruent with all weapon, tactic, and use of force protocols authorized by the agency. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

MR-14 Recommendations for Paragraphs 14 — 16:

4.7.1-3a: The APD Academy should devise a fully developed and agency-approved, training plan for the year 2022 that incorporates organization-specific needs, best practices, and is properly staffed. This document should be sensitive to findings of the monitoring team have included in IMR-14.

4.7.3b: Ensure executive oversight of this process at the deputy superintendent and superintendent levels and internally monitor milestone dates and product quality.

APD Response to 4.7.1.3a-b: APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period. The APD Training Academy has developed a 2022 training plan that includes annual use of force training. The training will be delivered once the policy process and curriculum adjustments are complete and approved by the IMT and DOJ. APD will complete annual use of force training in 2022.

The City is conducting a nation-wide position search for Superintendent of Police Reform due to the retirement in December 2021 of the previous superintendent that will have executive oversight over both IAFD and the Training Academy.

4.7.3c: Ensure executive level oversight at deputy superintendent and superintendent levels to immediately address the current backlog of use of force cases. A comprehensive plan should be submitted to the Parties that details how APD will address the backlog and the collateral impact on misconduct violations found within those cases, as well as any residual backlog that is created at the FRB. The plan should outline all cases that APD believes are time-barred from imposing discipline, the authority for that position, and the remediation steps to curb future misconduct.

APD Response: The City worked diligently and collaboratively with the DOJ to address the use of force backlog. The EFIT Stipulated Order will be amended in order for EFIT to investigate the backlog.

B. Use of Firearms (17-23)

17. Officers shall carry only those weapons that have been authorized by the Department. Modifications or additions to weapons shall only be performed by the Department's Armorer as approved by the Chief. APD use of force policies shall include training and certification requirements that each officer must meet before being permitted to carry and use authorized weapons.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	S	O

APD Response: APD continues to use the Enterprise Learning Management (ELM) system to capture pertinent information regarding firearm remedial qualifications. The ELM system allows APD to create reports, summarize and analyze data, make policy and training decisions based on the data, and locate and analyze firearms remedial information. A close out document of remedial firearms training records was prepared by the academy staff. A full time staff member has been assigned to assist in firearms data entry. This will aid in accurate and timely data throughout the next year.

There were no IMR-14 Recommendations for Paragraph 17.

18. Officers shall carry or use only agency-approved firearms and ammunition while on duty.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P	P	P	S	P	P	P	P	P	S	S	S	O

APD Response: APD SOP 2-3 Firearms and Ammunition Authorization sets forth expectations with respect to firearms to include a provision that officers shall only carry or use agency-approved firearms. Inspections are held by supervisors on a monthly basis to ensure all officer firearms are the same as what was issued to the officers by the department and match what is listed on individual property cards.

There were no IMR-14 Recommendations for Paragraph 18.

19. APD issued Special Order 14-32 requiring all officers to carry a Department issued handgun while on duty. APD shall revise its force policies and protocols to reflect this requirement and shall implement a plan that provides:

- a. a timetable for implementation;
- b. sufficient training courses to allow officers to gain proficiency and meet qualification requirements within a specified period;
- c. protocols to track and control the inventory and issuance of handguns.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	S	S	S	S	S	O

APD Response: First line supervisors continue to complete monthly line inspections for all officers. As a second level of review, a process was developed for lieutenants to verify sergeants are visually inspecting firearms and ammunition during the monthly line inspection.

There were no IMR-14 Recommendations for Paragraph 19.

20. Officers shall be required to successfully qualify with each firearm that they are authorized to use or carry on-duty at least once each year. Officers who fail to qualify on their primary weapon system shall complete immediate remedial training. Those officers who still fail to qualify after remedial training shall immediately relinquish APD-issued firearms on which they failed to qualify. Those officers who still fail to qualify within a reasonable time shall immediately be placed in an administrative assignment and will be subject to administrative and/or disciplinary action, up to and including termination of employment.²

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P			P	O	O	O	O	O	O	O	O

APD Response: The Academy continues to require annual firearms qualifications and to improve processes to ensure information is clear for reporting and transparency. Firearms qualifications took place in March and April of 2021 and 98.42% of active sworn officers were qualified on their primary weapon system at that time. Training sessions continue at this time for those who were not able to attend in March and April and those officers returning from leave such as military or medical leave will complete their training before they return to duty.

There were no IMR-14 Recommendations for Paragraph 20.

21. APD training shall continue to require and instruct proper techniques for unholstering, drawing, or exhibiting a firearm.³

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P		P	P	P	P	S	S	O	O	P	P

APD Response: The basic firearms block of instruction continues to cover proper techniques for unholstering, drawing, or exhibiting a firearm, which are reinforced in all other firearms training that is conducted. The annual firearms qualifications include techniques in firearms holstering, drawing and exhibiting a firearm. Officers must use these techniques throughout the firearms qualification. APD completed the 2021 annual firearms qualifications and the 2021 use of force training, meeting the requirements for operational compliance for paragraph 21.

There were no IMR-14 Recommendations for Paragraph 21.

22. APD shall adopt a policy that prohibits officers from discharging a firearm from a moving vehicle or at a moving vehicle, including shooting to disable a moving vehicle, unless an occupant of the vehicle is using lethal force, other than the vehicle itself, against the officer or another person, and such action is necessary for self-defense, defense of other officers, or to protect another person. Officers shall not intentionally place themselves in the path of, or reach inside, a moving vehicle.

² Paragraph 20 was reported in IMR3 and IMR4 as not in compliance.

³ Paragraph 21 was reported in IMR3 as not in compliance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		P	S	P	P	P	S	S	O	O	P	P

APD Response: APD's use of force policy suite includes the requirements outlined in paragraph 21, meeting the mandates for operational compliance.

There were no IMR-14 Recommendations for Paragraph 22.

23. APD shall track all critical firearm discharges. APD shall include all critical firearm discharges and discharges at animals in its Early Intervention System and document such discharges in its Use of Force Annual Report.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	P	P	S	S

IMR-14 Recommendations for Paragraph 23:

4.7.10a: Cycle forward the known 2020 data related to Paragraph 23 to ensure the Annual Use of Force Report remains up to date and accurate.

4.7.10b: Complete all backlogged use of force cases and finalize the 2020 Annual Use of Force Report to avoid having multiple "preliminary" reports disseminated simultaneously.

APD Response to 4.7.10a-b: APD continues to track all firearm discharges in IAPro. APD does include critical firearms discharges and firearm discharges at animals in annual force reports. This information was included in the Preliminary 2020 use of force report, will be included in the Preliminary 2021 use of force report, and ultimately the final reports for both years once the use of force backlog is complete. These requirements will be included in the Early Intervention System developed by Benchmark.

C. Electronic Control Weapons (24-38)

24. ECWs shall not be used solely as a compliance technique or to overcome passive resistance. Officers may use ECWs only when such force is necessary to protect the officer, the subject, or another person from physical harm and after considering less intrusive means based on the threat or resistance encountered. Officers are authorized to use ECWs to control an actively resistant person when attempts to subdue the person by other tactics have been, or will likely be, ineffective and there is a reasonable expectation that it will be unsafe for officers to approach the person within contact range.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	S	S	O	O	S	O

APD Response: APD remains in operational compliance for this paragraph. IAFD investigations are conducted that evaluates the requirements of this paragraph.

There were no IMR-14 Recommendations for Paragraph 24.

25. Unless doing so would place any person at risk, officers shall issue a verbal warning to the subject that the ECW will be used prior to discharging an ECW on the subject. Where feasible, the officer will defer ECW application for a reasonable time to allow the subject to comply with the warning.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	S	O	O	O	O	O

APD Response: APD continues to allow necessary time for subjects to comply with officer request prior to the deployment of the ECW. Officers use verbal advisements when feasible to allow individuals to comply with their orders prior to ECW deployment. Use of force investigations assess for proper use of warnings and announcements by officers to gain compliance from an individual to avoid deploying the taser.

There were no IMR-14 Recommendations for Paragraph 25.

26. ECWs will not be used where such deployment poses a substantial risk of serious physical injury or death from situational hazards, except where lethal force would be permitted. Situational hazards include falling from an elevated position, drowning, losing control of a moving motor vehicle or bicycle, or the known presence of an explosive or flammable material or substance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for these requirements. Situational hazards are included in the use of force policy, training, and investigations involving an ECW.

There were no IMR-14 Recommendations for Paragraph 26.

27. Continuous cycling of ECWs is permitted only under exceptional circumstances where it is necessary to handcuff a subject under power. Officers shall be trained to attempt hands-on control tactics during ECW applications, including handcuffing the subject during ECW application (i.e., handcuffing under power). After one standard ECW cycle (5 seconds), the officer shall reevaluate the situation to determine if subsequent cycles are necessary. Officers shall consider that exposure to the ECW for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious injury. Officers shall also weigh the risks of subsequent or continuous cycles against other force options. Officers shall independently justify each cycle or continuous cycle of five seconds against the subject in use of force reports.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	S	O	O	O	O	O

APD Response: APD remains in operational compliance for these requirements. Continuous ECW cycles are included in the use of force policy, training, and investigations involving an ECW.

There were no IMR-14 Recommendations for Paragraph 27.

28. ECWs shall not be used solely in drive-stun mode as a pain compliance technique. ECWs may be used in drive-stun mode only to supplement the probe mode to complete the incapacitation circuit, or as a countermeasure to gain separation between officers and the subject, so that officers can consider another force option.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for these requirements. This requirement is assessed and included in ECW use of force policy, training, and investigations involving an ECW.

There were no IMR-14 Recommendations for Paragraph 28.

29. Officers shall determine the reasonableness of ECW use based upon all circumstances, including the subject's age, size, physical condition, and the feasibility of lesser force options. ECWs should generally not be used against visibly pregnant women, elderly persons, young children, or visibly frail persons. In some cases, other control techniques may be more appropriate as determined by the subject's threat level to themselves or others. Officers shall be trained on the increased risks that ECWs may present to the above-listed vulnerable populations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	S	S	O	O	S	O

APD Response: APD is now in operational compliance for these requirements. This requirement is assessed in use of force policy, training, and investigations involving an ECW.

There were no IMR-14 Recommendations for Paragraph 29.

30. Officers shall not intentionally target a subject's head, neck, or genitalia, except where lethal force would be permitted, or where the officer has reasonable cause to believe there is an imminent risk of serious physical injury.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for these requirements. This requirement is assessed and analyzed in use of force policy, training, and investigations.

There were no IMR-14 Recommendations for Paragraph 30.

31. ECWs shall not be used on handcuffed subjects, unless doing so is necessary to prevent them from causing serious physical injury to themselves or others, and if lesser attempts of control have been ineffective.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for these requirements. Use of force investigations included the use of ECW's on handcuffed subjects to ensure use comports to training and policy.

There were no IMR-14 Recommendations for Paragraph 31.

32. Officers shall keep ECWs in a weak-side holster to reduce the chances of accidentally drawing and/or firing a firearm.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	S	O	O	O	O	O

APD Response: APD remains in operational compliance for these requirements and verification of compliance is captured on the monthly line inspection form by supervisors.

There were no IMR-14 Recommendations for Paragraph 32.

33. Officers shall receive annual ECW certifications, which should consist of physical competency; weapon retention; APD policy, including any policy changes; technology changes; and scenario- and judgment-based training.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in compliance with paragraph 33. In order to maintain continued compliance ECW training recertification training was held in two different and distinct sessions. The department’s compliance rating was 98.7% for all active individuals who have attend ECW re-certification training as of December 2021. It is important to note this number excludes those not able to attend training due to being on leave. In order to obtain 100% compliance, Academy staff follows up with individuals who are on leave and ensuring once they are back on duty, they complete the required training by reporting to the Academy.

There were no IMR-14 Recommendations for Paragraph 33.

34. Officers shall be trained in and follow protocols developed by APD, in conjunction with medical professionals, on their responsibilities following ECW use, including:

- a. removing ECW probes, including the requirements described in Paragraph 35;
- b. understanding risks of positional asphyxia, and training officers to use restraint techniques that do not impair the subject’s respiration following an ECW application;
- c. monitoring all subjects of force who have received an ECW application while in police custody; and
- d. informing medical personnel of all subjects who: have been subjected to ECW applications, including prolonged applications (more than 15 seconds); are under the influence of drugs and/or exhibiting symptoms associated with excited delirium; or were kept in prone restraints after ECW use.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in continued operational compliance with this paragraph. Sworn officers are trained as cadets in the Academy, and during the annual re-certification class.

There were no IMR-14 Recommendations for Paragraph 34.

35. The City shall ensure that all subjects who have been exposed to ECW application shall receive a medical evaluation by emergency medical responders in the field or at a medical facility. Absent exigent circumstances, probes will only be removed from a subject’s skin by medical personnel.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance with this paragraph. This requirement is included in use of force policy, training, and investigations involving an ECW.

There were no IMR-14 Recommendations for Paragraph 35.

36. Officers shall immediately notify their supervisor and the communications command center of all ECW discharges (except for training discharges).

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph. Officers notify supervisors in all instances of ECW deployment, to include accidental discharges and supervisors respond to the scene.

There were no IMR-14 Recommendations for Paragraph 36.

37. APD agrees to develop and implement integrity safeguards on the use of ECWs to ensure compliance with APD policy. APD agrees to implement a protocol for quarterly downloads and audits of all ECWs. APD agrees to conduct random and directed audits of ECW deployment data. The audits should compare the downloaded data to the officer's use of force reports. Discrepancies within the audit should be addressed and appropriately investigated.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph. During the regular course of business, APD conducts quarterly ECW downloads and audits are conducted to monitor ECW compliance. The 2021 ECW compliance rate was 99%. (See Appendix 1, ECW Scorecard)

38. APD agrees to include the number of ECWs in operation and assigned to officers, and the number of ECW uses, as elements of the Early Intervention System. Analysis of this data shall include a determination of whether ECWs result in an increase in the use of force and whether officer and subject injuries are affected by the rate of ECW use. Probe deployments, except those described in Paragraph 30, shall not be considered injuries. APD shall track all ECW laser painting and arcing and their effects on compliance rates as part of its data collection and analysis. ECW data analysis shall be included in APD's Use of Force Annual Report.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	S	S

IMR-14 Recommendations for Paragraph 38:

4.7.25a: Operationalize the EIS process as soon as practicable following training of those who will be using the system. We recommend that the training plan be proffered to the monitor for review and assessment prior to implementation.

APD Response: A new early intervention system called Performance Evaluation and Management System (PEMS) has been developed, the policy and training was approved by the IMT and DOJ and the training of all sworn supervisors was completed in December 2021. Based on feedback by the IMT, the Performance Metrics Unit and Compliance and Oversight Division data analysts are looking at available data to further meet the requirements of this paragraph.

D. Crowd Control and Incident Management (39-40)

39. APD shall maintain crowd control and incident management policies that comply with applicable law and best practices. At a minimum, the incident management policies shall:

- a. define APD’s mission during mass demonstrations, civil disturbances, or other crowded situations;
- b. encourage the peaceful and lawful gathering of individuals and include strategies for crowd containment, crowd redirecting, and planned responses;
- c. require the use of crowd control techniques that safeguard the fundamental rights of individuals who gather or speak out legally; and
- d. continue to prohibit the use of canines for crowd control.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	P	P	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 39 — 40 after Paragraph 40.

40. APD shall require an after-action review of law enforcement activities following each response to mass demonstrations, civil disturbances, or other crowded situations to ensure compliance with applicable laws, best practices, and APD policies and procedures.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P	P	P	P	P	P	P	P	P	P	P	P

IMR-14 Recommendations for Paragraphs 39 – 40.

4.7.26-27a: APD must develop and deliver a meaningful training program to its ERT and Field Services members. That training should be centered on crowd control policies. Further, the training should include scenarios, practical exercises, and lessons learned from previous APD responses to events. Training must meet the instructional objectives documented within APD lesson plans. Training should incorporate lessons learned from recent ERT activations and contemplate best practices developed by other police agencies facing similar social unrest across the country.

APD Response for 4.7.26-27a: Emergency Response Team training was approved by the DOJ and IMT and APD implemented the training during this reporting period. Stage one, “Field Services Response to Demonstrations and Civil Disturbances,” was completed 12/31/2021, with 100% active personnel trained. Stage 2 and 3, “ERT Officer and Supervisor” training was completed 1/7/2022, with 100% eligible personnel.

4.7.26-27b: APD must continue to ensure its After-Action Reports follow a standard structure and include mechanisms for communicating needed revisions to policy, training, or operational rubric within the agency.

APD Response for 4.7.26-27b: The After Action Report template was submitted to the IMT. The AAR was amended to include the monitor’s suggestions for future use.

4.7.26-27c: Continue to take recommendations made from After-Action reporting and follow a logical and repetitive cycle wherein APD can demonstrate it adequately “closes the loop” on lessons learned.

APD Response: After Action Reports (AARs) follow a standardized structure including mechanisms for communicating needed revisions within the agency. Recommendations from AAR lessons learned follow a documented logical and repetitive process wherein APD can demonstrate it adequately closes the loop on lessons learned through mechanisms such as the ERT newsletter and quarterly trainings.

4.7.26-27d: APD should continue its effort to coordinate with IAFD to implement workable solutions to ensure reasonable and timely use of force reporting, and that investigations occur in circumstances where multiple planned and unplanned protests are being addressed. Solutions should be advanced to the monitoring team in the form of SOP revisions related to the proper investigation of uses of force during mass gatherings.

4.7.26-27e: ERT should continue to work with SOD to create routine multi-disciplinary training.

APD Response for 4.7.26-27d-e: When there is an ERT deployment, IAFD personnel are on-scene in the event uses of force occur to take case responsibility to include the on-scene requirements normally completed by the first line supervisor. There were no ERT deployments during this reporting period.

E. Use of Force Reporting (41-49)

41. Uses of force will be divided into three levels for reporting, investigating, and reviewing purposes. APD shall develop and implement a use of force reporting policy and use of force report form that comply with applicable law and comport with best practices. The use of force reporting policy will require officers to immediately notify their immediate, on-duty supervisor within their chain of command following any use of force, prisoner injury, or allegation of any use of force. Personnel who have knowledge of a use of force by another officer will immediately report the incident to an on-duty supervisor. This reporting requirement also applies to off-duty officers engaged in enforcement action.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

42. The use of force reporting policy shall require all officers to provide a written or recorded use of force narrative of the facts leading to the use of force to the supervisor conducting the review or the APD officer conducting the investigation. The written or recorded narrative will include:

- a. a detailed account of the incident from the officer’s perspective;

- b. the reason for the initial police presence;
- c. a specific description of the acts that led to the use of force including the subject’s behavior;
- d. the level of resistance encountered; and
- e. a description of each type of force used and justification for each use of force. Officers shall not merely use boilerplate or conclusory language but must include specific facts and circumstances that led to the use of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

43. Failure to report a use of force or prisoner injury by an APD officer shall subject officers to disciplinary action.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: The PMU is in the audit testing phase of reviewing OBRD for reports of resisting arrest and battery on a police officer and no use of force was used in order to identify potential unreported uses of force. If unreported force is identified, it is reported and investigated. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

44. APD policy shall require officers to request medical services immediately when an individual is injured or complains of injury following a use of force. The policy shall also require officers who transport a civilian to a medical facility for treatment to take the safest and most direct route to the medical facility. The policy shall further require that officers notify the communications command center of the starting and ending mileage on the transporting vehicle.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: APD’s use of force policy suite meets the mandates outlined in paragraph 44. APD meets the requirements for operational compliance.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

45. APD shall require officers to activate on-body recording systems and record all use of force encounters. Consistent with Paragraph 228 below, officers who do not record use of force encounters shall be subject to discipline, up to and including termination.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	P	P	P	P	P	P	S	S	P

APD Response: APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

APD continues to investigate violations of this requirement. SOP 3-46 Discipline System, was revised, approved by the IMT and DOJ, and published via PowerDMS. The policy was revised based on IMT technical assistance, including an updated chart of sanctions and progressive discipline. For consistency, the Office of the Superintendent is responsible for reviewing all internal investigations and determining discipline. A newly created position of Professional Integrity Commander was created to ensure consistency across all proposed disciplinary sanctions.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

F. Force Reviews and Investigations

46. The three levels of use of force will have different kinds of departmental review. All uses of force by APD shall be subject to supervisory review, and Level 2 and Level 3 uses of force are subject to force investigations as set forth below. All force reviews and investigations shall comply with applicable law and comport with best practices. All force reviews and investigations shall determine whether each involved officer's conduct was legally justified and complied with APD policy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

47. The quality of supervisory force reviews shall be taken into account in the performance evaluations of the officers performing such reviews.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: The current employee work plan or performance evaluations allows for entry regarding the quality of investigations and reviews by supervisors. The Performance Evaluation and Management System (PEMS) training and the annual use of force training were both completed in December 2021. The upcoming PEMS also includes use of force supervisory reviews to be taken into account in the performance evaluation of officers and supervisors. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

48. APD agrees to develop and implement force classification procedures that include at least three categories of types of force that will determine the force review or investigation required. The categories or types of force shall be based on the level of force used and the risk of injury or actual injury from the use of force. The goal is to promote greater efficiency and reduce burdens on first-line supervisors, while optimizing critical investigative resources on higher-risk uses of force. The levels of force are defined as follow:

- a. Level 1 is force that is likely to cause only transitory pain, disorientation, or discomfort during its application as a means of gaining compliance. This includes techniques which are not reasonably expected to cause injury, do not result in actual injury, and are not likely to result in a complaint of injury (i.e., pain compliance techniques and resisted handcuffing). Pointing a firearm, beanbag shotgun, or 40 millimeter launcher at a subject, or using an ECW to “paint” a subject with the laser sight, as a show of force are reportable as Level 1 force. Level 1 force does not include interaction meant to guide, assist, or control a subject who is offering minimal resistance.
- b. Level 2 is force that causes injury, could reasonably be expected to cause injury, or results in a complaint of injury. Level 2 force includes use of an ECW, including where an ECW is fired at a subject but misses; use of a beanbag shotgun or 40 millimeter launcher, including where it is fired at a subject but misses; OC Spray application; empty hand techniques (i.e., strikes, kicks, takedowns, distraction techniques, or leg sweeps); and strikes with impact weapons, except strikes to the head, neck, or throat, which would be considered a Level 3 use of force.
- c. Level 3 is force that results in, or could reasonably result in, serious physical injury, hospitalization, or death. Level 3 force includes all lethal force; critical firearms discharges; all head, neck, and throat strikes with an object; neck holds; canine bites; three or more uses of an ECW on an individual during a single interaction regardless of mode or duration or an ECW application for longer than 15 seconds, whether continuous or consecutive; four or more strikes with a baton; any strike, blow, kick, ECW application, or similar use of force against a handcuffed subject; and uses of force resulting in a loss of consciousness. As set forth in Paragraphs 81-85 below, APD shall continue to participate in the Multi-Agency Task Force, pursuant to its Memorandum of Understanding, in order to conduct criminal investigations of at least the following types of force or incidents:
 - i. Officer-involved shootings;
 - ii. Serious uses of force as defined by the Memorandum of Understanding;
 - iii. In-custody deaths; and
 - iv. other incidents resulting in death at the discretion of the Chief.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: APD’s use of force policy suite meets the mandates outlined in paragraph 48. APD meets the requirements for operational compliance.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

49. Under the force classification procedures, officers who use Level 1 force shall report the force to their supervisor as required by Paragraph 42; Level 1 uses of force that do not indicate apparent criminal conduct by an officer will be reviewed by the chain of command of the officer using force. Level 2 and 3 uses of force shall be investigated by the Internal Affairs Division, as described below. When a use of force

or other incident is under criminal investigation by the Multi-Agency Task Force, APD's Internal Affairs Division will conduct the administrative investigation. Pursuant to its Memorandum of Understanding, the Multi-Agency Case Task Force shall periodically share information and coordinate with the Internal Affairs Division, as appropriate and in accordance with applicable laws, to ensure timely and thorough administrative investigations of uses of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: Use of force investigations that indicate apparent criminal misconduct are referred to the Multi-Agency Task Force (MATF) for criminal investigation while IAFD conducts the internal administrative investigation. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

F1. Supervisory Force Reviews (50-59)

50. The supervisor of an officer using force shall respond to the scene of all Level 1, 2, and 3 uses of force to ensure that the use of force is classified according to APD's force classification procedures. For Level 2 and Level 3 uses of force, the supervisor shall ensure that the Force Investigation Section of the Internal Affairs Division is immediately notified and dispatched to the scene of the incident to initiate the force investigation.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: APD supervisors continue to respond to scenes for all levels of use of force incidents and upon classifying an incident as a Level 2 or Level 3, contact IAFD to respond to the scene to initiate the force investigation. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

51. A supervisor who was involved in a reportable use of force including by participating in or ordering the force being reviewed, shall not review the incident or use of force reports for approval.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

52. For all supervisory reviews of Level 1 uses of force, the supervisor shall:

- a. respond to the scene and immediately identify the officer(s) involved in Level 1 use of force;
- b. review the involved officer’s lapel video, determining whether the incident involves a Level 1 use of force;
- c. review the lapel video of other officers on-scene where uncertainty remains about whether the incident rises to a Level 2 or Level 3 use of force;
- d. examine personnel and the subject for injuries and request medical attention where appropriate;
- e. contact the Internal Affairs Division to conduct a Level 2 or Level 3 use of force investigation if lapel video does not affirm a Level 1 use of force;
- f. gather any evidence located at the scene of the Level 1 use of force;
- g. capture photographs of the officer(s) and subject involved in the Level 1 use of force;
- h. require the submission of a use of force report from the involved officer by the end of shift; and
- i. conduct any other fact-gathering activities while on-scene, as necessary, to reach reliable conclusions regarding the officer’s use of Level 1 force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

53. Each supervisor shall complete and document a supervisory force review of a Level 1 use of force within 72 hours of the use of force. Any extension of this 72-hour deadline must be authorized by a Commander. This review shall include:

- a. all written or recorded use of force narratives or statements provided by personnel or others;
- b. documentation of all evidence that was gathered, including names, phone numbers, and addresses of witnesses to the incident. In situations in which there are no known witnesses, the report shall specifically state this fact. In situations in which witnesses were present but circumstances prevented the author of the report from determining the identification, phone number, or address of the witnesses, the report shall state the reasons why. The report should also include all available identifying information for anyone who refuses to provide a statement;
- c. the names of all other APD employees witnessing the use of force;
- d. the supervisor’s narrative evaluating the use of force, based on the supervisor’s analysis of the evidence gathered, including a determination of whether the officer’s actions complied with APD policy and state and federal law; and an assessment of the incident for tactical and training implications, including whether the use of force could have been avoided through the use of de-escalation techniques and
- e. documentation that additional issues of concern not related to the use of force incident have been identified and addressed by separate memorandum.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	O	P	P	O	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

54. Upon completion of the review, the reviewing supervisor shall forward the review through his or her chain of command to the Commander, who shall review the entry to ensure that it is complete and that the findings are supported using the preponderance of the evidence standard. The Commander shall order additional review when it appears that there is additional relevant evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings. These reviews shall be completed electronically and tracked in an automated database within the Internal Affairs Division.⁴

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

55. Where the findings of the supervisory review are not supported by a preponderance of the evidence, the supervisor's Commander shall document the reasons for this determination and shall include this documentation as an addendum to the original review. The supervisor's superior shall take appropriate action to address the inadequately supported determination and any deficiencies that led to it. Commanders shall be responsible for the accuracy and completeness of the Level 1 force reviews prepared by supervisors under their command.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

56. Where a supervisor repeatedly conducts deficient supervisory force reviews, the supervisor shall receive the appropriate corrective and/or disciplinary action, including training, demotion, and/or removal from a supervisory position in accordance with performance evaluation procedures and consistent with any existing collective bargaining agreements, personnel rules, Labor Management Relations Ordinance, Merit System Ordinance, regulations, or administrative rules. Whenever a supervisor or Commander finds evidence of a use of force indicating apparent criminal conduct by an officer, the supervisor or Commander shall suspend the supervisory force review immediately and notify the Internal Affairs Division and the Chief. The Force Investigation Section of the Internal Affairs Division shall immediately initiate the administrative and criminal investigation.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

⁴ Paragraph 54 was omitted in IMR-14; no compliance level was provided.

57. When the Commander finds that the supervisory force review is complete and the findings are supported by the evidence, the file shall be forwarded to the Performance Review Unit of the Compliance Bureau. The Performance Review Unit shall review the supervisory force review to ensure that it is complete and that the findings are supported by the evidence. The Performance Review Unit shall ensure that the file is forwarded to the Internal Affairs Division for recordkeeping. Where the Performance Review Unit of the Compliance Bureau determines that a supervisory force review, which has been completed by the supervisor and reviewed by the chain of command, is deficient, the Performance Review Unit shall forward the review to the supervisor for correction. Any performance deficiencies in the investigation or review will be noted in the affected Commander’s performance records.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	S	S	S	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 41 — 58 after Paragraph 58.

58. At the discretion of the Chief, a supervisory force review may be assigned or reassigned to another supervisor, whether within or outside of the Command in which the incident occurred, or may be returned to the original supervisor for further review or analysis. This assignment or re-assignment shall be explained in writing.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

IMR-14 Recommendations for paragraphs 41-58:

APD Response: APD completed annual 2021 use of force training, meeting the requirements for increased compliance for paragraphs 41-58.

4.7.45a: APD should conduct a comprehensive review of extant processes designed to meet the requirements of the CASA regarding paragraphs 41-58 and ensure that operations personnel are processing force-review functions in an accurate, meaningful and forthright manner.

APD Response: Early in 2021, the City and the DOJ entered into a Stipulated Order which established the External Force Investigation Team (EFIT) to assist the Internal Affairs Force Division (IAFD) in conducting quality and timely investigations of Level 2 and Level 3 uses of force by APD officers. Prior to EFIT going live on July 16, 2021, APD and EFIT worked together to develop a step-by-step process outlining each step from the use of force incident through the completion of a use of force investigation. The IMT and DOJ approved this process referred as the Process Narrative which EFIT uses to evaluate IAFD after each use of force investigation. IAFD has made improvements during this reporting period impacting numerous requirements outlined in paragraphs 41-58. For example, IAFD continues to improve their interviewing skills which has resulted in the ability to obtain requirements outlined in paragraph 42 such as detailed account of the use of force incident by the officer, reason(s) for the police presence, acts that led to the use of force, description and justification of each use of force without using boilerplate language.

4.7.45b: Ensure that sub-standard command-level reviews that fail to adhere to extant policy standards are met with counseling, retraining, or disciplinary actions, up to and including demotion if necessary, in order to strengthen the command review process.

APD Response: In EFIT's evaluation, they also determine if IAFD command staff conducted proper reviews of Level 2 and Level 3 use of force incidents. During this reporting period, IAFD command staff has conducted improved reviews and approvals of their subordinates' investigations. IAFD has improved the on-boarding process for new command level employees, which, along with the EFIT and process narrative has strengthened the command level review process at IAFD. APD is working with the DOJ and IMT on improving the Level 1 use of force review process.

4.7.45c: Timelines must be established for effective investigations that will meet the requirements for efficient discipline viz a viz the APOA contract.

APD Response: Between IAFD and EFIT, all cases have been completed within timelines in accordance with the Collective Bargaining Agreement (CBA). In October 2021, EFIT did assume ten investigations from IAFD to avoid missing the 90-day deadline for investigation, review, and approval. IAFD instituted additional data points to assist the chain of command in case management which helped with oversight. In January 2022, EFIT assumed one additional case for the same reason. Since the start of EFIT to the end of this reporting period, EFIT and IAFD have closed 157 Level 2 and Level 3 use of force cases. With those eleven cases assumed by EFIT, IAFD has been able to close out 146 of those 157 cases or 92.9% within timelines, illustrating substantial improvement since IMR-14.

4.7.45d: Complete the delivery of training related to the use of the PEMS early intervention system that triggers alerts when clusters of poorly investigated use of force incidents arise, and address these issues early with area command staff, requiring commanders affected to develop and implement written "Intervention Plans" designed to identify the causes of failure and remediate those causes systematically.

4.7.45e: Integrate the new capacities provided by the Performance Evaluation and Management System (PEMS) into processes designed to identify officers "at risk" of repeated improper uses of force, and to identify supervisory and management personnel who fail to identify these officers and/or fail to take steps to ameliorate repeated improper uses of force.

4.7.45f: Routinely monitor the actual intervention processes for compliance with the proffered plans.

4.7.45i: Ensure that issues noted by supervisory, management, and systems review (PEMS, etc.) are dealt with using appropriate processes, such as documented verbal warnings, retraining, or discipline.

APD Response for 4.7.45d-f and i: The PEMS Supervisor training was completed in December 2021 with a 96.77% compliance rate. The PEMS is scheduled to go live in February 2022.

4.7.45g: Begin a process of identifying and "calling out" improper or insignificant corrective measures for behaviors found to be in violation of the CASA and ensure that progressive discipline is implemented for multiple violations committed over time.

4.7.45h: Begin a process of cross-referencing out-of-policy behaviors identified by the monitoring team with supervisory and command reviews of those incidents, identifying supervisory and command

responses to those behaviors (where appropriate), and implement steps to require appropriate attention to and reporting of policy violations by supervisory and command personnel.

APD Response for 4.7.45g-h: SOP 3-46 Discipline System was revised, approved by the IMT and DOJ, and published via PowerDMS. The policy was revised based on IMT technical assistance, including an updated chart of sanctions and progressive discipline. For consistency, the Office of the Superintendent is responsible for reviewing all internal investigations and determining discipline for consistency. A newly created position of Professional Integrity Commander was created to ensure consistency across all proposed disciplinary sanctions.

4.7.45j: Charge PMU personnel with the conduct of a valid assessment of the efficacy of command level reviews of use of force, and with broad-sample-based identifications of weak points in supervisory and command oversight of use of force.

4.7.45k: Ensure the PMU review is assessed by Compliance Bureau personnel, and provide a detailed, focused classifications of strengths, weaknesses, opportunities, and threats to effective oversight of use of force incidents by area command personnel.

APD Response for 4.7.45j-k: PMU staffing has increased from 6 to 12 positions in order to expand their work and expand scorecards, which have continued success. PMU assisted the Performance Review Unit (PRU) in revising and improving their Level 1 use of force review responsibilities for more efficiency. This updated proposal will be submitted to the IMT and DOJ during the next reporting period. PMU has been charged with the task of assisting IAFD with tracking error rate improvements through the investigative plan.

59. Where, after a supervisory force review, a use of force is found to violate policy, the Chief shall direct and ensure appropriate discipline and/or corrective action. Where the use of force indicates policy, training, tactical, or equipment concerns, the Chief shall also ensure that necessary training is delivered and that policy, tactical, or equipment concerns are resolved.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	P	S	S	P	P

APD Response: During the internal investigative process at APD, employees are notified in detail of their reported violation. This is accomplished through a target letter addressed to the employee and through the investigative process. IAFD is also responsible for identifying supervisory, training, tactical, or equipment concerns and ensuring that they are appropriately referred. APD completed annual 2021 use of force training, meeting the requirements for secondary compliance for this reporting period.

IMR-14 Recommendations for Paragraph 59:

4.4.46a: Clarify with the involved employee(s) all operational process requirements of the violated policy in each and every incident of a known violation;

APD Response: APD continues to notify employees in detail of their reported violation through a target letter addressed to the employee and throughout the investigative process.

4.4.46b: Insist on consistent disciplinary decisions based on employee acts or omissions, including a table of infractions with disciplinary ranges for each potential level of infractions;

4.4.46c: Insist on consistency, and ensure the consistency is calibrated to the level of infractions;

4.4.46d: Require appropriate escalation if given classes of infractions are repeated;

4.4.46f: Ensure that all disciplinary findings and comments fit established departmental documentation protocols.

4.4.46h: Progressively increase the corrective measures as violations continue or are more serious;

4.4.46i: Follow through on consequences, e.g., establish progressive disciplinary standards, and ensure that requirements are enforced and followed up;

APD Response for 4.4.46b, c, f, h, i: For consistency, 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.

4.4.46e: Document all disciplinary interventions;

APD Response: APD has consistently documented disciplinary actions on an employee's retention card since at least 2018. This card has limited access for review by department personnel.

4.4.46g: Include "fact statements" based on the department's investigative findings, ensuring that all infractions are clearly explained;

APD Response: IAFD relies on factual evidence to reach conclusions in their investigations. These fact statements are listed in the file prior to completion.

F2. Force Investigations by the Internal Affairs Division (60-77)

60. The Force Investigation Section of the Internal Affairs Division shall respond to the scene and conduct investigations of Level 2 and Level 3 uses of force, uses of force indicating apparent criminal conduct by an officer, uses of force by APD personnel of a rank higher than sergeant, or uses of force reassigned to the Internal Affairs Division by the Chief. In cases where an investigator in the Force Investigation Section initiates a Level 2 or Level 3 use of force investigation and identifies indications of apparent criminal conduct, the Section shall refer the use of force to an investigator in the Section, with no involvement in the initial administrative investigation into the Level 2 or 3 use of force, to conduct a criminal investigation. The criminal investigation shall remain separate from and independent of any administrative investigation. In instances where the Multi-Agency Task Force is conducting the criminal investigation of a use of force, the Internal Affairs Division shall conduct the administrative investigation.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

APD Response: IAFD continues to respond and investigate Level 2 and Level 3 use of force investigations, uses of force involving the rank higher than sergeant, and cases assigned to them by the Chief. IAFD refers for criminal investigation to the Multi-Agency Task Force any use of force case with apparent criminal conduct by an officer. IAFD conducts the administrative investigation into the use of force and the two investigations remain separate. APD meets the paragraph requirements for increased compliance.

IMR-14 Recommendations for Paragraph 60:

4.7.47a: Conduct a complete review of recent IA case investigations and identify all similar or related violations of the CASA. Where appropriate, re-open and re-investigate those cases;

4.7.47b: Organize from that review, a list of behaviors that are counter-CASA and ensure that those behaviors are restricted by a revised IA policy, detailed re-training, supervision and discipline.

APD Response for 4.7.47a-b: Any use of force case with apparent criminal misconduct is referred to and investigated by MATF. EFIT will be completing the investigations of the backlog. The FRB did not return a case to be re-opened or reinvestigated in this reporting period.

61. The Force Investigation Section of the Internal Affairs Division will be responsible for conducting both criminal and administrative investigations, except as stated in Paragraph 60. The Force Investigation Section of the Internal Affairs Division shall include sufficient personnel who are specially trained in both criminal and administrative investigations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 61:

4.7.48a: Continue to self-monitor the progress of Internal Affairs in conducting effective intake, assessment, assignment, investigation, and resolution processes for criminal and civil investigations in order to ensure that staffing levels are appropriate (timelines are met and quality standards are acceptable) and processes are effective in producing acceptable and timely results.

APD Response: When a case is identified with apparent criminal misconduct, IAFD makes a referral to MATF to conduct the criminal investigation. The EFIT Stipulated Order requires APD to staff IAFD to at least twenty-five use of force investigators. APD achieved the required (25) investigators in August 2021. This increase in staffing in conjunction with the implementation of EFIT have produced effective, acceptable and timely results.

62. Within six months from the Operational Date, APD shall revise the Internal Affairs Division manual to include the following:

- a. definitions of all relevant terms;
- b. procedures on report writing;
- c. procedures for collecting and processing evidence;
- d. procedures to ensure appropriate separation of criminal and administrative investigations in the event of compelled subject officer statements;
- e. procedures for consulting with the District Attorney's Office or the USAO, as appropriate, including ensuring that administrative investigations are not unnecessarily delayed while a criminal investigation is pending;
- f. scene management procedures; and
- g. management procedures.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 62:

4.7.49a: Continue work on revision and update of the IAB manuals, ensuring they comply with the updated CASA, the new use of force policies that became operational on January 11, 2020, the new investigation procedures for Level 1, 2, and 3 uses of force, and known best practices in the field.

APD Response: As IAFD improves investigations and process, IAFD personnel continue to revise the IAFD manual to include updated information. As IAFD develops and conducts training, the manual is being revised to reflect those improvements and changes. For example, the interview portion of IAFD's 40-hour investigator training was conducted in June 2021, and that information was included in the revised manual. The remainder of the training topics (report writing, collecting and processing evidence, separation of criminal and administrative investigations, case law, scene management, management procedures, and relevant terms) are in beginning processes at the Training Academy. Ultimately, the training will have four phases. The IAFD manual will align with the training topics, APD policies, Level 1, 2, and 3 uses of force procedures, and best practices in the field.

The EFIT stipulated order includes APD selecting an outside entity to assist IAFD and the Training Academy develop training for IAFD personnel. A vendor has been selected and the contract will be finalized and executed during next reporting period. The revision of the manual will be impacted by the addition of this vendor and developed training.

63. Within 39 months from the Operational Date, APD shall ensure that there are sufficient trained personnel assigned to the Internal Affairs Division and Force Investigation Section to fulfill the requirements of this Agreement. APD shall ensure that all Level 2 and Level 3 uses of force are investigated fully and fairly by individuals with appropriate expertise, independence, and investigative skills so that uses of force that are contrary to law or policy are identified and appropriately resolved; that policy, training, equipment, or tactical deficiencies related to the use of force are identified and corrected; and that investigations of sufficient quality are conducted so that officers can be held accountable, if necessary. At the discretion of the Chief, APD may hire and retain personnel, or reassign current APD employees, with sufficient expertise and skills to the Internal Affairs Division or Force Investigation Section.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 63:

4.7.50a: Identify the department's expected milestone date for staffing at IAD, based on data related to incoming cases, average time for case completion, and calculations of the number of staff needed to effectively investigate incoming cases within established parameters.

APD Response: The EFIT Stipulated Order requires APD to staff IAFD with (25) investigators and in August 2021, APD met that requirement. APD will continue to evaluate and determine the appropriate personnel required.

64. Before performing force investigations, Force Investigation Section personnel shall receive force investigation training that includes, at a minimum, the following areas: force investigation procedures; call-out and investigative protocols; proper roles of on-scene counterparts such as crime scene technicians, the Office of the Medical Investigator, District Attorney staff, the Multi-Agency Task Force, City Attorney staff, and Civilian Police Oversight Agency staff; and investigative equipment and techniques. Force Investigation Section personnel shall also receive force investigation annual in-service training.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 64:

4.7.51a: Modify the 40-hour training program for IAFD investigators and supervisors based upon the monitor's critical assessment of IAFD investigations and supervisory reviews provided in this report.

APD Response: The EFIT stipulated order includes APD selecting an outside entity to assist IAFD and the Training Academy develop training for IAFD personnel. A vendor has been selected and the contract will be finalized and executed during next reporting period. In the meantime, APD developed ten hours of the forty-hours has been approved by the monitoring team, and the training was conducted in June 2021. IAFD has continued to develop training and will work with the Training Academy and the new vendor to complete that training.

65. Where appropriate to ensure the fact and appearance of impartiality and with the authorization of the Chief, APD may refer a use of force indicating apparent criminal conduct by an officer to the Multi-Agency Task Force for criminal investigation.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph. APD remains committed to impartiality and refers all potential criminal cases to MATF for investigation. The internal investigation remains separate from the criminal investigation.

There were no IMR-14 Recommendations for Paragraph 65.

66. To ensure that criminal and administrative investigations remain separate, APD’s Violent Crimes Section may support the Force Investigation Section of the Internal Affairs Division or the Multi-Agency Task Force in the investigation of any Level 2 or Level 3 use of force, as defined by this Agreement, including critical firearm discharges, in-custody deaths, or police-initiated actions in which a death or serious physical injury occurs.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph. Internal Affairs continues to keep administrative investigations separate from criminal investigations.

There were no IMR-14 Recommendations for Paragraph 66.

67. The Chief shall notify and consult with the District Attorney’s Office, the Federal Bureau of Investigation, and/or the USAO, as appropriate, regarding any use of force indicating apparent criminal conduct by an officer or evidence of criminal conduct by an officer discovered during a misconduct investigation.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph. APD continues with all notifications consistent with this paragraph.

There were no IMR-14 Recommendations for Paragraph 67.

68. If APD initiates a criminal investigation, or where APD requests a criminal prosecution, the Force Investigation Section will delay any compelled interview of the target officer(s) pending consultation with the District Attorney’s Office or the USAO, consistent with Paragraph 186. No other part of the administrative investigation shall be held in abeyance unless specifically authorized by the Chief in consultation with the agency conducting the criminal investigation.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	O	P	S	S	S	O

APD Response: When IAFD is aware of a criminal investigation; the compelled interview of the target officer is delayed in accordance with this paragraph. The remainder of the administrative investigation continues concurrently with the criminal investigation.

There were no IMR-14 Recommendations for Paragraph 68.

69. In conducting its investigations of Level 2 or Level 3 uses of force, as defined in this Agreement, the Force Investigation Section shall:

- a. respond to the scene and consult with the on-scene supervisor to ensure that all personnel and subject(s) of use of force have been examined for injuries, that the use of force has been classified according to APD’s classification procedures, that subject(s) have been interviewed for complaints of pain after advising the subject(s) of his or her rights, and that all officers and/or subject(s) have received medical attention, if applicable;
- b. ensure that all evidence to establish material facts related to the use of force, including but not limited to audio and video recordings, photographs, and other documentation of injuries or the absence of injuries is collected;
- c. ensure that a canvass for, and interview of, witnesses is conducted. In addition, witnesses should be encouraged to provide and sign a written statement in their own words;
- d. ensure, consistent with applicable law, that all officers witnessing a Level 2 or Level 3 use of force by another officer provide a use of force narrative of the facts leading to the use of force;
- e. provide a written admonishment to involved and witness officer(s) to the use of force that they are not to speak about the force incident with anyone until they are interviewed by the investigator of the Force Investigation Section;
- f. conduct only one-on-one interviews with involved and witness officers;
- g. review all use of force reports to ensure that these statements include the information required by this Agreement and APD policy;
- h. ensure that all use of force reports identify all officers who were involved in the incident, witnessed the incident, or were on the scene when it occurred;
- i. conduct investigations in a rigorous manner designed to determine the facts and, when conducting interviews, avoid asking leading questions and never ask officers or other witnesses any questions that may suggest legal justifications for the officers’ conduct;
- j. record all interviews;
- k. consider all relevant evidence, including circumstantial, direct, and physical evidence, as appropriate, and make credibility determinations, if feasible;
- l. make all reasonable efforts to resolve material inconsistencies between the officer, subject, and witness statements, as well as inconsistencies between the level of force described by the officer and any injuries to personnel or subjects; and
- m. train all Internal Affairs Division force investigators on the factors to consider when evaluating credibility, incorporating credibility instructions provided to jurors.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendation for Paragraph 69:

4.7.56a: Conduct detailed failure analyses for all IAFD investigations deemed improperly completed or delayed. This report provides a workable starting point for that analysis.

4.7.56b: Using these failure analyses, routinely modify training, procedures, practice, and supervision/oversight until IAFD findings are greater than 94 percent complete and adequate on each of the elements addressed in paragraph 69.

4.7.56c: Resolve IA administrative (use of force) and misconduct investigative timelines to ensure they are practicable and allow corrective and disciplinary actions to routinely occur within those timelines.

APD Response for 4.7.56a-c: Early in 2021, the City and the DOJ entered into a Stipulated Order which established the External Force Investigation Team (EFIT) to assist the Internal Affairs Force Division (IAFD) in conducting quality and timely investigations of Level 2 and Level 3 uses of force by APD officers. Prior to EFIT going live on July 16, 2021, APD and EFIT worked together to develop a step-by-step process outlining each step from the use of force incident through the completion of a use of force investigation. The IMT and DOJ approved this process referred as the Process Narrative which EFIT uses to evaluate IAFD after each use of force investigation. Cases are reviewed against the process narrative, to verify each use of force case follows departmental procedure.

Between IAFD and EFIT, all cases have been completed within timelines in accordance with the Collective Bargaining Agreement (CBA). In October 2021, EFIT did assume ten investigations from IAFD to avoid missing the 90-day deadline for investigation, review, and approval. IAFD instituted additional data points to assist the chain of command in case management which helped with oversight. In January 2022, EFIT assumed one additional case for the same reason. Since the start of EFIT to the end of this reporting period, EFIT and IAFD have closed 157 Level 2 and Level 3 use of force cases. With those eleven cases assumed by EFIT, IAFD has been able to close out 146 of those 157 cases or 92.9% within timelines, illustrating substantial improvement since IMR-14.

70. The Force Investigation Section shall complete an initial use of force Data Report through the chain of command to the Chief as soon as possible, but in no circumstances later than 24 hours after learning of the use of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 70:

4.7.57a: Conduct data analysis of Use of Force Data reports to determine why they take longer than 24 hours to process and develop recommendations to relieve the major bottlenecks affecting this process.

APD Response: When a use of force case is entered into the APD system called BlueTeam, an email is auto-generated to the Chief of Police and Superintendent. In the last reporting period, an indicator was added to BlueTeam to track these auto-generated emails. At last review, compliance was achieved 96.37% of the time. Detective calls and response times were added to CADs to serve as an audit function if necessary.

71. The Force Investigation Section shall complete Level 2 or Level 3 administrative investigations within three months after learning of the use of force. Any request for an extension to this time limit must be approved by the commanding officer of the Force Investigation Section through consultation with the Chief or by the Chief. At the conclusion of each use of force investigation, the Force Investigation Section shall prepare an investigation report. The report shall include:

- a. a narrative description of the incident, including a precise description of the evidence that either justifies or fails to justify the officer’s conduct based on the Force Investigation Section’s independent review of the facts and circumstances of the incident;
- b. documentation of all evidence that was gathered, including names, phone numbers, addresses of witnesses to the incident, and all underlying use of force Data Reports. In situations in which there are no known witnesses, the report shall specifically state this fact. In situations in which witnesses were present but circumstances prevented the author of the report from determining the identification, phone number, or address of those witnesses, the report shall state the reasons why. The report should also include all available identifying information for anyone who refuses to provide a statement;
- c. the names of all other APD officers or employees witnessing the use of force;
- d. the Force Investigation Section’s narrative evaluating the use of force, based on the evidence gathered, including a determination of whether the officer’s actions complied with APD policy and state and federal law; and an assessment of the incident for tactical and training implications, including whether the use of force could have been avoided through the use of de-escalation techniques or lesser force options;
- e. if a weapon was used by an officer, documentation that the officer’s certification and training for the weapon were current at the time of the incident; and
- f. the complete disciplinary history of the target officers involved in the use of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 71:

4.7.58a: Conduct a review of a random sample of cases completed by IAFD in the past 3-6 months that failed to meet established timelines by reviewing the key failure points causing the delay. The review should:

- a. Identify key causes of failure resulting in time-barred discipline;
- b. Identify where the failure points were in the IAFD process related to Paragraph 71;
- c. Identify the cause of the failures;
- d. Identify who is responsible for the cause of the delays;
- e. Recommend actions to remedy the top five causes of failure to meet the established timelines; and
- f. Repeat this process until failures re Paragraph 71 are less than 95 percent.

4.7.58b: Implement recommended actions and conduct a follow-up assessment to determine what impact, if any, the implemented actions had on failures to meet established timelines.

4.7.58c: Determine if these processes need to be revised, expanded, or refocused given our comments regarding supervisory reviews and IAFD failures contained in paragraphs 24-36, 41-59, and 60-77.

4.7.58d: Repeat until >94% of cases completed meet established requirements for quality of IA investigations.

APD Response for 4.7.58a-d: Early in 2021, the City and the DOJ entered into a Stipulated Order which established the External Force Investigation Team (EFIT) to assist the Internal Affairs Force Division (IAFD) in conducting quality and timely investigations of Level 2 and Level 3 uses of force by APD officers. Prior to EFIT going live on July 16, 2021, APD and EFIT worked together to develop a step-by-step process outlining each step from the use of force incident through the completion of a use of force investigation. The IMT and DOJ approved this process referred as the Process Narrative which EFIT uses to evaluate IAFD after each use of force investigation. Cases are reviewed against the process narrative, to verify each use of force case follows departmental procedure.

Between IAFD and EFIT, all cases have been completed within timelines in accordance with the Collective Bargaining Agreement (CBA). Between IAFD and EFIT, all cases have been completed within timelines in accordance with the Collective Bargaining Agreement (CBA). In October 2021, EFIT did assume ten investigations from IAFD to avoid missing the 90-day deadline for investigation, review, and approval. IAFD instituted additional data points to assist the chain of command in case management which helped with oversight. In January 2022, EFIT assumed one additional case for the same reason. Since the start of EFIT to the end of this reporting period, EFIT and IAFD have closed 157 Level 2 and Level 3 use of force cases. With those eleven cases assumed by EFIT, IAFD has been able to close out 146 of those 157 cases or 92.9% within timelines, illustrating substantial improvement since IMR-14.

72. Upon completion of the Force Investigation Section investigation report, the Force Investigation Section investigator shall forward the report through his or her chain of command to the commanding officer of the Internal Affairs Division. The Internal Affairs Division commanding officer shall review the report to ensure that it is complete and that, for administrative investigations, the findings are supported using the preponderance of the evidence standard. The Internal Affairs Division commanding officer shall order additional investigation when it appears that there is additional relevant evidence that may assist in resolving inconsistencies or improve the reliability or credibility of the findings.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 72:

APD Response: Upon the implementation of the EFIT, IAFD began using the process narrative that was filed with the Court to assess the quality of completeness of cases being turned in by IAFD detectives. This process has indicated that approximately 37% of the time detectives are in violation of this process narrative. The reasons for violating the narrative is mostly due to administrative functions, such as not uploading documents into IAPro, ensuring documents are complete, or completing the investigative plan. The investigative plan serves as a roadmap or investigative tool to assist the investigator and supervisor

through the investigation. PMU is assisting IAFD in developing revised investigative plans while also creating additional milestone measurements in order for APD to identify issues earlier in the investigation.

73. For administrative investigations, where the findings of the Force Investigation Section investigation are not supported by a preponderance of the evidence, the Internal Affairs Division commanding officer shall document the reasons for this determination and shall include this documentation as an addendum to the original investigation report. The commanding officer of the Internal Affairs Division shall take appropriate action to address any inadequately supported determination and any investigative deficiencies that led to it. The Internal Affairs Division commanding officer shall be responsible for the accuracy and completeness of investigation reports prepared by the Internal Affairs Division.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	S	S	S	S	S

Please see APD response after Paragraph 75.

74. Where a member of the Force Investigation Section repeatedly conducts deficient force investigations, the member shall receive the appropriate corrective and/or disciplinary action, including training or removal from the Force Investigation Section in accordance with performance evaluation procedures and consistent with any existing collective bargaining agreements, personnel rules, Labor Management Relations Ordinance, Merit System Ordinance, regulations, or administrative rules.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	P	P	S	S	S	S	S

Please see APD response after Paragraph 75.

75. When the commanding officer of the Internal Affairs Division determines that the force investigation is complete and the findings are supported by the evidence, the investigation report file shall be forwarded to the Force Review Board with a copy to the Chief.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	O	S	P	P	S	S	S	S

APD Response to Paragraphs 73, 74, 75: Early in 2021, the City and the DOJ entered into a Stipulated Order which established the External Force Investigation Team (EFIT) to assist the Internal Affairs Force Division (IAFD) in conducting quality and timely investigations of Level 2 and Level 3 uses of force by APD officers. Prior to EFIT going live on July 16, 2021, APD and EFIT worked together to develop a step-by-step process outlining each step from the use of force incident through the completion of a use of force investigation. The IMT and DOJ approved this process referred as the Process Narrative which EFIT uses to evaluate IAFD after each use of force investigation. Cases are reviewed against the process narrative, to verify each use of force case follows departmental procedure.

Between IAFD and EFIT, all cases have been completed within timelines in accordance with the Collective Bargaining Agreement (CBA). Between IAFD and EFIT, all cases have been completed within timelines in accordance with the Collective Bargaining Agreement (CBA). In October 2021, EFIT did assume ten investigations from IAFD to avoid missing the 90-day deadline for investigation, review, and approval. IAFD instituted additional data points to assist the chain of command in case management which helped with oversight. In January 2022, EFIT assumed one additional case for the same reason. Since the start of EFIT to the end of this reporting period, EFIT and IAFD have closed 157 Level 2 and Level 3 use of force cases. With those eleven cases assumed by EFIT, IAFD has been able to close out 146 of those 157 cases or 92.9% within timelines, illustrating substantial improvement since IMR-14.

76. At the discretion of the Chief, a force investigation may be assigned or reassigned for investigation to the Multi-Agency Task Force or the Federal Bureau of Investigations, or may be returned to the Force Investigation Section for further investigation or analysis. This assignment or re-assignment shall be confirmed in writing.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	S	S	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph. The Chief of Police retains the discretion of assigning or re-assigning cases for investigation to MATF, FBI or returning a case to IAFD for further analysis.

There were no IMR-14 Recommendations for Paragraph 76.

77. Where, after an administrative force investigation, a use of force is found to violate policy, the Chief shall direct and ensure appropriate discipline and/or corrective action. Where a force investigation indicates apparent criminal conduct by an officer, the Chief shall ensure that the Internal Affairs Division or the Multi-Agency Task Force consults with the District Attorney’s Office or the USAO, as appropriate. The Chief need not delay the imposition of discipline until the outcome of the criminal investigation. In use of force investigations, where the incident indicates policy, training, tactical, or equipment concerns, the Chief shall ensure that necessary training is delivered and that policy, tactical, or equipment concerns are resolved.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	S	S	O	O	O	S	S	S

APD Response: An Internal Affairs request is generated for all force cases found to be out of policy and a full investigation is completed. Where a force investigation indicates apparent criminal conduct, cases are referred to the MATF for investigation. For all other issues identified like, training, supervisory or equipment, the appropriate referrals are generated for resolution.

IMR-14 Recommendations for Paragraph 77:

4.7.187a: Ensure that all disciplinary decisions address the presumptive range of the disciplinary matrix unless written reasons for departure from the matrix recommendations accompany the decision.

APD Response: Written explanations accompany all decisions that depart from matrix recommendations through the Officer of the Superintendent.

4.7.187b: Ensure that adequate explanation is given for the selection of a classification level where there is more than one level of classification associated with a regulation for which a sustained finding is made.

4.7.187c: APD should designate an individual within the disciplinary process at the rank of IAPS commander or higher who has the authority to determine whether discipline cannot be imposed due to time violations, and that designation should not be made without the approval of the City Attorney.

APD Response 4.7.187b-c: For consistency, 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.

4.7.187d: All investigations involving sustained charges where discipline cannot be imposed due to violations of time constraints should be reported quarterly to the Chief, the City Attorney, DOJ, and the monitor.

4.7.187e: APD should continue the practice of having a representative of IAPS or CPOA attend all PDHs and represent the findings and recommendations set forth in the investigation.

APD Response: For this reporting period, IAPS or IAFD representatives continue to attend PDH's to represent the findings and recommendations.

4.7.187f: Ensure that all PDHs are recorded and preserved as part of the investigative file.

APD Response: APD continues to record and preserve PDH's.

4.7.187g: IAPS should continue to determine if any prior violations count as prior offenses for all investigations requiring command review and review of the Professional Integrity Commander of sustained charges.

APD Response: IAFD continues to seek the assistance of IAPS to determine if any prior violations count as prior offenses and that determination is included in the Disciplinary Action Packet (DAP). Retention cards continue to be included with misconduct investigative case files.

4.7.187h: To accurately calculate whether prior offenses come within the time periods specified in the disciplinary regulation, it is important that the date of imposition of prior discipline and the date of the conduct under review in the current case be readily discernible. We continue to recommend that the date discipline was imposed be clearly entered on the retention cards. We further recommend that the date of conduct under review be clearly set forth in the recommended findings and conclusions section of

investigative reports, that is, entering an “on or about” date for the conduct referenced in each specification.

APD Response: Each investigative case file contains a Disciplinary Action Packet (DAP) which has all appropriate dates included for calculation of appropriate disciplinary measures. The retention card of the employee is also included with the file for reference and verification.

4.7.188a: Ensure that all disciplinary decisions either conform to the presumptive range included in APD’s revised disciplinary matrix or that written explanations accompany them for the departure from the recommendations of the disciplinary matrix.

4.7.188b: Ensure that all disciplinary decisions related to actions (or inactions) that are reasonably on the “critical path” regarding compliance with the CASA reflect a resolve to foster behaviors required by the CASA.

4.7.188c: Ensure that all disciplinary packets, including the investigative report, are complete and self-explanatory, including documentation that all steps in the investigation and disciplinary processes were completed as required by policy.

4.7.188d: Ensure an accurate and exact calculation of prior offenses to calculate the presumptive range of the disciplinary matrix.

APD Response for 4.7.188a-d: For consistency, 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, IAFD case files are developed in the same manner as IAPS and share the same process.

G. Force Review Board (78-80)

78. APD shall develop and implement a Force Review Board to review Level 2 and Level 3 uses of force. The Force Review Board shall be comprised of at least the following members: Deputy Chief of the Administrative Support Bureau, Deputy Chief of the Field Services Bureau, the Deputy Chief of the Investigative Bureau, a Field Services Commander, the Academy Division Commander, and the Legal Advisor. The Force Review Board shall conduct timely, comprehensive, and reliable reviews of Level 2 and Level 3 use of force investigations. The Force Review Board shall:

- a. review each use of force investigation completed by the Force Investigation Section within 30 days of receiving the investigation report to ensure that it is complete and, for administrative investigations, that the findings are supported by a preponderance of the evidence;
- b. hear the case presentation from the lead investigator and discuss the case as necessary with the investigator to gain a full understanding of the facts of the incident. The officer(s) who used the force subject to investigation, or who are otherwise the subject(s) of the Internal Affairs Division investigation, shall not be present;
- c. order additional investigation when it appears that there is additional relevant evidence that may assist in resolving inconsistencies or improve the reliability or credibility of the force investigation findings. For administrative investigations, where the findings are not supported by a

preponderance of the evidence, the Force Review Board shall document the reasons for this determination, which shall be included as an addendum to the original force investigation, including the specific evidence or analysis supporting their conclusions;

- d. determine whether the use of force violated APD policy. If the use of force violated APD policy, the Force Review Board shall refer it to the Chief for appropriate disciplinary and/or corrective action;
- e. determine whether the incident raises policy, training, equipment, or tactical concerns, and refer such incidents to the appropriate unit within APD to ensure the concerns are resolved;
- f. document its findings and recommendations in a Force Review Board Report within 45 days of receiving the completed use of force investigation and within 15 days of the Force Review Board case presentation; and g) review and analyze use of force data, on at least a quarterly basis, to determine significant trends and to identify and correct deficiencies revealed by this analysis.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	S	S	S	S	S

IMR-14 Recommendations for Paragraph 78:

4.7.44a: APD should immediately prepare and submit a plan for the parties to consider regarding the current backlog of cases required to be reviewed by the FRB. The plan should provide reasonable options that can be considered that support the goals established by Paragraph 78.

4.7.44b: Report regularly to the Chief of Police on progress toward the established goals and objectives related to the FRB process. The report should include statuses on the FRB's progress in catching up on backlogged cases required to be reviewed.

4.7.44c: Immediately increase the number of FRB meetings and the number of cases reviewed during those meetings to address APD's May 2020 PINS memo, the current backlog and any new use of force cases.

APD Response to 4.7.44a-c: In November 2021, APD submitted two FRB proposals for IMT and DOJ review. In January 2022, the Accountability Bureau Deputy Chief and City Legal met with members of the DOJ and IMT and came to an agreement on timelines for feedback and comment on proposals and have been following that process since. APD has prepared and is on track to submit a proposal to the Parties that will address and outline a process that will give the department the ability to navigate the current backlog of cases that have been approved by the Internal Affairs Force Division's chain of command. This proposal seeks to maximize the Force Review Board's contribution to the Department's goal of providing constitutional and effective policing. The proposal aims to identify an alternative way to review backlogged use of force investigations all while ensuring that the resulting product does not sacrifice timeliness or quality.

APD is on track to submit a proposal to consider a secondary FRB. This proposal will seek the composition of both board memberships to be modified in order to meet the requirements of paragraphs 78 and 99 of the Court Approved Settlement Agreement as there is a finite number of executive staff that serve on two boards. This proposal also aims to create a comprehensive and efficient case presentation format that will provide the Board with an adequate overview of the use of force case without losing the quality of the information presented.

4.7.44d: FRB should focus attention on uses of force trend data to ensure policy and training are properly addressing performance in the field.

4.7.44e: Report regularly on progress on the established goals and objectives related to the FRB process.

APD Response for 4.7.44d-e: To improve how the FRB analyzes data presented to them, a script was developed for the FRB chair to help guide the conversations of the board to a more data-driven analysis. The objective is to create questions that initiate analysis of the data presented and help the executive staff make decisions based on the data provided.

The new script was used by the FRB Chair starting on January 27, 2022 and will be revised as necessary in order to foster spirited discussion and informed decisions. The goal for the next reporting period will be to analyze data presented to the board and be able to capture actionable measures taken by the board based on the data that was presented to them.

The Data Director has been selected and is scheduled to start with APD in April 2022. This position will be an integral position in place to identify data trends, and facilitate data reporting, analysis, decision-making to ensure policy and training are properly addressing performance in the field.

4.7.44f: Review FRB documents to ensure they are capable of capturing data related to each use of force by each officer in a particular case. The current "yes" "no" structure is inadequate for multi-factor investigations.

APD Response: In order to track individual votes of each member of the Force Review Board (FRB), an electronic voting sheet was piloted in February 2022. During the pilot the voting members of the FRB utilized the electronic voting sheet from their cell phones during virtual teleconferences. The electronic voting form was accessed through a QR code or a form link.

The voting form is tied to an electronic database that captures board votes in real-time. The database is presented during meetings so the board members can confirm the accuracy of their votes. The pilot is proving successful as there have been workflow efficiencies during the meeting. For example, rather than the Chair reading from a script to then have an FRB administrative assistant manually collect each vote, the chair makes an announcement that it is time to vote via the voting form. Voting members vote from their cell phones and their vote is instantly captured. The meetings appear streamlined in the voting process with the implementation of this automated voting feature.

4.7.44g: APD should identify the most experienced and effective FRB voting members and leverage their quality of oversight to increase the number of FRB meetings. Train additional APD command personnel capable of sitting as voting members and prepare a PINS memo for the parties to consider.

APD Response: Between November 2021 and January 2022, eight members of APD command staff completed the required training to be a voting board member. APD is in the process of updating and revising the lesson plan along with the Training Academy Curriculum Manager. The PINS information provided above includes the composition of the board that will require an amendment to the CASA.

79. At least annually, APD shall publish a Use of Force Annual Report. At a minimum, the following information should be included in the Annual Use of Force Report:

- a. number of calls for service;
- b. number of officer-initiated actions;

- c. number of aggregate uses of force, and uses of force by Level;
- d. number of arrests;
- e. number of custodial arrests that involved use of force;
- f. number of SWAT deployments by type of call out;
- g. number of incidents involving officers shooting at or from moving vehicles;
- h. number of individuals armed with weapons;
- i. number of individuals unarmed;
- j. number of individuals injured during arrest, including APD and other law enforcement personnel;
- k. number of individuals requiring hospitalization, including APD and other law enforcement personnel;
- l. demographic category; and
- m. geographic data, including street, location, or Area Command.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	S	S

IMR-14 Recommendations for Paragraph 79:

4.7.66a: APD’s must ensure the use of force investigation backlog is reconciled, and the complete data required by Paragraph 79 should be incorporated into a final Annual Use of Force Report.

4.7.66b: APD should monitor use of force, serious use of force, and show of force reporting discrepancies that are found. Reporting errors must be reconciled to ensure that statistics published in its Annual Use of Force Reports are accurate.

APD Response for 4.7.66a-b: EFIT will be completing use of force backlog investigations. APD will complete and finalize the 2020 Preliminary Use of Force report once all 2020 cases are completed. APD will also complete the 2021 Annual Use of Force Report once all 2021 cases are completed. Any errors or discrepancies will be reconciled.

4.7.66c: Now that APD transitioned to a three-tiered use of force reporting system, they should create an auditing process for tier one uses of force to ensure proper categorization is taking place. Data collected from these audits should feed the Annual Use of Force reports, and when appropriate referred to IA and the Academy.

4.7.66d: APD should devise ways to scrutinize data presented by the individual department units and continue to coordinate with PMU to ensure that there are common methods to handle, analyze and present data.

APD Response for 4.7.66c-d: The Performance Review Unit (PRU) conducts audits for Level 1 use of force incidents. APD has drafted a problem-solving document and intends to provide the IMT and DOJ in the early part of the next reporting period which includes plans for increased productivity and closing the loop with data collected. The PRU does determine if a level 1 use of force was properly classified by the on-scene supervisor. Again with the new Data Director, APD plans on being able to use audits to inform not only annual reports, but decisions to include with IAPS, IAFD, and the Training Academy.

80. APD shall be responsible for maintaining a reliable and accurate tracking system on all officers' use of force; all force reviews carried out by supervisors; all force investigations carried out by the Force Investigation Section, Internal Affairs Division, or Multi-Agency Task Force; and all force reviews conducted by the Performance Review Unit of the Compliance Bureau and the Force Review Board. APD shall integrate the use of force tracking system with the Early Intervention System database and shall utilize the tracking system to collect and analyze use of force data to prepare the Use of Force Annual Report and other reports, as necessary.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

APD Response: APD continues to use a reliable and accurate tracking system on all officers' use of force, use of force reviews, use of force investigations, and all force reviews by the Performance Review Unit and the Force Review Board. The Performance Evaluations and Management System (PEMS) training was completed in December 2021. APD does use the data collected in the tracking system for the annual reports.

IMR-14 Recommendations for Paragraph 80:

4.7.67a: Investigate and properly track all use of force cases as outlined in this paragraph, including the recently reported second backlog.

APD Response: With the implementation of EFIT, IAFD is currently investigating and turning in all force cases within timelines. An intake manager position was added to the division who tracks cases and reports the status on a weekly basis to command staff. EFIT will complete the use of force backlog.

H. Multi-Agency Task Force (81-85)

81. APD shall continue to participate in the Multi-Agency Task Force for as long as the Memorandum of Understanding continues to exist. APD agrees to confer with participating jurisdictions to ensure that inter-governmental agreements that govern the Multi-Agency Task Force are current and effective. APD shall ensure that the inter-governmental agreements are consistent with this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

Please see APD's response after Paragraph 85.

There were no IMR-14 Recommendations for Paragraph 81.

82. APD agrees to consult with participating jurisdictions to establish investigative protocols for the Multi-Agency Task Force. The protocols shall clearly define the purpose of the Multi-Agency Task Force; describe the roles and responsibilities of participating agencies, including the role of the lead investigative agency;

and provide for ongoing coordination among participating agencies and consultation with pertinent prosecuting authorities.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

Please see APD's response after Paragraph 85.

There were no IMR-14 Recommendations for Paragraph 82.

83. APD agrees to consult and coordinate with the Multi-Agency Task Force on the release of evidence, including video recordings of uses of force, and dissemination of information to preserve the integrity of active criminal investigations involving APD personnel.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

Please see APD's response after Paragraph 85.

There were no IMR-14 Recommendations for Paragraph 83.

84. APD agrees to participate in all briefings of incidents involving APD personnel that are investigated by the Multi-Agency Task Force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

Please see APD's response after Paragraph 85.

There were no IMR-14 Recommendations for Paragraph 84.

85. If the Memorandum of Understanding governing the Multi-Agency Task Force expires or otherwise terminates, or APD withdraws from the Multi-Agency Task Force, APD shall perform all investigations that would have otherwise been conducted pursuant to the Memorandum of Understanding. This Agreement does not prevent APD from entering into other investigative Memoranda of Understanding with other law enforcement agencies to conduct criminal investigation of officer-involved shootings, serious uses of force, and in-custody deaths.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraphs 81- 85.**APD Response to paragraphs 81-85, all of which have remained in operational compliance since IMR5:**

The MATF continues to respond promptly to officer-involved shootings, in-custody deaths, and referrals from our Internal Affairs Bureau. To date, not all partnering agencies have signed the MOA that has been verbally agreed to, but nonetheless, the investigations are following the language of that agreement.

I. Use of Force Training (86-89)

86. Within 36 months of the Operational Date, APD will review all use of force policies and training to ensure they incorporate, and are consistent with, the Constitution and provisions of this Agreement. APD shall also provide all APD officers with 40 hours of use of force training within 13 months of the Operational Date, and 24 hours of use of force training on at least an annual basis thereafter, including, as necessary, training on developments in applicable law and APD policy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O	P	P	P	P	S	S	P	P

APD Response: Newly hired officers receive the 40-hour initial training as cadets and laterals before graduating from the Academy. APD completed annual 2021 use of force training, meeting the requirements for increased compliance for this reporting period.

See IMR-14 Recommendations and APD Responses for Paragraphs 86 — 88 after Paragraph 88.

87. APD's use of force training for all officers shall be based upon constitutional principles and APD policy and shall include the following topics:

- a. search and seizure law, including the Fourth Amendment and related law;
- b. APD's use of force policy, use of force reporting requirements, and the importance of properly documenting use of force incidents;
- c. Use of force decision-making, based upon constitutional principles and APD policy, including interactions with individuals who are intoxicated, or who have a mental, intellectual, or physical disability;
- d. use of de-escalation strategies;
- e. scenario-based training and interactive exercises that demonstrate use of force decision-making and de-escalation strategies;
- f. deployment and use of all weapons or technologies, including firearms, ECWs, and on-body recording systems;
- g. crowd control; and
- h. initiating and disengaging foot pursuits.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	S	S	P	P

APD Response: APD completed annual 2021 use of force training, meeting the requirements for increased compliance for this reporting period.

See IMR-14 Recommendations and APD Responses for Paragraphs 86 — 88 after Paragraph 88.

88. Supervisors of all ranks, including those assigned to the Internal Affairs Division, as part of their initial and annual in-service supervisory training, shall receive additional training that includes:

- a. conducting use of force reviews or investigations, including evaluating officer, subject, and witness credibility;
- b. strategies for effectively directing officers to minimize uses of force and to intervene effectively to prevent or stop unreasonable force;
- c. incident management; and
- d. supporting officers who report unreasonable or unreported force, or who are retaliated against for using only reasonable force or attempting to prevent unreasonable force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	S	S	P	P

APD Response: APD successfully delivered all Tier 4 Use of Force training in 2021 to supervisors of all ranks. The first day of Tier 4 Use of Force training was completed in May 2021 with a compliance rate of 98% of all sworn officers. The second day of Tier 4 Use of Force training was completed in December 2021 with a compliance rate of 99.6 % for all sworn officers. The training included the requirements outlined in paragraph 88. This meets the requirement for increased compliance for paragraph 86-88.

IMR-14 Recommendations for paragraphs 86 — 88:

4.7.73-75a: APD should devise and implement a cogent plan to address use of force training requirements remaining for 2021 and the next reporting period with the goal of achieving Secondary Compliance by the close of IMR-15. Curriculum developed for annual use of force training should incorporate specific needs of officers and supervisors in the field, and address each component of Paragraphs 86-88.

APD Response: The Training Academy created a cogent plan to ensure use of force training requirements were met for the remainder of 2021. The plan was provided to the IMT and DOJ during the November 2021 site visit. APD completed training in December 2021 meeting the requirements outlined in paragraphs 86-88.

4.7.73-75b: The Academy staff should be properly augmented to ensure the quality of training curriculum and training systems are not negatively impacted due to staffing shortages.

APD Response: Great strides have been taken to fill numerous vacancies at the Academy. Using their 2022 training calendar, the Training Academy leadership are identifying and planning for proper staffing to ensure quality training and ensure training systems are not negatively impacted due to staffing shortages.

4.7.73-75c: APD personnel assigned to non-academy commands that carry significant training requirements should receive training commensurate with the Academy staff. This will ensure continuity in curriculum development across the organization.

APD Response: Currently, there is no instruction for curriculum development at APD; however, the Comprehensive Training Unit (CTU) Manager and team work closely with APD personnel charged with curriculum development. The CTU Manager will create curriculum development training and begin delivering the training, initially to Academy staff, in summer 2022.

4.7.73-75d: APD should convene a Training Committee, chaired by the Academy Commander, which requires agency-wide liaisons to actively participate with academy personnel, share training needs and provide perspective that can enhance and be incorporated into annual use of force in service training programs.

APD Response: The Training Academy plans to reconvene the Training Committee and hold the next meeting during the next reporting period, tentatively scheduled for April 2022.

4.7.73-75e: Ensure that the Academy is the central point for review and approval of all training development and delivery processes for APD.

4.7.73-75f: APD must properly supervise the delivery of training that is developed from outside sources before it is delivered to the department, regardless of its origin. Training programs should be developed based on best practices, APD policy and must adhere to the requirements of the CASA.

APD Response for 4.7.73-74e and f: A Special Order that includes mandates listed in recommendations 4.7.73-75e and 4.7.73-75f is currently being drafted for distribution to all personnel in PowerDMS in March 2022. This special order will help ensure the Training Academy is the central point of training development and ensure that training programs are developed based on best practices.

89. Included in the use of force training set out above, APD shall deliver firearms training that comports with constitutional principles and APD policy to all officers within 13 months of the Operational Date and at least yearly thereafter. APD firearms training shall:

- a. require officers to complete and satisfactorily pass firearms training and qualify for regulation and other service firearms, as necessary, on an annual basis;
- b. require recruits, officers in probationary periods, and officers who return from unarmed status to complete and satisfactorily pass firearm training and qualify for regulation and other service firearms before such personnel are permitted to carry and use firearms;
- c. incorporate professional low-light training, stress training (e.g., training in using a firearm after undergoing physical exertion), and proper use of force decision making training, including continuous threat assessment techniques, in the annual in-service training program; and
- d. ensure that firearm instructors critically observe students and provide corrective instruction regarding deficient firearm techniques and failure to utilize safe gun handling procedures at all times.

Compliance Level History:

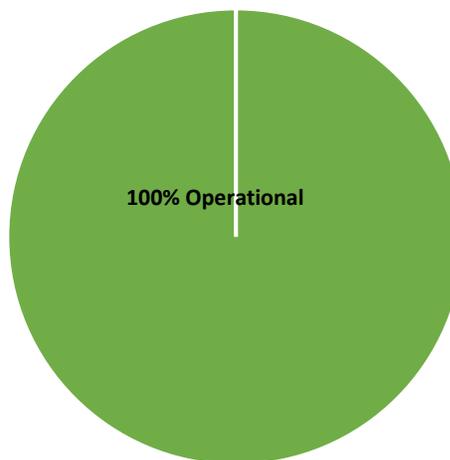
IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: Firearms training that comports with constitutional principles is held annually, and is on track to be complete in 2022.

There were no IMR-14 Recommendations for Paragraph 89:

Section 2: Specialized Units (Paragraphs 90 – 109)

There are 20 measurable paragraphs in Section 2:
100% are in Operational Compliance.



A. Specialized Tactical Units (SOD 90-109)

90. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD shall operate and manage its specialized units in a manner that increases the likelihood of safely resolving critical incidents and high-risk situations, prioritizes saving lives in accordance with the totality of the circumstances, provides for effective command-level accountability, and ensures force is used in strict compliance with applicable law, best practices, and this Agreement. To achieve these outcomes, APD shall implement the requirements set out below.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: APD SOD After Action Reports are now an After Action case file intended to professionally document the tactical incident and memorialize the actions and events surrounding the incident to assist in an overall assessment of deficiencies and areas of improvement. Cover sheets for these files ensure accountability of timelines.

There were no IMR-14 Recommendations for Paragraph 90.

91. APD’s specialized tactical units shall be comprised of law enforcement officers who are selected, trained, and equipped to respond as a coordinated team to resolve critical incidents that exceed the capabilities of first responders or investigative units. The specialized tactical units shall consist of SWAT, Canine, and Bomb Squad/EOD.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: Process Maps have been completed and sent to the IMT as continued proof of compliance. The tracking of denials for tactical activations has been added to data collected for paragraph

There were no IMR-14 Recommendations for Paragraph 91.

92. APD shall ensure that specialized tactical units are sufficiently trained to complete the following basic operational functions: Command and Control; Containment; and Entry, Apprehension, and Rescue.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: Training ledgers are completed by SOD and maintained to document required specialized training.

There were no IMR-14 Recommendations for Paragraph 92.

93. Each specialized tactical unit shall have clearly defined missions and duties. Each specialized tactical unit shall develop and implement policies and standard operating procedures that incorporate APD's agency-wide policies on use of force reporting, and force investigations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: The SOD remains in operational compliance with policies.

There were no IMR-14 Recommendations for Paragraph 93.

94. APD policies and procedures on specialized tactical units shall include the following topics: a) team organization and function, including command relationships with the incident commander, Field Services Bureau, other specialized investigative units, Crisis Negotiation Team, Crisis Intervention Unit, crisis intervention certified responders, and any other joint or support elements to ensure clear lines of responsibility; b) coordinating and implementing tactical operations in emergency life-threatening situations, including situations where an officer's view may be obstructed; c) personnel selection and retention criteria and mandated physical and tactical competency of team members, team leaders, and unit commanders; d) training requirements with minimum time periods to develop and maintain critical skills to include new member initial training, monthly training, special assignment training, and annual training; e) equipment appropriation, maintenance, care, and inventory; f) activation and deployment protocols, including when to notify and request additional services; g) conducting threat assessments to

determine the appropriate responses and necessary resources; h) command and control issues, including a clearly defined command structure; and i) documented after-action reviews and reports.⁵

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P		O	O	O	O	O	O	O	O	O	O

APD Response: SOD division Training Ledgers are maintained by the Specialized Operations Division to document all required specialized training completed for each member officer.

There were no IMR-14 Recommendations for Paragraph 94.

95. The policies and standard operating procedures of specialized tactical units shall be reviewed at least annually and revisions shall be based, at a minimum, on legal developments, training updates, operational evaluations examining actual practice from after-action reviews, and reviews by the Force Review Board or other advisory or oversight entities established by this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: The following table represents the SOPs for specialized tactical unit which are currently in annual review with the Policy and Procedure Unit:

SOP Number and Title	Step in Process (Total 8 Steps)
1-42 Bomb Squad	Step 7 DOJ and IMT Review
1-64 K-9 Unit	Step 1 Being Edited/Revised
1-92 SWAT	Step 4 Post-15-Day Commentary Period
1-96 CNT	Step 4 Post-15-Day Commentary Period
2-20 Hostage Situations, Barricaded Individuals, and Tactical Threat Assessments	Step 7 DOJ and IMT Review
2-23 Use of K-9 Unit	Step 1 Being Edited/Revised
2-25 Bomb Threats and Bomb Emergencies	Step 1 Being Edited/Revised
2-70 Execution of Search Warrants	Published

There were no IMR-14 Recommendations for Paragraph 95.

96. In addition to use of force reports, APD shall require specialized tactical units to document their activities in detail, including written operational plans and after-action reports created after call-outs and deployments to critical situations. After-action reports shall address any areas of concern related to policy, training, equipment, or tactics.

⁵ Paragraph 94 was reported in IMR3 as not due yet.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			0	0	0	0	0	0	0	0	0	0

APD Response: Operations plans continue to be a requirement along with a Risk Assessment Matrix (RAM) for pre-planned warrants. After Action reports have become After Action case files containing more comprehensive information applicable to the tactical activation for review and documentation purposes.

There were no IMR-14 Recommendations for Paragraph 96.

97. APD shall require specialized tactical units to conduct mission briefings before an operation, unless exigent circumstances require an immediate deployment. APD shall also ensure that specialized tactical team members designate personnel to develop and implement operational and tactical plans before and during tactical operations. All specialized tactical team members should have an understanding of operational planning.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			0	0	0	0	0	0	0	0	0	0

APD Response: Tactical briefings, Operation plans and Risk Assessment Matrixes for pre-planned warrants are required. A RAM Worksheet has been created and implemented for Detectives on pre-planned search warrants. This will allow for the dispute resolution as well. The worksheet is department approved.

There were no IMR-14 Recommendations for Paragraph 97.

98. All specialized tactical units shall wear uniforms that clearly identify them as law enforcement officers.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			0	0	0	0	0	0	0	0	0	0

APD Response: Inspection logs continue to be utilized and include uniform as well as tactical equipment assigned.

There were no IMR-14 Recommendations for Paragraph 98.

99. All specialized tactical unit deployments shall be reviewed by the Force Review Board in order to analyze and critique specialized response protocols and identify any policy, training, equipment, or tactical concerns raised by the action. The Force Review Board shall identify areas of concern or particular

successes and implement the appropriate response, including modifications to policy, training, equipment, or tactics.⁶

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O		S	O	S	O	O

APD Response: FRB continues to review tactical activations and identify policy, training, tactics, or equipment concerns. The FRB backlog of specialized tactical unit deployments has been eliminated and the FRB is up-to-date with SOD tactical activations.

There were no IMR-14 Recommendations for Paragraph 99.

100. APD shall establish eligibility criteria for all team members, team leaders, and supervisors assigned to tactical units and conduct at least annual reviews of unit team members to ensure that they meet delineated criteria.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: SOD conducts an annual assessment which includes physical assessment, equipment inventory, performance evaluations, qualifications, behavioral science interviews and training.

There were no IMR-14 Recommendations for Paragraph 100.

101. APD shall train specialized tactical units conducting barricaded gunman operations on competencies and procedures that include: threat assessment to determine the appropriate response and resources necessary, mission analysis, determination of criminal offense, determination of mental illness, requirements for search warrant prior to entry, communication procedures, and integration of the Crisis Negotiation Team, the Crisis Intervention Unit, and crisis intervention certified responders.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: SOD Training Ledgers are maintained and completed. ***NOTE numerous training restrictions were unavoidable due to COVID challenges. Some training cancellations took place during strict lock-down orders.

There were no IMR-14 Recommendations for Paragraph 101.

⁶ Paragraph 99 was reported in IMR 9 as not in compliance.

102. APD shall continue to require the Canine Unit to complete thorough post deployment reviews of all canine deployments.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: Data is collected in the APD's Blue Team for all K-9 deployments. A K-9 Utilization sheet is used for documentation, tracking and evaluation.

There were no IMR-14 Recommendations for Paragraph 102.

103. APD shall continue to track canine deployments and canine apprehensions, and to calculate and track canine bite ratios on a monthly basis to assess its Canine Unit and individual Canine teams.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: Blue Team entries are created to track and document all K-9 deployments.

There were no IMR-14 Recommendations for Paragraph 103.

104. APD shall include canine bite ratios as an element of the Early Intervention System and shall provide for the review, pursuant to the protocol for that system, of the performance of any handler whose bite ratio exceeds 20 percent during a six-month period, or the entire unit if the unit's bite ratio exceeds that threshold, and require interventions as appropriate. Canine data and analysis shall be included in APD Use of Force Annual Report.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: A 2021 Annual Report draft of bite ratios has been created and is currently in the approval process.

There were no IMR-14 Recommendations for Paragraph 104.

105. APD agrees to track and analyze the number of specialized tactical unit deployments. The analysis shall include the reason for each tactical deployment and the result of each deployment, to include: (a) the location; (b) the number of arrests; (c) whether a forcible entry was required; (d) whether a weapon was discharged by a specialized tactical unit member; (e) whether a person or domestic animal was injured or killed; and (f) the type of tactical equipment deployed. This data analysis shall be entered into the Early Intervention System and included in APD's Annual Reports.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: The tactical activation analysis ledger continues to track all information required by paragraph 105.

There were no IMR-14 Recommendations for Paragraph 105.

B. Specialized Investigative Units (SID 106-109)

In July 2021, the Department reassigned commanders to different bureaus and divisions and a new commander was assigned to the Special Investigations Division (SID). The commander was formerly assigned to SID as a first-line supervisor in the Narcotics Section during the Independent Monitoring Reporting (IMR) periods of IMR 4, 5, and 6, when SID did obtain operational compliance by introducing the Risk Assessment Matrix and audits, the Narcotics Section Handbook which developed into the division handbook, and the SharePoint which tracked investigative responses. The commander also brought his civilian division coordinator to SID. Both will undergo the division's new personnel orientation training, and the commander will review and re-familiarize himself with each unit's handbook.

106. Each specialized investigative unit shall have a clearly defined mission and duties. Each specialized investigative unit shall develop and implement policies and standard operating procedures that incorporate APD's agency-wide policies on use of force reporting, and force investigations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: Each special investigative unit has a handbook which clearly defines the mission and duties. The unit handbooks are revised annually. All handbooks have been reviewed in 2021 to ensure content relevance to the current mission and operation procedures. Handbooks are immediately provided to all new detectives to the Division. The handbooks have specific training checklists which outline the duties and responsibilities of unit members, ensuring personnel receive the training they need to comply with department policies and expectations. All special investigative personnel are required to know and follow policies surrounding use of force, use of force reporting and investigations. The Special Operations Division established working relationships with IAFD and Academy staff to ensure continued work product improvement related to the use of force, reporting, and investigations.

There were no IMR-14 Recommendations for Paragraph 106.

107. APD shall prohibit specialized investigative units from providing tactical responses to critical situations where a specialized tactical unit is required. APD shall establish protocols that require communication and coordination by specialized investigative units when encountering a situation that requires a specialized tactical response. The protocols shall include communicating high-risk situations

and threats promptly, coordinating effectively with specialized tactical units, and providing support that increases the likelihood of safely resolving a critical incident.⁷

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P		P	S	O	O	O	O	O	O	O	O

APD Response: Utilization of operation plans and ensuring the plans have the necessary information for division personnel to make proper decision during operations and tactical responses continues. After Actions Reviews are utilized to identify improvements and capture lessons learned. The Special Investigative Division has implemented a follow-up memorandum for instances when areas of concerns are identified and then rectified, which provides the AAR author with follow-up concerns as suggested in IMR-14. Following all Risk Assessment Matrix requirements, anything which rises to a tactical response is communicated to SOD personnel.

There were no IMR-14 Recommendations for Paragraph 107.

108. Within three months of the Operational Date, APD shall conduct an inspection of specialized investigative units to determine whether weapons and equipment assigned or accessible to specialized investigative units are consistent with the units' mission and training. APD shall conduct re-inspections on at least an annual basis.⁸

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	O		O	O	O	O	O	O	O	O	O	O

APD Response: As per policy, conducting monthly line inspections on Division personnel encompasses OBRD video reviews and all weapons being inspected and verified. Two random lieutenant weapon inspections are conducted monthly. Inspections are held on an annual basis for all equipment assigned and accessible to investigative units. Inspecting division fleet and equipment annually, along with continuing to evaluate equipment for each unit to ensure that it aligns with the division's mission and duties.

There were no IMR-14 Recommendations for Paragraph 108.

109. APD agrees to track and analyze the number of specialized investigative unit responses. The analysis shall include the reason for each investigative response, the legal authority, type of warrant (if applicable), and the result of each investigative response, to include: (a) the location; (b) the number of arrests; (c) the type of evidence or property seized; (d) whether a forcible entry was required; (e) whether a weapon was discharged by a specialized investigative unit member; (f) whether the person attempted to flee from officers; and (g) whether a person or domestic animal was injured or killed. This data analysis shall be entered into the Early Intervention System and included in APD's Annual Reports.⁹

⁷ Paragraph 107 was reported in IMR3 as not due yet.

⁸ Paragraph 108 was reported in IMR3 as not due yet.

⁹ Paragraph 109 was reported in IMR3 as not due yet.

Compliance Level History:

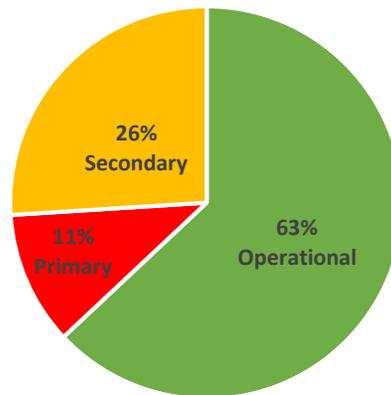
IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P		P	S	O	O	O	O	O	O	O	O

APD Response: A definition for investigative response has been added to department policy. The new definition ensures each unit understands what an investigative response is, and that its documented in a consistent manner. All investigative responses continue to be entered in SharePoint, as well as quarterly audits conducted of the SharePoint to track the most recent trends, and to quickly identify any issues the Division needs to address.

There were no IMR-14 Recommendations for Paragraph 109.

Section 3: Crisis Intervention (Paragraphs 110 – 137)

There are 27 measurable paragraphs in Section 3:
 63% are in Operational Compliance,
 26% are in Secondary Compliance,
 11% are in Primary Compliance.



A. Mental Health Response Advisory Committee (Paragraphs 110-117)

110. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD agrees to minimize the necessity for the use of force against individuals in crisis due to mental illness or a diagnosed behavioral disorder and, where appropriate, assist in facilitating access to community-based treatment, supports, and services to improve outcomes for the individuals. APD agrees to develop, implement, and support more integrated, specialized responses to individuals in mental health crisis through collaborative partnerships with community stakeholders, specialized training, and improved communication and coordination with mental health professionals. To achieve these outcomes, APD agrees to implement the requirements below.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	S	P	P

IMR-14 Recommendations for Paragraph 110:

4.7.97a: APD should conduct a complete and thorough review of its policies related to in-field responses to incidents involving individuals in crisis or individuals with mental illness and ensure that the entirety of those policies are congruent with CASA requirements and have been vetted through the review process by the Amici and other community stakeholders, such as the MHRAC.

APD Response: This reporting period APD made the decision to ensure that all policies evaluated for this paragraph are on the same revision cycle. This will prevent certain policies being in the process of revision while others are current. When this decision was made each of the involved policies were in different stages of revision, some very near publication, while others were just beginning. By putting these policies into the same revision cycle, each policy will go through the revision process together allowing to a comprehensive review of the policies. All policies evaluated for this paragraph have been assessed by MHRAC, are in the final stages of approval, and will be published during the upcoming reporting period. The following table represents the SOPs which are currently in annual review with the Policy and Procedure Unit:

SOP Number and Title	Step in Process (Total 8 Steps)
1-20 Behavioral Sciences Section	Step 7 DOJ and IMT Review
1-28 Downtown Unit	Step 7 DOJ and IMT Review
1-37 Crisis Intervention Division and Program	Step 7 DOJ and IMT Review
2-8 Use of On-Body Recording Devices	Step 7 DOJ and IMT Review
2-19 Response to Behavioral Health Issues	Step 7 DOJ and IMT Review
2-20 Hostage Situations, Barricaded Individuals, and Tactical Threat Assessments	Step 7 DOJ and IMT Review

111. Within six months of the Operational Date, APD and the City shall establish a Mental Health Response Advisory Committee (“Advisory Committee”) with subject matter expertise and experience that will assist in identifying and developing solutions and interventions that are designed to lead to improved outcomes for individuals perceived to be or actually suffering from mental illness or experiencing a mental health crisis. The Advisory Committee shall analyze and recommend appropriate changes to policies, procedures, and training methods regarding police contact with individuals with mental illness.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P	P	P	O	O	O	O	O	O	O	O	O

APD Response: The MHRAC continues to meet monthly in compliance with this paragraph.

There were no IMR-14 Recommendations for Paragraph 111.

112. The Advisory Committee shall include representation from APD command staff, crisis intervention certified responders, Crisis Intervention Unit (CIU), Crisis Outreach and Support Team (COAST), and City-contracted mental health professionals. APD shall also seek representation from the Department of Family and Community Services, the University of New Mexico Psychiatric Department, community mental health professionals, advocacy groups for consumers of mental health services (such as the

National Alliance on Mental Illness and Disability Rights New Mexico), mental health service providers, homeless service providers, interested community members designated by the Forensic Intervention Consortium, and other similar groups.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P	P	O	S	O	O	O	O	O	O	O	O	O

APD Response: The MHRAC board continues to reflect requirements of paragraph 112.

There were no IMR-14 Recommendations for Paragraph 112.

113. The Advisory Committee shall provide guidance to assist the City in developing and expanding the number of crisis intervention certified responders, CIU, and COAST. The Advisory Committee shall also be responsible for considering new and current response strategies for dealing with chronically homeless individuals or individuals perceived to be or actually suffering from a mental illness, identifying training needs, and providing guidance on effective responses to a behavioral crisis event.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P	P	P	S	S	S	O	O	O	O	O	O	O

APD Response: APD continues to forward all special orders, policies, and training concerning homelessness and mental health to MHRAC for review.

There were no IMR-14 Recommendations for Paragraph 113.

114. APD, with guidance from the Advisory Committee, shall develop protocols that govern the release and exchange of information about individuals with known mental illness to facilitate necessary and appropriate communication while protecting their confidentiality.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
						P	P	S	S	S	S	S

IMR-14 Recommendation for Paragraph 114:

4.7.101a: Complete proposed protocols as soon as practicable and share draft versions with the monitoring team for comment.

APD Response: As part of the revision to APD SOP 2-19 (Response to Behavioral Health Issues) an entirely new subsection, “Confidentiality, Communication and Behavioral Health Emergencies” was added. This section was crafted with the help of MHRAC in the combined MHRAC subcommittee on information sharing, resources and policy. Crisis Intervention detectives continue to train topics such as HIPAA, confidentiality, communication with intake staff, and emergency information sharing in the 40-hour CIT

class but this addition will be the first time the topic is covered in policy. SOP 2-19 has been submitted to the DOJ and IMT for approval and is expected to be published in the next reporting period.

4.7.101b: Monitor in-field results of finalized protocols and adjust as needed based on in-field activities.

APD Response: Two protocol changes concerning APD’s interactions with hospitals took place during this reporting period, a clear description of custody transfers between a transporting officer and hospital staff and ambulance transports for behavioral health evaluations at the patient’s request. Feedback from both officers and hospital staff indicate that these changes have worked well and have been incorporated into SOP 2-19 which is expected to be published during the next reporting period.

115. Within nine months of the Operational Date, APD shall provide the Advisory Committee with data collected by crisis intervention certified responders, CIU, and COAST pursuant to Paragraphs 139 and 137 of this Agreement for the sole purpose of facilitating program guidance. Also within nine months of the Operational Date, the Advisory Committee shall review the behavioral health training curriculum; identify mental health resources that may be available to APD; network and build more relationships; and provide guidance on scenario-based training involving typical situations that occur when mental illness is a factor.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		S	O	S	S	S	S	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 115.

APD Response: APD produced a behavioral health specific data book covering the first six months of 2021 which is available at <https://www.cabq.gov/mental-health-response-advisory-committee/documents/apd-2021-crisis-intervention-data-book-fall-2021.pdf>.

This data was provided to the MHRAC Board and discussed at the January 2022 meeting. The MHRAC Training subcommittee, which usually meets every other month, met monthly for most of this reporting period, in an attempt to have more time to discuss the roll out of the Albuquerque Community Safety Department and to help plan how that department trains new responders.

116. The Advisory Committee shall seek to enhance coordination with local behavioral health systems, with the goal of connecting chronically homeless individuals and individuals experiencing mental health crisis with available services.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: The MHRAC Information Sharing/Policy/Resources subcommittee met monthly to discuss new resources in the Albuquerque area. This reporting period a representative from the Albuquerque Community Safety Department joined the subcommittee. Work also began on the 2022 update to the

resource card which should be completed and published in the next reporting period. Each meeting included a discussion of COVID’s impact on available resources for those experiencing homelessness or living with a behavioral health diagnosis.

There were no IMR-14 Recommendations for Paragraph 116.

117. Within 13 months of the Operational Date, and annually thereafter, the Advisory Committee will provide a public report to APD that will be made available on APD’s website, which shall include recommendations for improvement, training priorities, changes in policies and procedures, and identifying available mental health resources.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		P	S	S	S	S	O	O	O	O	O	O

APD Response: The MHRAC co-chairs published their annual report in December 2021. This was the final report of co-chairs, who served as co-chairs since MHRAC’s founding. APD is extremely grateful to the co-chairs for their service over the years and their leadership has made MHRAC into the supportive resource that it is today. Both MHRAC subcommittees also published annual reports. All three annual reports are available at <https://www.cabq.gov/mental-health-response-advisory-committee/mental-health-response-advisory-committee-documents>.

There were no IMR-14 Recommendations for Paragraph 117.

B. Behavioral Health Training (Paragraphs 118-122)

118. APD has undertaken an aggressive program to provide behavioral health training to its officers. This Agreement is designed to support and leverage that commitment.

Paragraph 118 is not a measurable paragraph.

119. APD agrees to continue providing state-mandated, basic behavioral health training to all cadets in the academy. APD also agrees to provide 40 hours of basic crisis intervention training for field officers to all academy graduates upon their completion of the field training program. APD is also providing 40 hours of basic crisis intervention training for field officers to all current officers, which APD agrees to complete by July 15, 2016.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	P	P	O

APD Response: Crisis intervention instructors trained cadets in November 2021, as part of their basic certification requirements. Additionally, the CIT 40-hour class was held in August and November 2021 with a total of 43 recently hired officers certified. The August 2021 class also included an officer from Grants Police Department, a newly hired crisis intervention clinician, and two members of the University of New Mexico’s Threat Assessment Team.

There were no IMR-14 Recommendations for Paragraph 119.

120. The behavioral health and crisis intervention training provided to all officers will continue to address field assessment and identification, suicide intervention, crisis de-escalation, scenario-based exercises, and community mental health resources. APD training shall include interaction with individuals with a mental illness and coordination with advocacy groups that protect the rights of individuals with disabilities or those who are chronically homeless.

Additionally, the behavioral health and crisis intervention training will provide clear guidance as to when an officer may detain an individual solely because of his or her crisis and refer them for further services when needed.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: This monitoring period the CIT 40 class was updated to include up to date statistics and other improvements based on advancing knowledge in the field, these included:

- a) Updates to the module on Substance Use and Mental Health
- b) New statistical data in the ADHD module
- c) Updates to resources to the COAST instruction block
- d) Updated information in the AFR/APD questions and discussion module to reference new special orders involving AFR's role in behavioral health transports
- e) Inclusion of new research on 2nd generation antipsychotic medications in the Overview of Psychiatric Medications course.

All of these changes were vetted through MHRAC's training subcommittee and both the DOJ and IMT. The core of the class remains the same, largely community provider taught with scenarios, featuring professional actors, based on actual APD interactions with individuals experiencing a behavioral health crisis.

There were no IMR-14 Recommendations for Paragraph 120.

121. APD shall ensure that new telecommunicators receive 20 hours of behavioral health training. This training shall include: telephonic suicide intervention; crisis management and de-escalation; interactions with individuals with mental illness; descriptive information that should be gathered when telecommunicators suspect that a call involves someone with mental illness; the roles and functions of COAST, crisis intervention certified responders, and CIU; the types of calls that should be directed to particular officers or teams; and recording information in the dispatch database about calls in which mental illness may be a factor.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: This reporting period one new tele-communicators class was held in which eleven new emergency communications personnel were trained. The tele-communicators class was updated to include increased participation in the form of interactive polls and scenarios during instruction, using

iClickers, issued to each person while in the class. New audio from actual 911 calls was also included in order to help call takers recognize behavioral health crisis calls.

There were no IMR-14 Recommendations for Paragraph 121.

122. APD shall provide two hours of in-service training to all existing officers and telecommunicators on behavioral health-related topics biannually.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	P	P	P

IMR-14 Recommendations for Paragraph 122:

4.7.109a: Continue work on the department’s behavior health, mental health, and crisis intervention training, ensuring that the topics covered fit with the requirements of this paragraph and the feedback provided by the monitoring team. Ensure that officers who received training that was not appropriately designed, critiqued, and revised are retrained using the appropriate training processes.

4.7.109b: Ensure that all APD officers assigned to patrol duty, and all supervisors who supervise patrol operations, are given refresher training regarding crisis intervention policies and techniques.

APD Response for 4.7.109a-b: The updated two-hour block was developed with the assistance of the MHRAC and approved by MHRAC, the DOJ and the IMT. At the close of annual training as of December 2021, 99.1% of active officers have completed the updated two-hour behavioral health block of instruction required by this paragraph. Officers on long term leave such as military or FMLA, will be trained upon return to active status. 64 tele-communicators have also received the training this monitoring period.

C. Crisis Intervention Certified Responders and Crisis Intervention Unit (123-131)

123. APD shall maintain a sufficient number of crisis intervention certified responders who are specially trained officers across the Department who retain their normal duties and responsibilities and also respond to calls involving those in mental health crisis. APD shall also maintain a Crisis Intervention Unit (“CIU”) composed of specially trained detectives housed at the Family Advocacy Center whose primary responsibilities are to respond to mental health crisis calls and maintain contact with mentally ill individuals who have posed a danger to themselves or others in the past or are likely to do so in the future. APD agrees to expand both the number of crisis intervention certified responders and CIU.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
						S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 123:

4.7.110a: APD should implement the data-driven, methodologically appropriate workload, staffing planning, and analysis protocol developed by CIU that ensures that reliable “staffing levels” for ECIT officers are regularly calculated, reported, set as staffing goals, and attained.

APD Response: Crisis intervention personnel continued to calculate how often APD certified responders (ECIT officers) respond to clear behavioral health calls. This monitoring period response rates department wide were:

Month	Response Rate
August	69%*
September	76%
October	81%
November	79%
December	73%

*Beginning of a new shift bid for APD field officers, the January 2022 response rate will be on the next progress report. This information is sent to each area commander along with a list of each ECIT certified officer in their command. Additionally, upcoming ECIT certification and recertification classes are listed.

In August 2021 and January 2022, APD field officers bid for their assignment location, shift, and supervisor. For each of these bids a workload analysis was completed to determine which areas, and shifts, of the city have the most need for certified responders based on behavioral health call volume. This information was then used to assign ECIT officers to those areas with the greatest need.

Currently, the Crisis Intervention Division has twelve assigned detectives, eight of which are assigned for follow-up visits to work with individuals who have repeated interactions with law enforcement and a behavioral health concern. The remaining four detectives are assigned to full time curriculum development, working with area providers and training APD personnel. Additionally, APD has staffed the officer half of four co-responder teams (Mobile Crisis Team) along with an Albuquerque Community Safety Department clinician who respond to crisis calls as they are called into 911.

124. The number of crisis intervention certified responders will be driven by the demand for crisis intervention services, with an initial goal of 40% of Field Services officers who volunteer to take on specialized crisis intervention duties in the field. Within one year of the Operational Date, APD shall reassess the number of crisis intervention certified responders, following the staffing assessment and resource study required by Paragraph 204 of this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	S	O	O	O	O	O	O

APD Response: This monitoring period APD continued to train and re-certify Enhanced Crisis Intervention Team (ECIT) officers. The ECIT program is voluntary, consistent with established best practice in this field, and APD continues to identify, recruit and train officers willing to take on this additional responsibility. Percentage of APD Field Officers Certified as ECIT is shown in the table below:

Percentage of APD Field Officers Certified as ECIT	
August	48.2%
September	53.7%
October	54.3%
November	54.7%
December	57.8%

Note: January 2022 percentages will be on the next progress report.

There were no IMR-14 Recommendations for Paragraph 124.

125. During basic crisis intervention training for field officers provided to new and current officers, training facilitators shall recommend officers with apparent or demonstrated skills and abilities in crisis de-escalation and interacting with individuals with mental illness to serve as crisis intervention certified responders.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				S	S	O	O	O	O	O	O	O

APD Response: During the 40 hour CIT classes held in August and November 2021, officers who excelled during the scenario portion of the instruction were identified as possible ECIT candidates and have been notified of upcoming classes.

There were no IMR-14 Recommendations for Paragraph 125.

126. Within 18 months of the Operational Date, APD shall require crisis intervention certified responders and CIU to undergo at least eight hours of in-service crisis intervention training biannually.¹⁰

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O		S	O	O	O	O	O	O

APD Response: Over this monitoring period 70 ECIT officers and one ACS clinician were re-certified consistent with this paragraph.

There were no IMR-14 Recommendations for Paragraph 126.

127. Within 18 months of the Operational Date, APD will ensure that there is sufficient coverage of crisis intervention certified responders to maximize the availability of specialized responses to incidents and calls for service involving individuals in mental health crisis; and warrant service, tactical deployments, and welfare checks involving individuals with known mental illness.

¹⁰ Paragraph 126 was reported in IMR6 as not in compliance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	S	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 127:

4.7.114a: APD should re-assess its 40 percent guideline for CIU-trained officers, in light of recent incidents involving individuals in mental health crises and determine if the 40 percent staffing level continues to meet community needs.

APD Response: This reporting period crisis intervention personnel researched what percentage of responders from other jurisdictions certify in this specialized field. CIT International indicates that 20 to 25% of trained officers is sufficient to have an officer available all times. A DOJ technical assistance letter to the Portland Police Department set a target of 30%. Albuquerque Police certified responders already far exceed both of these thresholds. As part of this inquiry, APD is preparing a request for proposal on this topic and other crisis intervention staffing analysis needs, for an outside vendor to evaluate the appropriate percentage for Albuquerque.

128. APD will ensure that crisis intervention certified responders or CIU will take the lead, once on scene and when appropriate, in interacting with individuals in crisis. If a supervisor has assumed responsibility for the scene, the supervisor will seek input of the crisis intervention certified responder or CIU on strategies for resolving the crisis when it is practical to do so.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	O	O	O	O	S	S	S

IMR-14 Recommendations for Paragraph 128:

4.7.115a: Ensure the sustainability of the process of conducting a random sample of all CIT/CIU responses to ensure that the issues identified above have not been replicated in other CIT/CIU responses involving other officers and memorialize these processes in writing.

APD Response: CIU trained each supervisor in the division how to complete these call reviews. This process has been incorporated into the draft of APD SOP 1-37 Crisis Intervention Division and Program, which will be published in the next reporting period. In short, the crisis intervention commander assigns supervisors a list of calls to review each month.

During this monitoring period CIU supervisors completed a total of 43 full call reviews. These reviews involve viewing on-body recording device (OBRD) footage, reviewing all case documentation, and then making a determination whether the officer followed crisis intervention training and policy. Six policy violations were uncovered in these reviews. These violations were largely due to failure to complete CIT Contact Sheets for required calls. A training video for all officers on this topic has been filmed and will be published in the next reporting period. Additionally, a process change in report approval should greatly reduce these violations in the future. A total of six commendations were also issued and one officer was recognized as the De-escalation Officer of the Month based on their performance on a reviewed incident.

129. APD shall collect data on the use of crisis intervention certified responders and CIU. This data will be collected for management purposes only and shall not include personal identifying information of subjects or complainants. APD shall collect the following data:

- a. date, shift, and area command of the incident;
- b. subject’s age, race/ethnicity, and gender;
- c. whether the subject was armed and the type of weapon;
- d. whether the subject claims to be a U.S. military veteran;
- e. name and badge number of crisis intervention certified responder or CIU detective on the scene;
- f. whether a supervisor responded to the scene;
- g. techniques or equipment used;
- h. any injuries to officers, subjects, or others;
- i. disposition of the encounter (e.g., arrest, citation, referral); and
- j. a brief narrative of the event (if not included in any other document).

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	S	O	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 129:

4.7.116a: Staff and properly supervise appropriately trained personnel to provide accurate and complete data to meet the requirements of this paragraph.

APD Response: Work is ongoing to train the newly hired data analyst in the new Data Analytics Unit. APD recently contracted with an experienced, respected local data expert that the Department has worked with in the past to fast track this training. This contract includes assistance with publication of the 2021 CIT Annual Data Report during the reporting period.

Additionally, the CIT Contact Sheet, where much of the data for this paragraph is collected, has been moved to the Department’s new reporting software. This software offers analytic capabilities at the click of button rather than requiring multiple steps to convert raw data into visualizations.

130. APD will utilize incident information from actual encounters to develop case studies and teaching scenarios for roll-call, behavioral health, and crisis intervention training; to recognize and highlight successful individual officer performance; to develop new response strategies for repeat calls for service; to identify training needs for in-service behavioral health or crisis intervention training; to make behavioral health or crisis intervention training curriculum changes; and to identify systemic issues that impede APD’s ability to provide an appropriate response to an incident involving an individual experiencing a mental health crisis.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: The tele-communicators class was updated to include increased participation in the form of interactive polls and scenarios during instruction, using iClickers, issued to each person in the class.

New audio from actual 911 calls was also included in order to help call takers recognize behavioral health crisis calls.

The Crisis Intervention Division was moved from the Bureau of Police Reform to the Field Services Bureau. This was done in part to improve communication between Crisis Intervention and officers responding to behavioral health calls. Each home follow-up detective has been assigned an area command in order to relay important information about diversionary efforts made by detectives to reduce further interactions with law enforcement.

APD and Albuquerque Community Safety Department (ACS) personnel also filmed an introductory video that was provided to all officers. This video included how to identify ACS responders in the field and how to request ACS to scenes in addition to their response capabilities and future expansion plans.

There were no IMR-14 Recommendations for Paragraph 130.

131. Working in collaboration with the Advisory Committee, the City shall develop and implement a protocol that addresses situations involving barricaded, suicidal subjects who are not posing an imminent risk of harm to anyone except themselves. The protocol will have the goal of protecting the safety of officers and suicidal subjects while providing suicidal subjects with access to mental health services.¹¹

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P				P	P	P	S	P	P

IMR-14 Recommendations for Paragraph 131:

4.7.118a: Work with advisory committees to ensure the protocols are updated and that related policy and protocols are reflective of “best practices.” Develop appropriate training strategies, deliver training, implement the policy, and evaluate results.

4.7.118b: APD command staff should require cooperative approaches between CIU, CNT, and SOD, establishing timelines for assessments as to why inter-unit cooperation on the issue of barricaded suicidal individuals has lagged, and follow-up on findings and recommendations at regular intervals.

APD Response for 4.7.118a-b: Representatives from the Crisis Intervention Unit and the Crisis Negotiation Team attended every MHRAC meeting during this reporting period including the Training Subcommittee meeting which did review a script for the joint CIU/CNT training video. APD SOP 2-20 Hostage Situations, Barricaded Individuals and Tactical Threat Assessment has been reviewed by all required Parties and will be published with all other earlier referenced paragraph 110 policies in the next reporting period. Once published, the required training video will be released.

4.7.118c: APD executive leadership should pay particular attention to the results of the implementation of cooperative approaches between CIU, CNT, and SOD. This project should be goal-driven, should include the production of specifically articulated tangible objectives and measurable timelines to ensure progress is made.

¹¹ Paragraph 131 was reported in IMR5, IMR6, and IMR8 as not in compliance.

APD Response: APD executive leadership have been briefed on the status and plan of action for this paragraph however, training cannot occur until a finalized policy is published in the next reporting period. ReformStat meetings began with CIU paragraphs such paragraph 131. ReformStat meetings include members of the executive staff. Tactical activations are reviews by the Force Review Board regardless if force is used.

D. Crisis Prevention (Paragraphs 132-137)

132. APD shall continue to utilize COAST and CIU to follow up with chronically homeless individuals and individuals with a known mental illness who have a history of law enforcement encounters and to proactively work to connect these individuals with mental health service providers.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: This reporting period members of the Crisis Intervention Unit and COAST conducted 371 follow-up home visits to assist people living with behavioral health diagnoses. These visits included connections to long term mental health providers, emergency food and utility assistance and help with temporary housing.

There were no IMR-14 Recommendations for Paragraph 132.

133. COAST and CIU shall provide crisis prevention services and disposition and treatment options to chronically homeless individuals and individuals with a known mental illness who are at risk of experiencing a mental health crisis and assist with follow-up calls or visits.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: COAST and CIU continued to provide crisis prevention services and disposition and treatment options services. Additionally, mechanisms to ensure cooperation between APD's CIU and ACS were implemented. These included referrals between the two entities, ensuring that ACS responders have access and know how to utilize CIU's Case Management System for information sharing, and COAST providing training to new ACS responders on area resources.

There were no IMR-14 Recommendations for Paragraph 133.

134. APD shall continue to utilize protocols for when officers should make referrals to and coordinate with COAST and CIU to provide prevention services and disposition and treatment options.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: CIU staff continued to meet with officers in the area commands to discuss how to refer incidents for follow up. In January 2022 APD moved to a new records management system, which will provide CIU supervisors quicker access to reports from incidents that may benefit from the services of the division.

There were no IMR-14 Recommendations for Paragraph 134.

135. APD shall maintain a sufficient number of trained and qualified mental health professionals in COAST and full-time detectives in CIU to satisfy its obligations under this Agreement. Within three months of completing the staffing assessment and resource study required by Paragraph 204 of this Agreement, APD shall develop a recruitment, selection, and training plan to assign, within 24 months of the study, 12 full-time detectives to the CIU, or the target number of detectives identified by the study, whichever is less.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	O	O	O	O	O	O	S

IMR-14 Recommendations for Paragraph 135:

4.7.122a: Ensure that COAST and the MCTs are adequately staffed to handle the needs of the APD and the Albuquerque community.

APD Response: APD's CIU maintained twelve sworn detectives and four supervisors. A new COAST specialist was hired and has begun training, bringing the number of COAST employees to three. As part of the request for proposal for a crisis intervention staffing study, the sufficient number of detectives, COAST and MCT has been included.

136. COAST and CIU shall continue to look for opportunities to coordinate in developing initiatives to improve outreach, service delivery, crisis prevention, and referrals to community health resources.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	S	S	O	O	O	O	O	O	O

APD Response: Thanks to the hard work of COAST personnel, COAST was able to access emergency assistance funding through the One Albuquerque Fund. This funding is being managed by a third party but allows COAST to provide limited emergency housing assistance, utility help, and other required assistance to individuals on their caseload. This is the first time in their history that COAST will have discretionary funds to provide this assistance.

CIU Home Visit detectives and COAST conducted several site visits in order to learn about new or expanding resources including a new season substance abuse clinic, The Dream Center, and the CARES Campus (formerly medication-assisted treatment MATS). The team also attended training on threat assessment with the FBI and a multi-day course provided by the Transgender Resource Center.

There were no IMR-14 Recommendations for Paragraph 136.

137. APD shall collect and analyze data to demonstrate the impact of and inform modifications to crisis prevention services. This data will be collected for management purposes only and shall not include personal identifying information of subjects or complainants. APD shall collect the following data:

- a. number of individuals in the COAST and CIU caseloads;
- b. number of individuals receiving crisis prevention services;
- c. date, shift, and area command of incidents or follow up encounters;
- d. subject’s age, race/ethnicity, and gender;
- e. whether the subject claims to be a U.S. military veteran;
- f. techniques or equipment used;
- g. any injuries to officers, subjects, or others;
- h. disposition of the encounter (e.g., arrest, citation, referral); and
- i. a brief narrative of the event (if not included in any other document).

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	S	O	O	O	O	O	O	S

IMR-14 Recommendations for Paragraph 137:

4.7.124a: Identify data necessary to fulfill requirements of Paragraph 137.

APD Response: The CIT Contact Sheet, where much of the data for this paragraph is collected, has been moved to the Department’s new reporting software. This software offers analytic capabilities at the click of button rather than requiring multiple steps to convert raw data into visualizations.

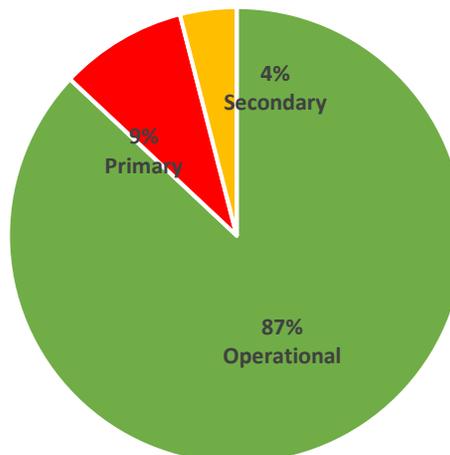
4.7.124b: Write specifications for selecting an outside contractor or internal employee to identify knowledge, skills and abilities required to analyze the requirements of Paragraph 137.

4.7.124c: Hire and staff personnel necessary to oversee the development of information stipulated in Paragraph 137.

APD Response for 4.7.124b-c: Work is ongoing to train the newly hired data analyst in the new Data Analytics Unit. APD recently contracted with an experienced and respected local data expert that the Department has worked with in the past to fast track this training. This contract also includes assistance with publication of the 2021 CIT Annual Data Report which will be completed and published during the next reporting period.

Section 4: Policies and Training Generally (Paragraphs 138 – 161)

There are 23 measurable paragraphs in Section 4:
 87% are in Operational Compliance,
 4% are in Secondary Compliance,
 9% are in Primary Compliance.



A. Policy Development, review, and Implementation (138-161)

138. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD’s policies and procedures shall reflect and express the Department’s core values and priorities and shall provide clear direction to ensure that officers and civilian employees deliver effective and constitutional policing services. APD shall ensure that officers and civilian employees are trained to understand and carry out consistently and competently the duties and responsibilities specified in APD policies and procedures. To achieve these outcomes, APD agrees to implement the requirements below. PD will ensure that crisis intervention certified responders or CIU will take the lead, once on scene and when appropriate, in interacting with individuals in crisis. If a supervisor has assumed responsibility for the scene, the supervisor will seek input of the crisis intervention certified responder or CIU on strategies for resolving the crisis when it is practical to do so.

Paragraph 138 is not a measurable paragraph.

139. APD shall review, develop, and implement policies and procedures that fully implement the terms of this Agreement, comply with applicable law, and comport with best practices. APD policies and procedures shall use terms that are defined clearly, shall be written plainly, and shall be organized logically.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	S	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 139. See APD’s update after paragraph 148.

140. APD policies and procedures shall be indexed and maintained in an organized manner using a uniform numbering system for ease of reference. APD policies and procedures shall be accessible to all APD officers and civilian employees at all times in hard copy or electronic format.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 140. See APD’s update after paragraph 148.

141. Within three months of the Operational Date, APD shall provide officers from varying ranks and units with a meaningful opportunity to review and comment on new or existing policies and procedures.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 141. See APD’s update after paragraph 148.

142. Within three months of the Operational Date, APD shall ensure that the Policy and Procedures Review Board is functional and its members are notified of the Board’s duties and responsibilities. The Policy and Procedures Review Board shall include a representative of the Technology Services Division in addition to members currently required under Administrative Order 3-65-2 (2014).

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 142. See APD’s update after paragraph 148.

143. Within nine months of the Operational Date, the Policy and Procedures Review Board shall review, develop, and revise policies and procedures that are necessary to implement this Agreement. The Policy and Procedures Review Board shall submit its formal recommendations to the Chief through the Planning and Policy Division.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	P	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 143. See APD’s update after paragraph 148.

144. Unless otherwise noted, all new and revised policies and procedures that are necessary to implement this Agreement shall be approved and issued within one year of the Operational Date. APD shall continue to post approved policies, procedures, and administrative orders on the City website to ensure public accessibility. There shall be reasonable exceptions for policies, procedures, and administrative orders that are law enforcement sensitive, such as procedures on undercover officers or operations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 144. See APD's update after paragraph 148.

145. The Policy and Procedures Review Board shall review each policy or procedure six months after it is implemented and annually thereafter, to ensure that the policy or procedure provides effective direction to APD personnel and remains consistent with this Agreement, best practices, and current law. The Policy and Procedures Review Board shall review and revise policies and procedures as necessary upon notice of a significant policy deficiency during audits or reviews.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					S	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 145. See APD's update after paragraph 148.

146. APD shall apply policies uniformly and hold officers accountable for complying with APD policy and procedure.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	P	P	O	O	P	P	O	S	S

IMR-14 Recommendations for Paragraph 146:

4.7.132a: Ensure, via training, inter-office memoranda, or other methods, that all command-level personnel involved in assessing disciplinary outcomes are trained in monitor-approved (revised) policies regarding the use of the disciplinary matrix.

APD Response: For consistency, the Office of the Superintendent is the only bureau responsible for reviewing all internal investigations and determining discipline for consistency. A newly created position of Professional Integrity Commander was created to ensure consistency across all proposed disciplinary sanctions.

147. APD shall submit all policies, procedures, manuals, and other administrative orders or directives related to this Agreement to the Monitor and DOJ for review and comment before publication and implementation. If the Monitor or DOJ objects to the proposed new or revised policy, procedure, manual, or other administrative order or directive, because it does not incorporate the requirements of this Agreement or is inconsistent with this Agreement or the law, the Monitor or DOJ shall note this objection in writing to all parties within 15 business days of the receipt of the policy, procedure, manual, or directive from APD. If neither the Monitor nor DOJ objects to the new or revised policy, procedure, manual, or directive, APD agrees to implement it within one month of it being provided to DOJ and the Monitor.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 147. See APD's update after paragraph 148.

148. APD shall have 15 days to resolve any objections to new or revised policies, procedures, manuals, or directives implementing the specified provisions. If, after this 15-day period has run, the DOJ maintains its objection, then the Monitor shall have an additional 15 days to resolve the objection. If either party disagrees with the Monitor's resolution of the objection, either party may ask the Court to resolve the matter. The Monitor shall determine whether in some instances an additional amount of time is necessary to ensure full and proper review of policies. Factors to consider in making this determination include: 1) complexity of the policy; 2) extent of disagreement regarding the policy; 3) number of policies provided simultaneously; and 4) extraordinary circumstances delaying review by DOJ or the Monitor. In determining whether these factors warrant additional time for review, the Monitor shall fully consider the importance of prompt implementation of policies and shall allow additional time for policy review only where it is clear that additional time is necessary to ensure a full and proper review. Any extension to the above timelines by the Monitor shall also toll APD's deadline for policy completion.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 148.

APD Response to paragraphs 139-145, 147 & 148: The APD Policy and Procedure Unit continued to succeed at publishing the Department's Standard Operating Procedures during the most recent reporting period. From August 1, 2021 to January 31, 2022, the three-person unit managed to publish fifty-two (52) SOPs, five of which were categorized as being related to the CASA. This is a remarkable increase when compared to the reporting period of August 1, 2020 to January 31, 2021, when only 6 SOPs were published. Unit personnel also archived eight (8) SOPs because the unit or program the policy governed was no longer in existence, or the policy was incorporated into another existing SOP. Standard Operating Procedure 3-41 Complaints Involving Department Personnel was among the SOPs that were published, which enables the Department to conduct investigations into policy violations by its employees. Currently, the Department has a total of 197 SOPs, with 55 that are categorized as being related to the CASA.

Policy and Procedure Unit personnel continued to advance a high volume of policy drafts through the policy development process during the most recent reporting period. In response, Unit personnel hosted five off-cycle community-based meetings and they worked with the Department's Policy and Procedures Review Board (PPRB) to conduct four off-cycle meetings. To seek to comply with CASA Paragraph 110, Unit personnel assisted the policy owners of seven CASA-related SOPs that directly impact the Department's interactions with individuals in crisis due to mental illness or individuals with a diagnosed behavioral disorder. The Unit's goal is to obtain the Independent Monitoring Team's review and approval of the seven SOPs and to get the policies on the same revision cycle. The Unit anticipates publishing the SOPs in April 2022.

In January 2022, the Department recognized the Policy and Procedure Unit as the Team of the Month. Unit personnel were recognized for their ability to publish more than 20 SOPs in August and September 2021 and for its proposed draft for SOP 3-52 Policy Development Process, which was cited as being clear, easy to follow, and cogent.

B. Training on Revised Policies, Procedures, and Practices (149-154)

149. Within two months of the Operational Date, APD shall ensure that all officers are briefed and presented the terms of the Agreement, together with the goals and implementation process of the Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: APD continues to present the CASA to all new cadet classes.

There were no IMR-14 Recommendations for Paragraph 149.

150. Within three months of issuing a policy or procedure pursuant to this Agreement, APD agrees to ensure that all relevant APD personnel have received and read their responsibilities pursuant to the policy or procedure, including the requirement that each officer or employee report violations of policy; that supervisors of all ranks shall be held accountable for identifying and responding to policy or procedure violations by personnel under their command; and that personnel will be held accountable for policy and procedure violations. APD agrees to document that each relevant APD officer or other employee has received and read the policy. Training beyond roll-call or similar training will be necessary for many new policies to ensure officers understand and can perform their duties pursuant to the policy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	P	P

APD Response: APD completed annual use of force training in December 2021 meeting the requirement that caused APD to fall out of operational compliance in IMRs 13 and 14. APD anticipates this paragraph will return to operational compliance for paragraph 150.

IMR-14 Recommendations for Paragraph 150:

4.7.136a: Hold individuals of all ranks accountable for policy and procedure violations and ensure adequate discipline when necessary.

APD Response: SOP 3-46 (Discipline System) was revised, approved by the IMT and DOJ, and published via PowerDMS. The policy was revised based on IMT technical assistance, including an updated chart of sanctions and progressive discipline. For consistency, the Office of the Superintendent is responsible for reviewing all internal investigations and determining discipline for consistency. A newly created position

of Professional Integrity Commander was created to ensure consistency across all proposed disciplinary sanctions.

151. Unless otherwise noted, the training required under this Agreement shall be delivered within 18 months of the Operational Date, and annually thereafter. Within six months of the Operational Date, APD shall set out a schedule for delivering all training required by this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	P	P

IMR-14 Recommendations for Paragraph 151:

4.7.137a: Implement, in a timely manner, training responsive to the requirements of this paragraph.

APD Response: APD completed annual 2021 use of force training. APD anticipates this paragraph will return to operational compliance for paragraph 151.

152. APD shall ensure that all new lateral hires are certified law enforcement officers and that they receive all training required by this Agreement prior to entry onto duty.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: APD verifies lateral hires are sworn law enforcement officers and trains lateral hires prior to entry on duty.

There were no IMR-14 Recommendations for Paragraph 152.

153. APD shall maintain complete and accurate records of all training provided to sworn APD officers during pre-service and in-service training programs, including curricula, course materials, lesson plans, classroom presentations, handouts, videos, slides, recordings, and attendance records. APD shall also maintain complete and accurate records of any audit, review, assessment, or evaluation of the sufficiency or effectiveness of its training programs. APD shall make these records available for inspection by the Monitor and DOJ.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: APD continues to maintain complete and accurate records of all training, which is tracked and uploaded in the Enterprise Learning Management (ELM) system.

There were no IMR-14 Recommendations for Paragraph 153.

154. APD shall ensure that changes in relevant case law and statutes are disseminated to APD personnel in a timely manner and incorporated, as appropriate, into annual and preservice training.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: In 2021, the Academy provided legal updates via regular newsletters posted in PowerDMS.

There were no IMR-14 Recommendations for Paragraph 154.**C. Field Training Officer Program (155-161)**

155. APD shall supervise and manage its field training program to ensure that new officers develop the necessary technical and practical skills required to use force in accordance with APD policy and applicable law. The field training program should reinforce, rather than circumvent, the agency's values, core principles, and expectations on use of force and engagement with the community. Field Training Officers should demonstrate the highest levels of competence, professionalism, impartiality, and ethics.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: The Academy continues to ensure that new officers are trained to use force in accordance with APD policy and applicable law.

There were no IMR-14 Recommendations for Paragraph 155.

156. APD shall revise the policies applicable to its field-training program to provide that academy graduates will receive 16 weeks of field training following the training academy and that recruits will not be released from the field training program early.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: FTEP did not release any recruit or lateral officers from OJT without completing the entire OJT program and its corresponding time requirements. APD remains in operational compliance for paragraph 156.

There were no IMR-14 Recommendations for Paragraph 156.

157. APD shall revise the qualifications for Field Training Officers to require three years of non-probationary experience as a sworn police officer and to ensure that Field Training Officers have a demonstrated commitment to constitutional policing, ethics, and professionalism.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: The APD Academy continues to require FTO applicants to have a minimum of three years of non-probationary experience as a sworn police officer to ensure that Field Training Officers have a demonstrated commitment to constitutional policing, ethics, and professionalism.

There were no IMR-14 Recommendations for Paragraph 157.

158. New Field Training Officers and Area Sergeant Coordinators shall receive at least 40 hours of initial supervisory-level training and annual in-service training in the following areas: management and supervision; constitutional, community-oriented policing; de-escalation techniques; and effective problem-solving techniques. Field Training Officers and Area Sergeant Coordinators shall be required to maintain, and demonstrate on a regular basis, their proficiency in managing recruits and subordinates, as well as practicing and teaching constitutional, community-oriented policing; de-escalation techniques; and effective problem solving. APD shall maintain records of all evaluations and training of Field Training Officers and Area Sergeant Coordinators.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: The FTEP conducted one FTO Basic Course during this reporting period. The course had 13 officers, 4 sergeants, and 2 crime scene specialists.

There were no IMR-14 Recommendations for Paragraph 158.

159. Recruits in the field training program shall be trained in multiple Area Commands and shifts and with several Field Training Officers.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: Lateral officers from the 26th lateral class completed their OJT working different shifts and in different area commands. The FTEP ensured recruit officers complete the required minimum of 16 weeks (640 hours) of OJT.

There were no IMR-14 Recommendations for Paragraph 159.

160. APD shall provide a mechanism for recruits to provide confidential feedback regarding the quality of their field training, including the extent to which their field training was consistent with what they learned in the academy, and suggestions for changes to academy training based upon their experience in the field training program. APD shall consider feedback and document its response, including the rationale behind any responsive action taken or decision to take no action.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	O	O

APD Response: The FTEP administered the FTO Critique Response Memo and the OJT Survey Critique during this reporting period.

There were no IMR-14 Recommendations for Paragraph 160.

161. The City shall provide APD with the necessary support and resources to designate a sufficient number of Field Training Officers to meet the requirements of this Agreement.

Compliance Level History:

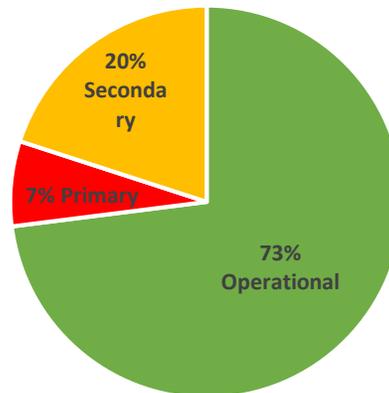
IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	S	O	S	O	O	O

APD Response: The FTEP recently lost the sergeant and lieutenant to transfers out of the program. As part of an organizational restructuring of the academy, the FTEP will now be overseen by the advanced training lieutenant. In order to supplement administrative staffing in the program, the Academy posted a civilian FTEP Specialist position (civilian role), selected an individual and is awaiting a hire date.

There were no IMR-14 Recommendations for Paragraph 161.

Section 5: Misconduct Complaint Intake, Investigation, and Adjudication (Paragraphs 162 – 202)

There are 40 measurable paragraphs in Section 5:
 73% are in Operational Compliance,
 20% are in Secondary Compliance,
 7% are in Primary Compliance.



162. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD and the Civilian Police Oversight Agency shall ensure that all allegations of officer misconduct are received and are fully and fairly investigated; that all findings in administrative investigations are supported by a preponderance of the evidence; and that all officers who commit misconduct are held accountable pursuant to a fair and consistent disciplinary system. To achieve these outcomes, APD and the Civilian Police Oversight Agency shall implement the requirements below.

This Paragraph serves as an introductory paragraph and is not evaluated for compliance.

A. Reporting Misconduct

163. APD shall require that all officers and employees report misconduct by any APD officer or employee, including themselves, to a supervisor or directly to the Internal Affairs Division for review and investigation. Where alleged misconduct is reported to a supervisor, the supervisor shall immediately document and report this information to the Internal Affairs Division. Failure to report or document alleged misconduct or criminal behavior shall be grounds for discipline, up to and including termination of employment.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	O	O	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 163:

4.7.149a: IAPS should build into the IAR template the requirement to document how and when the referring supervisor became aware of the alleged misconduct to determine whether documentation and referral of the alleged misconduct are made in accordance with paragraph 163.

4.7.149b: Require documentation in Blue Team to indicate the date when the reporting member learned of the allegation to better assist IAPS in identifying the lack of timely notifications.

APD Response to 4.7.149a-b: APD revised the existing IAR template to reflect how and when a referring supervisor became aware of the alleged misconduct. The IAPS intake manager reviews incoming allegations to ensure proper classification and assignment for investigation.

B. Public Information on Civilian Complaints (164-168)

164. Within six months of the Operational Date, APD and the Civilian Police Oversight Agency shall develop and implement a program to ensure the Albuquerque community is aware of the procedures to make civilian complaints against APD personnel and the availability of effective mechanisms for making civilian complaints. The requirements below shall be incorporated into this program.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	O	O	O	O	O	O	O	O

APD Response: All police officers, city buildings as well as city website have information on how to file civilian complaints.

There were no IMR-14 Recommendations for Paragraph 164.

165. APD and the Civilian Police Oversight Agency shall make complaint forms and informational materials, including brochures and posters, available at appropriate government properties, including APD headquarters, Area stations, APD and City websites, City Hall, public libraries, community centers, and the office of the Civilian Police Oversight Agency. Individuals shall be able to submit civilian complaints through the APD and City websites and these websites shall include, in an identifiable and accessible form, complaint forms and information regarding how to file civilian complaints. Complaint forms, informational materials, and the APD and City websites shall specify that complaints may be submitted anonymously or on behalf of another person. Nothing in this Agreement prohibits APD from soliciting officer commendations or other feedback through the same process and methods as above.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: All APD and the Civilian Police Oversight Agency locations have complaint forms available along with instructions. Anonymous and third party complaints are accepted by CPOA and APD.

There were no IMR-14 Recommendations for Paragraph 165.

166. APD shall post and maintain a permanent placard describing the civilian complaint process that includes relevant contact information, such as telephone numbers, email addresses, and Internet sites. The placard shall specify that complaints may be submitted anonymously or on behalf of another person.

APD shall require all officers to carry complaint forms, containing basic complaint information, in their Department vehicles. Officers shall also provide the officer’s name, officer’s identification number, and, if applicable, badge number upon request. If an individual indicates that he or she would like to make a misconduct complaint or requests a complaint form for alleged misconduct, the officer shall immediately inform his or her supervisor who, if available, will respond to the scene to assist the individual in providing and accepting appropriate forms and/or other available mechanisms for filing a misconduct complaint.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD continues to be in operational compliance for this paragraph and a supervisor is notified of any complaints.

There were no IMR-14 Recommendations for Paragraph 166.

167. APD agrees to accept all civilian complaints and shall revise any forms and instructions on the civilian complaint process that could be construed as discouraging civilians from submitting complaints.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: APD continues to accept all complaints.

There were no IMR-14 Recommendations for Paragraph 167.

168. Complaint forms and related informational materials shall be made available and posted in English and Spanish.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	O	O	O	O	O	O	O	O

APD Response: Civilian reporting of policy violations can be done through the city website, in person at any substation, or by contacting any officer.

There were no IMR-14 Recommendations for Paragraph 168.

C. Complaint Intake, Classification, and Tracking (169-182)

169. Within six months of the Operational Date, APD shall train all personnel in handling civilian complaint intake.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O	O	O	O	O	O	O	O	O

APD Response: Employees are aware that all civilian complaints will be taken. The department continues to follow policy that outlines the process and guides employees on handling civilian complaints.

There were no IMR-14 Recommendations for Paragraph 169.

170. APD shall accept complaints regardless of when they are filed. The City shall encourage civilians to promptly report police misconduct so that full investigations can be made expeditiously and the full range of disciplinary and corrective action be made available.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph.

There were no IMR-14 Recommendations for Paragraph 170.

171. The refusal to accept a misconduct complaint, discouraging the filing of a misconduct complaint, or providing false or misleading information about filing a misconduct complaint shall be grounds for discipline.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD continues to be in operational compliance with this paragraph.

There were no IMR-14 Recommendations for Paragraph 171.

172. APD and the Civilian Police Oversight Agency shall accept all misconduct complaints, including anonymous and third-party complaints, for review and investigation. Complaints may be made in writing or verbally, in person or by mail, telephone (or TDD), facsimile, or electronic mail. Any Spanish-speaking individual with limited English proficiency who wishes to file a complaint about APD personnel shall be provided with a complaint form in Spanish to ensure that the individual is able to make a complaint. Such complaints will be investigated in accordance with this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: APD and the Civilian Police Oversight Agency continue to accept all misconduct complaints.

There were no IMR-14 Recommendations for Paragraph 172.

173. All APD personnel who receive a misconduct complaint shall immediately inform a supervisor of the misconduct complaint so that the supervisor can ensure proper intake of the misconduct complaint. All misconduct complaints shall be submitted to the Internal Affairs Division by the end of the shift following the shift in which it was received.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	O	O	O	O	O	O

APD Response: APD continues to be in compliance with this paragraph.

There were no IMR-14 Recommendations for Paragraph 173.

174. APD and the Civilian Police Oversight Agency shall develop a system to ensure that allegations by a judicial officer of officer misconduct made during a civil or criminal proceeding are identified and assessed for further investigation. Any decision to decline investigation shall be documented.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	S	O	O	O	O	O	O	O

APD Response: IAPS contacts the courts and notifies them of the process yearly.

There were no IMR-14 Recommendations for Paragraph 174.

175. APD and the Civilian Police Oversight Agency shall track allegations regarding misconduct involving individuals who are known to be homeless or have a mental illness, even if the complainant does not specifically label the misconduct as such.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: The CPOA tracks demographics of the individual submitting the complaint.

There are no IMR-14 Recommendations for Paragraph 175.

176. Within six months of the Operational Date, the Internal Affairs Division, in coordination with the Civilian Police Oversight Agency, shall develop and implement a centralized numbering and tracking system for all misconduct complaints. Upon the receipt of a complaint, the Internal Affairs Division shall

promptly assign a unique numerical identifier to the complaint, which shall be provided to the complainant at the time the numerical identifier is assigned when contact information is available for the complainant.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: All cases are assigned a unique identifying number from the initial complaint to the investigation file.

There were no IMR-14 Recommendations for Paragraph 176.

177. The Internal Affairs Division’s tracking system shall maintain accurate and reliable data regarding the number, nature, and status of all misconduct complaints, from initial intake to final disposition, including investigation timeliness and notification to the complainant of the interim status and final disposition of the investigation. This system shall be used to determine the status of complaints and to confirm that a complaint was received, as well as for periodic assessment of compliance with APD policies and procedures and this Agreement, including requirements on the timeliness of administrative investigations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: All cases are tracked within the Internal Affairs Division’s IAPRO tracking system by a unique identifying number from the beginning of the case to the conclusion

There were no IMR-14 Recommendations for Paragraph 177.

178. Where a supervisor receives a complaint alleging that misconduct has just occurred, the supervisor shall gather all relevant information and evidence and provide the information and evidence to the Internal Affairs Division. All information should be referred to the Internal Affairs Division by the end of the shift following the shift in which the misconduct complaint was received, absent exceptional circumstances.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	S	O	O	O	O	O	S

IMR-14 Recommendations for Paragraph 178:

4.7.164a: IAPS should require supervisors to document in BlueTeam reporting module the date they learned of the alleged violation and explain any delay in reporting to IAPS.

APD Response: Current policy requires that all violations are reported to IAPS within 24 hours of discovering the violation. The BlueTeam frontline documentation system requires employees to enter the date that they became aware of the alleged violation and documentation of any delay in reporting.

179. Within three business days of the receipt of a misconduct complaint from a civilian, the Internal Affairs Division shall refer the complaint to the Civilian Police Oversight Agency.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: All civilian complaints are referred to the CPOA for investigation. This is tracked by unique identifying number from onset to transfer.

There were no IMR-14 Recommendations for Paragraph 179.

180. Internal misconduct complaints submitted by APD personnel shall remain with the Internal Affairs Division for review and classification. The Internal Affairs Division shall determine whether the internal complaint will be assigned to a supervisor for investigation or retained by the Internal Affairs Division for investigation. In consultation with the Chief, the commanding officer of the Internal Affairs Division shall also determine whether a civilian or internal complaint will be investigated criminally by the Internal Affairs Division, the Multi-Agency Task Force, and/or referred to the appropriate federal law enforcement agency.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: All internal complaints are screened and assigned by IAPS for investigation determined by a screening and intake process.

There were no IMR-14 Recommendations for Paragraph 180.

181. APD shall continue to maintain an internal complaint classification protocol that is allegation-based rather than anticipated-outcome-based to guide the Internal Affairs Division in determining where an internal complaint should be assigned.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 181:

4.7.167a: Revise necessary policies related to IAD Classification Protocols and responsibility for discipline to prohibit “no action” disciplinary findings on policy violations sustained by IAPS.

APD Response: Current screening process assigns cases based on the potential discipline centered on the allegation. The new intake manager assigns cases based on sanction level applied to allegation in consideration with progressive discipline. For consistency, the Office of the Superintendent or Bureau of Police Reform is the only bureau responsible for reviewing all internal investigations and determining discipline for consistency. A newly created position of Professional Integrity Commander was created to ensure consistency across all proposed disciplinary sanctions. The Bureau of Police Reform apply discipline in accordance with the chart of sanctions outlined in SOP 3-46 Discipline System and any deviation includes written explanation for that deviation.

182. An internal complaint investigation may not be conducted by any supervisor who used force during the incident; whose conduct led to the injury of a person; who authorized the conduct that led to the reported incident or complaint; or who witnessed or was involved in the incident leading to the allegation of misconduct.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	S	S	S	O	O	O

APD Response: This paragraph remains in operational compliance.

There were no IMR-14 Recommendations for Paragraph 182.

D. Investigation of Complaints (183-194)

183. APD and the Civilian Police Oversight Agency shall ensure that investigations of officer misconduct complaints shall be as thorough as necessary to reach reliable and complete findings. The misconduct complaint investigator shall interview each complainant in person, absent exceptional circumstances, and this interview shall be recorded in its entirety, absent specific, documented objection by the complainant. All officers in a position to observe an incident, or involved in any significant event before or after the original incident, shall provide a written statement regarding their observations, even to state that they did not observe anything.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	S	S	S	S	S	P

IMR-14 Recommendations for Paragraph 183:

4.7.169a: City Legal should appoint an independent review and approval authority for all external APD IA investigations that are conducted by an independent investigator. The appropriateness of selection of independent investigators should be documented in writing.

4.7.169b: Investigations in which the complainant or logical witnesses are not interviewed or in matters that are administratively closed, the investigation should include a clear explanation of why the interviews were not conducted and or why further investigation steps were not warranted. These should be subject to managerial oversight regarding appropriateness.

4.7.169c: APD must ensure that investigations conducted by the area commands are held to the same standards that apply to IAPS and CPOA and are CASA compliant.

4.7.169d: APD should create an investigative guide with a checklist of requirements to assist any investigator in completing a thorough, fair, objective investigation. The guide should include interviewing the complainant (where possible), collection of any and all supporting documentation and evidence, interviewing all fact witnesses (all APD employees and all willing civilian witnesses), and all subject officers.

APD Response to 4.7.169a-d: The current IAPS practice is for investigators to interview all complainants and witnesses of an incident. If there is not an interview conducted, a reason as to why is included in the case. An investigative checklist was created to help guide investigators through the investigation. Area command investigations are being reviewed by IAPS to ensure proper adjudication and documentation. If further information is needed, the investigations are sent back to the area commands for completion.

Internal Affairs training has been developed and is scheduled to begin in March 2022 that will train personnel who may conduct misconduct investigations and hold them to the same standard as IAPS and the CPOA. Each area command investigated case does follow the current review structure with the Bureau of Police Reform with cases reviewed by the Professional Accountability command staff.

184. APD and the Civilian Police Oversight Agency shall investigate all misconduct complaints and document the investigation, its findings, and its conclusions in writing. APD and the Civilian Police Oversight Agency shall develop and implement a policy that specifies those complaints other than misconduct that may be resolved informally or through mediation. Administrative closing or inactivation of a complaint investigation shall be used for the most minor policy violations that do not constitute a pattern of misconduct, duplicate allegations, or allegations that even if true would not constitute misconduct.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O	P	S	O	O	O	O	O	O

APD Response: Cases are written and all evidence is documented, including physical and testimonial evidence.

There were no IMR-14 Recommendations for Paragraph 184.

185. APD shall require personnel to cooperate with Internal Affairs Division and Civilian Police Oversight Agency investigations, including appearing for an interview when requested by an APD or Civilian Police Oversight Agency investigator and providing all requested documents and evidence under the person's custody and control. Supervisors shall be notified when a person under their supervision is summoned as part of a misconduct complaint or internal investigation and shall facilitate the person's appearance, absent extraordinary and documented circumstances.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	S	O	O	O	O	O	O

APD Response: Target letters are set to the affected employee and their chain of command notifying them of the allegation and subsequent investigation. Failure to cooperate can and will lead to discipline.

There were no IMR-14 Recommendations for Paragraph 185.

186. APD and the City shall develop and implement protocols to ensure that criminal and administrative investigations of APD personnel are kept appropriately separate, to protect APD personnel's rights under the Fifth Amendment. When an APD employee affirmatively refuses to give a voluntary statement and APD has probable cause to believe the person has committed a crime, APD shall consult with the prosecuting agency (e.g., District Attorney's Office or USAO) and seek the approval of the Chief before taking a compelled statement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: Criminal and administrative investigations into APD personnel are conducted separately and APD remains in operational compliance with this paragraph.

There were no IMR-14 Recommendations for Paragraph 186.

187. Advisements by the Internal Affairs Division or the Civilian Police Oversight Agency to APD personnel of their Fifth Amendment rights shall only be given where there is a reasonable likelihood of a criminal investigation or prosecution of the subject employee.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O	O	O	O	O	O	O	O	O

APD Response: Fifth Amendment rights are only given to APD personnel when there are known criminal charges.

There were no IMR-14 Recommendations for Paragraph 187.

188. If at any time during misconduct complaint intake or investigation the investigator determines that there may have been criminal conduct by any APD personnel, the investigator shall immediately notify the Internal Affairs Division commanding officer. If the complaint is being investigated by the Civilian Police Oversight Agency, the investigator shall transfer the administrative investigation to the Internal Affairs Division. The Internal Affairs Division commanding officer shall immediately notify the Chief. The Chief shall consult with the relevant prosecuting agency or federal law enforcement agency regarding the initiation of a criminal investigation. Where an allegation is investigated criminally, the Internal Affairs Division shall continue with the administrative investigation of the allegation. Consistent with Paragraph 186, the Internal Affairs Division may delay or decline to conduct an interview of the subject personnel or other witnesses until completion of the criminal investigation unless, after consultation with the prosecuting agency and the Chief, the Internal Affairs Division deems such interviews appropriate.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph.

There were no IMR-14 Recommendations for Paragraph 188.

189. Nothing in this Agreement or APD policy shall hamper APD personnel’s obligation to provide a public safety statement regarding a work-related incident or activity, including use of force reports and incident reports. APD shall make clear that all statements by personnel in incident reports, arrest reports, use of force reports and similar documents, and statements made in interviews such as those conducted in conjunction with APD’s routine use of force investigation process, are part of each employee’s routine professional duties and are not compelled statements. Where an employee believes that providing a verbal or written statement will be self-incriminating, the employee shall affirmatively state this and shall not be compelled to provide a statement without prior consultation with the prosecuting agency (e.g., District Attorney’s Office or USAO), and approval by the Chief.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	O	O	O	O	O	O

APD Response: Use of force investigations are not considered compelled statements, and reports are required by all officers regarding a use of force.

There were no IMR-14 Recommendations for Paragraph 189.

190. In each investigation, APD and the Civilian Police Oversight Agency shall consider all relevant evidence, including circumstantial, direct, and physical evidence. There will be no automatic preference for an officer’s statement over a non-officer’s statement, nor will APD or the Civilian Police Oversight Agency disregard a witness’s statement merely because the witness has some connection to the complainant or because of any criminal history. During their investigation, APD and the Civilian Police Oversight Agency shall take into account any convictions for crimes of dishonesty of the complainant or any witness. APD and the Civilian Police Oversight Agency shall also take into account the record of any involved officers who have been determined to have been deceptive or untruthful in any legal proceeding, misconduct investigation, or other investigation. APD and the Civilian Police Oversight Agency shall make efforts to resolve material inconsistencies between witness statements.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	S	S	S	S	S	S	S	P

IMR-14 Recommendations for Paragraph 190:

4.7.176a: APD should identify a cadre of investigators at the Area Commands, who will conduct investigations of minor misconduct and provide appropriate training to those individuals relating to internal affairs investigations and CASA requirements.

APD Response: An 8-hour Internal Affairs investigation training has been created and approved by the IMT and DOJ. Training is scheduled to start in March 2022.

191. All administrative investigations conducted by the Internal Affairs Division or the Civilian Police Oversight Agency shall be completed within 90 days of the initiation of the complaint investigation. The 90-day period shall not include time for review. An extension of the investigation of up to 30 days may be granted but only if the request for an extension is in writing and is approved by the Chief. Review and final approval of the investigation, and the determination and imposition of the appropriate discipline, shall be completed within 30 days of the completion of the investigation. To the extent permitted by state and city law, extensions may also be granted in extenuating circumstances, such as military deployments, hospitalizations of the officer, and extended absences.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	O	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 191:

4.7.177a: CPOA should refocus their efforts related to this paragraph by conducting a quantitative analysis of the reasons that cause any case to be delayed past 90 days.

4.7.177b: Once causes for these delays are identified, develop recommendations for changes to policy, staffing, procedure, or practice that are designed to eliminate such delays.

4.7.177c: All investigations should include a clear timeline that delineates the date of the incident, date of receipt of the complaint, date of assignment, date of extension if applicable, date investigation is completed, dates review period begins and ends, and date of notice of intent to discipline where applicable.

4.7.177d: In regard to matters initiated by internal complaints, investigations should include a clear timeline that delineates when the APD employee who made the referral to IAPS first became aware of the alleged misconduct and when all employees in the chain of referral became aware of the misconduct so that the time from receipt of information of potential misconduct to referral to IAPS can be accurately gauged.

APD Response to 4.7.177b-d: IAPS has not missed a timeline during this reporting period. APD did make an update to the IAR process that delineates when an APD employee became aware of alleged misconduct and then the APD employee made the referral for investigation.

192. The APD or Civilian Police Oversight Agency investigator shall explicitly identify and recommend one of the following dispositions for each allegation of misconduct in an administrative investigation: a) "Unfounded," where the investigation determines, by clear and convincing evidence, that the alleged misconduct did not occur or did not involve the subject officer; b) "Sustained," where the investigation

determines, by a preponderance of the evidence, that the alleged misconduct did occur; c) “Not Sustained,” where the investigation is unable to determine, by a preponderance of the evidence, whether the alleged misconduct occurred; d) “Exonerated,” where the investigation determines, by a preponderance of the evidence, that the alleged conduct did occur but did not violate APD policies, procedures, or training; e) “Sustained violation not based on original complaint,” where the investigation determines, by a preponderance of the evidence, that misconduct did occur that was not alleged in the original complaint but that was discovered during the misconduct investigation; or f) “Administratively closed,” where the policy violations are minor, the allegations are duplicative, or investigation cannot be conducted because of the lack of information in the complaint.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				S	S	O	O	S	S	S	S	S

IMR-14 Recommendations for Paragraph 192:

4.7.178: APD should conduct an internal audit of all “administratively closed” investigations, between 21 FEB 21 and 31 JUL 21 and ensure those cases were properly closed based on established facts and circumstances, and that none of those administratively closed cases were improperly classified, assigned, investigated or closed.

APD Response: “Administratively Closed” policy is now more restrictive than the CASA allows. APD did not administratively close any investigations during this reporting period, all cases were investigated.

193. Administratively closed complaints may be re-opened if additional information becomes available. The deadlines contained in Paragraph 191 shall run from when the complaint is re-opened.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD will re-open an Administratively Closed case if additional information becomes available.

There were no IMR-14 Recommendations for Paragraph 193.

194. In addition to determining whether APD personnel committed the alleged misconduct, administrative investigations shall assess and document whether the action was in compliance with training and legal standards and whether the incident suggests the need for a change in policy, procedure, or training. In reviewing completed administrative investigations, APD shall also assess and document whether: (a) the incident suggests that APD should revise strategies and tactics; and (b) the incident indicates a need for additional training, counseling, or other non-disciplinary corrective measures. This information shall be shared with the relevant commander(s).

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: IAPS makes recommendations based on the investigation for policy revisions, training needs, or other trends identified.

There were no IMR-14 Recommendations for Paragraph 194.

E. Preventing Retaliation (195-197)

195. The City shall continue to expressly prohibit all forms of retaliation, including discouragement, intimidation, coercion, or adverse action, against any person who reports misconduct, makes a misconduct complaint, or cooperates with an investigation of misconduct.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: APD prohibits all forms of retaliation and remains in operational compliance for this paragraph.

There were no IMR-14 Recommendations for Paragraph 195.

196. Within six months of the Operational Date, and annually thereafter, the Internal Affairs Division and the Civilian Police Oversight Agency shall review APD's anti-retaliation policy and its implementation. This review shall consider the alleged incidents of retaliation that occurred or were investigated during the reporting period, the discipline imposed for retaliation, and supervisors' performance in addressing and preventing retaliation. Following such review, the City shall modify its policy and practice, as necessary, to protect individuals, including other APD personnel, from retaliation for reporting misconduct.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: IAPS consults with the CPOA Director annually to ensure that no changes are necessary to policy and practice.

There were no IMR-14 Recommendations for Paragraph 196.

197. Retaliation for reporting misconduct or for cooperating with an investigation of misconduct shall be grounds for discipline, up to and including termination of employment.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational compliance for this paragraph and prohibits retaliation for reporting misconduct or for cooperating with a misconduct investigation.

There were no IMR-14 Recommendations for Paragraph 189.

F. Staffing and Training Requirements (198-202)

198. The City shall ensure that APD and the Civilian Police Oversight Agency have a sufficient number of well-trained staff assigned and available to complete and review thorough and timely misconduct investigations in accordance with the requirements of this Agreement. The City shall re-assess the staffing of the Internal Affairs Division after the completion of the staffing study to be conducted pursuant to Paragraph 204. The City further shall ensure sufficient resources and equipment to conduct thorough and timely investigations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	S

IMR-14 Recommendations for Paragraph 198:

APD Response: Upon a review of IAPS staffing during this reporting period, staffing in IAPS increased two civilian investigators to ensure there is adequate personnel to properly investigate cases within timelines.

4.7.184a: CPOA must adequately staff its investigative responsibilities, using effective measures of workload, the time needed to complete the “average” CPOA investigation, and the time needed to assess and perform quality control processes.

199. All APD personnel conducting misconduct investigations, whether assigned to the Internal Affairs Division, an Area Command, or elsewhere, shall receive at least 24 hours of initial training in conducting misconduct investigations within one year of the Operational Date, and shall receive at least eight hours of training each year. The training shall include instruction on APD’s policies and protocols on taking compelled statements and conducting parallel administrative and criminal investigations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	S	S	S	S	S	S	P

IMR-14 Recommendations for Paragraph 199:

4.7.185a: Identify the members of the area commands who may be assigned misconduct investigations and develop an annual IA training program for them. Ensure they complete the same on an annual basis.

Annual training for those members of the area commands conducting internal affairs investigations of allegations of minor misconduct is an urgent priority.

4.7.185b: Do not assign a misconduct investigation to any APD personnel who have not met the annual training requirement.

4.7.185c: Investigations involving allegations that are CASA-related should remain with IAPS and not be transferred to area command personnel.

APD Response to 4.7.185a-c: An 8-hour annual Internal Affairs investigation training was approved by the IMT and DOJ during this reporting period and is scheduled to be delivered starting March 2022.

200. Investigators from the Civilian Police Oversight Agency shall receive at least 40 hours of initial training in conducting misconduct investigations within one year of the Operational Date, and shall receive at least eight hours of training each year. The training shall include instruction on APD's policies and protocols on taking compelled statements and conducting parallel administrative and criminal investigations. G. Discipline Process and Transparency.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	S	S	S	S	O	O

APD Response: CPOA investigators will attend the same 8-hour annual training developed by IAPS. This training is scheduled to begin in March 2022.

There were no IMR-14 Recommendations for Paragraph 200.

201. APD shall ensure that discipline for sustained allegations of misconduct is consistently applied, fair, and based on the nature of the allegation, and that mitigating and aggravating factors are set out and applied consistently.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 201:

4.7.187a: Ensure that all disciplinary decisions address the presumptive range of the disciplinary matrix unless written reasons for departure from the matrix recommendations accompany the decision.

APD Response: Written explanations accompany all decisions that depart from matrix recommendations through the Officer of the Superintendent.

4.7.187b: Ensure that adequate explanation is given for the selection of a classification level where there is more than one level of classification associated with a regulation for which a sustained finding is made.

4.7.187c: APD should designate an individual within the disciplinary process at the rank of IAPS commander or higher who has the authority to determine whether discipline cannot be imposed due to time violations, and that designation should not be made without the approval of the City Attorney.

APD Response 4.7.187b-c: For consistency, 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.

4.7.187d: All investigations involving sustained charges where discipline cannot be imposed due to violations of time constraints should be reported quarterly to the Chief, the City Attorney, DOJ, and the monitor.

APD Response: IAPS has not missed any timelines for investigations.

4.7.187e: APD should continue the practice of having a representative of IAPS or CPOA attend all PDHs and represent the findings and recommendations set forth in the investigation.

APD Response: For this reporting period, IAPS or IAFD representatives continue to attend PDH's to represent the findings and recommendations.

4.7.187f: Ensure that all PDHs are recorded and preserved as part of the investigative file.

APD Response: APD continues to record and preserve PDH's.

4.7.187g: IAPS should continue to determine if any prior violations count as prior offenses for all investigations requiring command review and review of the Professional Integrity Commander of sustained charges.

APD Response: IAPS continues to determine if any prior violations count as prior offenses and that determination is included in the Disciplinary Action Packet (DAP). Retention cards continue to be included with misconduct investigative case files.

4.7.187h: To accurately calculate whether prior offenses come within the time periods specified in the disciplinary regulation, it is important that the date of imposition of prior discipline and the date of the conduct under review in the current case be readily discernible. We continue to recommend that the date discipline was imposed be clearly entered on the retention cards. We further recommend that the date of conduct under review be clearly set forth in the recommended findings and conclusions section of investigative reports, that is, entering an "on or about" date for the conduct referenced in each specification.

APD Response: Each investigative case file contains a Disciplinary Action Packet which has all appropriate dates included for calculation of appropriate disciplinary measures. The retention card of the employee is also included with the file for reference and verification.

202. APD shall establish a disciplinary matrix that: a) establishes a presumptive range of discipline for each type of rule violation; b) increases the presumptive discipline based on an officer’s prior violations of the same or other rules; c) sets out defined mitigating or aggravating factors; d) requires that any departure from the presumptive range of discipline must be justified in writing; e) provides that APD shall not take only non-disciplinary corrective action in cases in which the disciplinary matrix calls for the imposition of discipline; and f) provides that APD shall consider whether non-disciplinary corrective action also is appropriate in a case where discipline has been imposed.¹²

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P			S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 202:

APD Response: APD meets the requirements outlined in paragraph 202 and anticipates increased compliance for this reporting period.

4.7.188a: Ensure that all disciplinary decisions either conform to the presumptive range included in APD’s revised disciplinary matrix or that written explanations accompany them for the departure from the recommendations of the disciplinary matrix.

4.7.188b: Ensure that all disciplinary decisions related to actions (or inactions) that are reasonably on the “critical path” regarding compliance with the CASA reflect a resolve to foster behaviors required by the CASA.

4.7.188c: Ensure that all disciplinary packets, including the investigative report, are complete and self-explanatory, including documentation that all steps in the investigation and disciplinary processes were completed as required by policy.

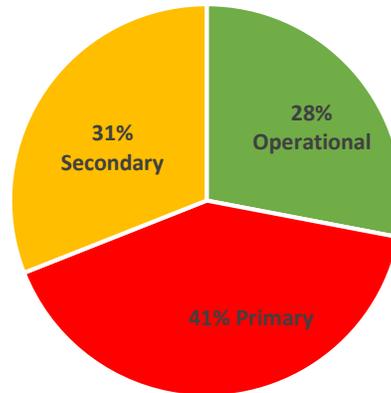
4.7.188d: Ensure an accurate and exact calculation of prior offenses to calculate the presumptive range of the disciplinary matrix.

APD Response for 4.7.188a-d: For consistency, 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, IAFD case files are developed in the same manner as IAPS and share the same process.

¹² Paragraph 202 was reported in IMR5 and IMR6 as not in compliance.

Section 6: Staffing, Management, and Supervision (Paragraphs 203 – 231)

There are 29 measurable paragraphs in Section 6:
 28% are in Operational Compliance,
 31% are in Secondary Compliance,
 41% are in Primary Compliance.



203. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, the City shall ensure that APD has the staffing necessary to implement the terms of this Agreement. APD shall also deploy a sufficient number of first-line supervisors to respond to scenes of uses of force; investigate thoroughly each use of force to identify, correct, and prevent misconduct; and provide close and effective supervision necessary for officers to improve and develop professionally. APD shall revise and implement policies for supervision that set out clear requirements for supervision and comport with best practices.¹³

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O		O	S	S	S	S	S	S

Please see APD responses after paragraph 208.

Section 6: Staffing, Management, and Supervision (Paragraphs 203 – 231)

A. Staffing (204)

204. In order to successfully implement the provisions of this Agreement, APD shall assess the appropriate number of sworn and civilian personnel to perform the different Department functions necessary to fulfill its mission. APD therefore shall conduct a comprehensive staffing assessment and resource study. The study shall be the predicate for determining appropriate staffing and resource levels that are consistent with community-oriented policing principles and support the systematic use of partnerships and problem-solving techniques. The study shall also consider the distribution of officers to patrol functions as opposed to specialized units, as well as the distribution of officers with less than three years of experience across shifts and Area Commands. This staffing assessment and resource study shall be completed within one

¹³ IMR6 did not report a compliance level for paragraph 203.

year of the Operational Date. Within six months of the completion of the staffing assessment and resource study, the Parties shall assess its results and jointly develop a staffing plan to ensure that APD can meet its obligations under this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	S	S

APD Response: APD completed a staffing study during the last City administration meeting the requirement of this paragraph. APD meets the requirement for operational compliance with paragraph 204.

Please see APD responses after paragraph 208.

B. Duties of Supervisors (205-208)

205. First-line supervisors shall investigate officers' use of force as described in Section IV of this Agreement, ensure that officers are working actively to engage the community and increase public trust and safety, review each arrest report, and perform all other duties as assigned and as described in departmental policy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	S	P	S	P	P	P

Please see APD responses after paragraph 208.

206. All field officers shall be assigned to a primary, clearly identified first-line supervisor and shall also report to any other first-line supervisor within the chain of command. First-line supervisors shall be responsible for closely and consistently supervising all officers under their primary command. Supervisors shall also be responsible for supervising all officers under their chain of command on any shift to which they are assigned to ensure accountability across the Department.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	P	P	P	S	P	P	P

Please see APD responses after paragraph 208.

207. First-line supervisors shall ordinarily be assigned as primary supervisor to no more than eight officers. Task complexity will also play a significant role in determining the span of control and whether an increase in the level of supervision is necessary.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 207.

208. APD Commanders and lieutenants shall be responsible for close and effective supervision of officers under their command. APD Commanders and lieutenants shall ensure that all officers under their direct command comply with APD policy, federal, state and municipal law, and the requirements of this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	P	P	P	S	P	P	P

APD Response: APD completed annual 2021 use of force training, three supervisory training sessions, and the Performance Evaluation and Management System training in 2021. APD has completed required training that meets the requirements for increased compliance for the supervisory paragraphs above.

IMR-14 Recommendations for Paragraphs 203-205, 206 and 208:

4.7.189a: Enforce existing policies that require supervisors to conform to the requirements of this paragraph.

4.7.189b: If necessary, revise supervision policies to ensure clarity of requirements. Then ensure enforcement of those policies.

APD Response for 4.7.189a-b: PMU has been conducting scorecards since 2019 which include evaluating if supervisors are conforming to existing policies. Supervisors have improved their results over time resulting in more consistent scores. (See Appendix 1, Detailed Scorecards). APD revises policies on an annual basis to ensure clarity of requirements. The use of force policy suite has been revised and is going through the policy development process.

4.7.190a: APD should conduct a detailed staffing analysis at IAFD for the time period 2019-2021 and identify productivity and workload data, calculate efficiency rates, and assess “effectiveness” rates, e.g., cases received, cases cleared, cases deemed effectively investigated, and cases deemed inappropriately investigated.

APD Response for 4.7.190a: In August 2021, IAFD has met the requirements for staffing as mandated in the EFIT Stipulated Order.

4.7.190b: If appropriate, consider appropriate remedial action for command-level officers who allowed dysfunction and ineffectiveness within IAFD.

44.7.194a: APD should review findings in this report related to supervision, mid-level, and command level personnel, and should develop a strategic plan, supported by clearly articulated goals, objectives, and

timelines designed to address specifically the requirements of paragraphs 205, 206, and 208. The planning document should be shared with the monitoring team for review and comment once it has been approved by the Chief of Police.

APD Response: PMU has been conducting scorecards since 2019 which include evaluating if supervisors are conforming to existing policies. Supervisors have improved their results over time resulting in more consistent scores (See Appendix 1, Detailed Scorecards). APD also developed ReformStat towards the end of 2021 and began formal meetings in February 2022, starting with CIU and the Training Academy. One of the areas that will be added in the next reporting period is supervision.

The Lieutenant's Weapon Inspection form was added in August 2021 which mandates Lieutenants to visually inspect all department issued firearms and ensure those firearms have only department issued ammunition for two random officers each month and have the officer open their "My Company Property" during the inspection to ensure the serial numbers match.

APD added a new section to SOP 2-8 (Use of On-Body Recording Devices) requiring Lieutenants to review two (2) OBRD recordings from two (2) random officers of which the sergeant has already reviewed to ensure the sergeant captures any deficiencies, training needs, and job well done incidents.

C. Supervisor Training (209-211)

209. Sergeant training is critical to effective first-line supervision. Every sergeant shall receive 40 hours of mandatory supervisory, management, leadership, and command accountability training before assuming supervisory responsibilities.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	P	P	S	P	P	S

See IMR-14 Recommendations and APD Responses for Paragraphs 209 — 211 after Paragraph 211.

210. APD's sergeant training program shall include the following topics: a) techniques for effectively guiding and directing officers and promoting effective and ethical police practices; b) de-escalating conflict; c) evaluating written reports, including those that contain canned language; d) categorizing and reviewing officer uses of force; e) understanding supervisory tools such as the Early Intervention System and onbody recording systems; f) responding to and investigating allegations of officer misconduct; g) evaluating officer performance; h) consistent disciplinary sanction and non-punitive corrective action; i) monitoring use of force to ensure consistency with policies; j) building community partnerships and guiding officers on this requirement; and k) legal updates.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	P	P	S	P	P	S

See IMR-14 Recommendations and APD Responses for Paragraphs 209 — 211 after Paragraph 211.

211. All sworn supervisors shall also receive a minimum of 32 hours of in-service management training, which may include updates and lessons learned related to the topics covered in the sergeant training and other areas covered by this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	P	S	P	P	P	P

IMR-14 Recommendations for Paragraphs 209 — 211:

4.7.195-4.7.197a: Complete all training as scheduled.

APD Response: During this reporting period all supervisory training was held as scheduled. “First Line Supervisor 100-Hour Training” was held three times; October 18, November 1, and November 29, 2021. The 32-Hour of in-service management training consisted of the 30-hour “Performance Evaluation Management” (PEMS) training which was completed in December 2021, and two hours of “Path to Credible Leadership Training” which was completed in December 2021. APD met the mandates outlined in these paragraphs, anticipating increased compliance.

D. Early Intervention System (212-219)

212. Within nine months of the Operational Date, APD shall revise and update its Early Intervention System to enhance its effectiveness as a management tool that promotes supervisory awareness and proactive identification of both potentially problematic as well as commendable behavior among officers. APD supervisors shall be trained to proficiency in the interpretation of Early Intervention System data and the range of non-punitive corrective action to modify behavior and improve performance; manage risk and liability; and address underlying stressors to promote officer well-being.¹⁴

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P		P	P	P	P	P	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 under Paragraph 219.

213. APD shall review and adjust, where appropriate, the threshold levels for each Early Identification System indicator to allow for peer-group comparisons between officers with similar assignments and duties.

¹⁴ Paragraph 212 was reported in IMR6 as not in compliance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

APD Response: The Early Intervention system's thresholds are automatically reviewed and adjusted on a monthly basis.

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 under Paragraph 219.

214. APD shall implement rolling thresholds so that an officer who has received an intervention of use of force should not be permitted to engage in additional uses of force before again triggering a review.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

APD Response: The early intervention's system rolling thresholds are calculated using a rolling 12-month calendar.

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 after Paragraph 219.

215. The Early Intervention System shall be a component of an integrated employee management system and shall include a computerized relational database, which shall be used to collect, maintain, integrate, and retrieve data department-wide and for each officer regarding, at a minimum: a) uses of force; b) injuries and deaths to persons in custody; c) failures to record incidents with on-body recording systems that are required to be recorded under APD policy, whether or not corrective action was taken, and cited violations of the APD's on-body recording policy; d) all civilian or administrative complaints and their dispositions; e) all judicial proceedings where an officer is the subject of a protective or restraining order; f) all vehicle pursuits and traffic collisions involving APD equipment; g) all instances in which APD is informed by a prosecuting authority that a declination to prosecute any crime occurred, in whole or in part, because the officer failed to activate his or her on-body recording system; h) all disciplinary action taken against employees; i) all non-punitive corrective action required of employees; j) all awards and commendations received by employees, including those received from civilians, as well as special acts performed by employees; k) demographic category for each civilian involved in a use of force or search and seizure incident sufficient to assess bias; l) all criminal proceedings initiated against an officer, as well as all civil or administrative claims filed with, and all civil lawsuits served upon, the City and/or its officers or agents, allegedly resulting from APD operations or the actions of APD personnel; and m) all offense reports in which an officer is a suspect or offender.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 after Paragraph 219.

216. APD shall develop and implement a protocol for using the updated Early Intervention System and information obtained from it. The protocol for using the Early Intervention System shall address data storage, data retrieval, reporting, data analysis, pattern identification, supervisory use, supervisory/departmental intervention, documentation and audits, access to the system, and confidentiality of personally identifiable information. The protocol shall also require unit supervisors to periodically review Early Intervention System data for officers under their command.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 under Paragraph 219.

217. APD shall maintain all personally identifying information about an officer included in the Early Intervention System for at least five years following the officer's separation from the agency except where prohibited by law. Information necessary for aggregate statistical analysis will be maintained indefinitely in the Early Intervention System. On an ongoing basis, APD will enter information into the Early Intervention System in a timely, accurate, and complete manner and shall maintain the data in a secure and confidential manner.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				S	S	P	P	P	P	P	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 under Paragraph 219.

218. APD shall provide in-service training to all employees, including officers, supervisors, and commanders, regarding the updated Early Intervention System protocols within six months of the system improvements specified in Paragraphs 213-215 to ensure proper understanding and use of the system. APD supervisors shall be trained to use the Early Intervention System as designed and to help improve the performance of officers under their command. Commanders and supervisors shall be trained in evaluating and making appropriate comparisons in order to identify any significant individual or group patterns of behavior.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

See IMR-14 Recommendations and APD Responses for Paragraphs 212 — 219 under Paragraph 219.

219. Following the initial implementation of the updated Early Intervention System, and as experience and the availability of new technology may warrant, the City may add, subtract, or modify thresholds, data tables and fields; modify the list of documents scanned or electronically attached; and add, subtract, or modify standardized reports and queries as appropriate. The Parties shall jointly review all proposals

that limit the functions of the Early Intervention System that are required by this Agreement before such proposals are implemented to ensure they continue to comply with the intent of this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	P	P	P	P	P	P

APD Response: The Performance Management and Evaluation System training was completed in December 2021 and is expected to go live in February 2022. In the meantime, the PEMS Unit continues to work with Benchmark to develop the early intervention module while maintaining the current PEMS. The DOJ and IMT have been invited and have participated and observed meetings between Benchmark and APD and will remain involved in the PEMS project.

The Performance Management and Evaluation System (PEMS) training was completed in December 2021 meeting the requirement for increased compliance.

IMR-14 Recommendations for Paragraphs 212 — 219:

APD Response: The Performance Management and Evaluation System (PEMS) training was completed in December 2021 meeting the requirement for increased compliance. PEMS is scheduled to go live in February 2022.

4.7.198-205a: Document learning assessment processes for the training provided for supervisors.

APD Response: The APD Academy and PEMS Unit documented training provided to supervisors for the PEMS System. The training was conducted between August 16 and December 31, 2021. There was an average pre-test score of 55.01% and the average post-test was 95.77%. The next PEMS Supervisor class is scheduled for March 2022. Any supervisor that has not completed the course will be able to attend that class. The learning assessment process has begun and will continue throughout the PEMS project until the Benchmark module goes live in summer 2022.

4.7.198-205b: Design, document and implement audit protocols for supervisory review and reporting of PEMS processes.

APD Response: The first PEMS assessment was sent on January 21, 2022. Auditing protocols will be developed during the next reporting period.

E. On-Body Recording Systems for Documenting Police Activities

220. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD is committed to the consistent and effective use of on-body recording systems. Within six months of the Operational Date, APD agrees to revise and update its policies and procedures regarding on-body recording systems to require: a) specific and clear guidance when on-body recording systems are used, including who will be assigned to wear the cameras and where on the body the cameras are authorized to be placed; b) officers to ensure that their on-body recording systems are working properly during police action; c) officers to notify their supervisors when they learn that their on-body recording systems are not functioning; d) officers are required to inform arrestees when they

are recording, unless doing so would be unsafe, impractical, or impossible; e) activation of on-body recording systems before all encounters with individuals who are the subject of a stop based on reasonable suspicion or probable cause, arrest, or vehicle search, as well as police action involving subjects known to have mental illness; f) supervisors to review recordings of all officers listed in any misconduct complaints made directly to the supervisor or APD report regarding any incident involving injuries to an officer, uses of force, or foot pursuits; g) supervisors to review recordings regularly and to incorporate the knowledge gained from this review into their ongoing evaluation and supervision of officers; and h) APD to retain and preserve non-evidentiary recordings for at least 60 days and consistent with state disclosure laws, and evidentiary recordings for at least one year, or, if a case remains in investigation or litigation, until the case is resolved.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	S	S	S	S	S	S	S

APD Response: APD continues to revise and update SOP 2-8 On-Body Recording Devices (OBRD) in compliance with this paragraph. The most recent revision is scheduled for publication in February 2022. APD anticipates this paragraph will increase in compliance for paragraph 220 as the department has ensured each requirement outlined in this paragraph is included in policy.

There were no IMR-14 Recommendations for Paragraph 220.

221. APD shall submit all new or revised on-body recording system policies and procedures to the Monitor and DOJ for review, comment, and approval prior to publication and implementation. Upon approval by the Monitor and DOJ, policies shall be implemented within two months.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
						S	S	S	S	S	S	O

APD Response: APD continues in operational compliance with this paragraph with a current, effective policy.

There were no IMR-14 Recommendations for Paragraph 221.

222. The Parties recognize that training regarding on-body recording systems is necessary and critical. APD shall develop and provide training regarding on-body recording systems for all patrol officers, supervisors, and command staff. APD will develop a training curriculum, with input from the Monitor and DOJ, that relies on national guidelines, standards, and best practices.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	P	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 222:

APD Response: APD received IMT and DOJ approval for OBRD training curriculum prior to implementing training. APD trains on a continuous basis regarding on-body recording devices, meeting the mandates outlined in paragraph 222. APD anticipates an increase in compliance for this paragraph.

4.7.208a: Continue planning, implementation, and evaluation of the standardized process for OBRD oversight, until error rates are < 5 percent.

APD Response: APD continues to be up-to-date with training regarding OBRD and all levels are trained for this equipment meeting the requirement for increased compliance. APD trains personnel upon being issued cameras and upon promotion as supervisors have more responsibilities for OBRD. Scorecards are an important aspect to measuring compliance and sergeant, lieutenants and commanders are provided detailed information on scorecards to include how to submit a rebuttal in the event they have evidence to dispute the audit findings.

APD continues to monitor, on a quarterly basis, cases referred to Internal Affairs in regards to OBRD violations. New procedures in place within Internal Affairs will promote consistency and fairness amongst all employees across the department, regardless of the area in which they work. As discussed during previous IMT meetings, Internal Affairs now reviews all Area Command cases for completeness and uniformity. All Commanders must use the same form across the department when submitting recommendations to Internal Affairs. If the correct form is not used or if it is not completed correctly, it will be rejected by administrative staff within Internal Affairs. Once approved, the recommendation for discipline is sent to a single commander to review the proposed discipline. This effort appears to be successful and the department is in hopes a comprehensive data review will prove such.

223. APD agrees to develop and implement a schedule for testing on-body recording systems to confirm that they are in proper working order. Officers shall be responsible for ensuring that on-body recording systems assigned to them are functioning properly at the beginning and end of each shift according to the guidance of their system's manufacturer and shall report immediately any improperly functioning equipment to a supervisor.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	S	S	S	S	S	S	O

APD Response: APD will continue to have supervisors verify equipment is working properly. Line inspections completed on a daily basis have proven to be effective. The Crime Lab continues to have equipment available on a 24-hour basis to provide replacement equipment when needed.

There were no IMR-14 Recommendations for Paragraph 223.

224. Supervisors shall be responsible for ensuring that officers under their command use on-body recording systems as required by APD policy. Supervisors shall report equipment problems and seek to have equipment repaired as needed. Supervisors shall refer for investigation any officer who intentionally fails to activate his or her on-body recording system before incidents required to be recorded by APD policy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	S	S	S	S	S	S

APD Response: APD supervisors are requesting internal investigations for officers who do not use their OBRD in accordance with APD policy. This is measured by the numbers of Internal Affairs Requests (IAR) submitted to the Internal Affairs Professional Standards Division initiating an administrative investigation. Once investigations are completed, the review and disciplinary process occurs in the Office of the Superintendent to ensure consistency and accountability.

IMR-14 Recommendations for Paragraph 224:

4.7.209-210a: Identify all supervisors who have substandard performance on OBRD activation review and assess the reasons for failure to enforce established process. Place these supervisors “on notice” that their performance on this task will be routinely reviewed, and continued failures will result in discipline.

APD Response: Last monitoring period APD announced lieutenants will evaluate the work done by their sergeants on a monthly basis. The verification form has been developed and policy is largely completed. It is still pending department and DOJ approval. APD will be able to determine if first line supervisors are deficient in their investigations and will hold those who are, accountable.

225. At least on a monthly basis, APD shall review on-body recording system videos to ensure that the equipment is operating properly and that officers are using the systems appropriately and in accordance with APD policy and to identify areas in which additional training or guidance is needed.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	S	O	O	O	O	O	O

APD Response: Supervisors continue to perform monthly line inspections. These line inspections require video reviews are completed when applicable. Performance Metric Unit scorecards reflect compliance with this policy.

There were no IMR-14 Recommendations for Paragraph 225.

226. APD policies shall comply with all existing laws and regulations, including those governing evidence collection and retention, public disclosure of information, and consent.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	P	P	P	O	O	O	O	O	O

APD Response: The OBRD policy owner will continue to make policy revisions based on existing laws and case law as appropriate. APD will publish a special order after receiving IMT and DOJ approval that requires APD personnel to upload their OBRD video by the end of shift following a use of force incident to

ensure use of force evidence is collected as soon as possible. The revised policy is going through the final approval process and will be published once approved.

There were no IMR-14 Recommendations for Paragraph 226.

227. APD shall ensure that on-body recording system videos are properly categorized and accessible. On-body recording system videos shall be classified according to the kind of incident or event captured in the footage.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	P	O	O	O	O	O	O	O

APD Response: The integration of the Computer Aided Dispatch and Axon camera system continues to work in automatically categorizing and assigning case or CAD numbers to video files.

There were no IMR-14 Recommendations for Paragraph 227.

228. Officers who wear on-body recording systems shall be required to articulate on camera or in writing their reasoning if they fail to record an activity that is required by APD policy to be recorded. Intentional or otherwise unjustified failure to activate an on-body recording system when required by APD policy shall subject the officer to discipline.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 228:

4.7.209-210a: APD should continue to document, assess, improve, and implement its OBRD policy supervisory processes until error rates fall below five percent.

APD Response: For consistency, 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. This case review and disciplinary process has been in place for this reporting period and has proven consistent and accordance with the updated chart of sanctions as outlined in SOP 3-46 Discipline System.

229. APD shall ensure that on-body recording systems are only used in conjunction with official law enforcement duties. On-body recording systems shall not be used to record encounters with known undercover officers or confidential informants; when officers are engaged in personal activities; when officers are having conversations with other Department personnel that involve case strategy or tactics; and in any location where individuals have a reasonable expectation of privacy (e.g., restroom or locker room).

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
						P	P	S	S	S	S	S

There were no IMR-14 Recommendations for Paragraph 229.

APD Response: APD did not have any violations of policy which is stricter than the provisions of paragraph 229. APD meets the requirements for operational compliance for paragraph 229.

230. APD shall ensure that all on-body recording system recordings are properly stored by the end of each officer's subsequent shift. All images and sounds recorded by on-body recording systems are the exclusive property of APD.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				S	S	S	O	O	O	O	O	O

APD Response: Scorecards continue to be effective in assessing compliance in officer's uploading by the end of their next shift.

There were no IMR-14 Recommendations for Paragraph 230.

231. The Parties are committed to the effective use of on-body recording systems and to utilizing best practices. APD currently deploys several different platforms for on-body recording systems that have a range of technological capabilities and cost considerations. The City has engaged outside experts to conduct a study of its on-body recording system program. Given these issues, within one year of the Operational Date, APD shall consult with community stakeholders, officers, the police officer's union, and community residents to gather input on APD's on-body recording system policy and to revise the policy, as necessary, to ensure it complies with applicable law, this Agreement, and best practices.

Compliance Level History:

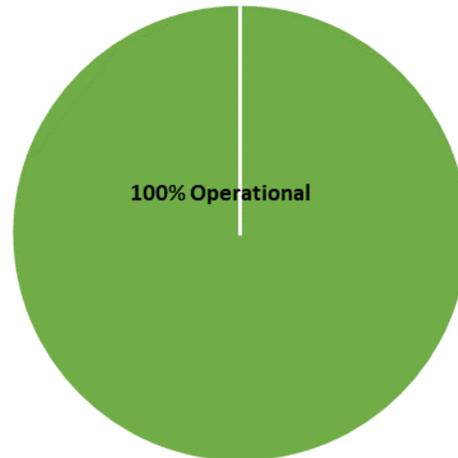
IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	P	P	P	P	P	O

There were no IMR-14 Recommendations for Paragraph 231.

APD Response: APD continues to use one platform for the OBRD program. Policy revisions continue to be held to standards which require consult with stakeholders, officers, and community residents and follow best practices from across the nation.

Section 7: Recruitment, Selection and Promotions (Paragraphs 232 – 246)

There are 15 measurable paragraphs in Section 7:
100% are in Operational Compliance.



A. Recruitment Plan

232. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD shall develop a comprehensive recruitment and hiring program that successfully attracts and hires qualified individuals. APD shall develop a recruitment policy and program that provides clear guidance and objectives for recruiting police officers and that clearly allocates responsibilities for recruitment efforts.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: APD utilized the advertising firm known as Boomtime to enhance the Department’s ability to reach applicants online and through email campaigns. Boomtime targets specific areas dictated by APD based on analysis of historical applicant data and current trends or leads to potential recruitment opportunities. During weekly meetings, APD and Boomtime representatives met to discuss successes and areas for improvement.

In October 2021 APD began an advertising campaign at five (5) movie theaters in Albuquerque. Due to the COVID-19 pandemic, a number of “blockbuster” movies were delayed which presented an opportunity to take advantage the increased number of movies scheduled to premier during the October – December 2021 timeframe. APD advertisements play prior to the start of movies, on lobby display boards, and static displays in the lobbies.

APD recruiting is utilizing a text messaging service provided by “Interview Now”. This service offers a “Chat-bot” style service where an applicant can “apply” via text message. The applicant is pre-qualified via text and then prompted to go to APD online to complete an interest card. Additionally, the text messaging service is used to send out bulk text messages to prior applicants who missed testing or withdrew, to encourage those applicants to re-apply.

In November 2021, the Recruiting Unit partnered with a production company to produce a series of advertisements. The company produced 15-second, 30-second, and 60-second advertisements that highlight the Albuquerque area, APD officers, and diversity amongst the department.

The Recruiting SOP is currently being reviewed and is in the final step of the approval process.

There were no IMR-14 Recommendations for Paragraph 232.

233. APD shall develop a strategic recruitment plan that includes clear goals, objectives, and action steps for attracting qualified applicants from a broad cross section of the community. The recruitment plan shall establish and clearly identify the goals of APD's recruitment efforts and the duties of officers and staff implementing the plan.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: The 2021 Strategic Recruitment Plan and 2020 Analysis report were completed and submitted to the IMT in February 2021.

There were no IMR-14 Recommendations for Paragraph 233.

234. APD's recruitment plan shall include specific strategies for attracting a diverse group of applicants who possess strategic thinking and problem-solving skills, emotional maturity, interpersonal skills, and the ability to collaborate with a diverse cross-section of the community.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: The 2021 Strategic Recruitment Plan and 2020 Analysis report were submitted to the monitoring team in February 2021. APD continues to use the recruitment measures laid out in the strategic plan and will analyze the results at year end.

There were no IMR-14 Recommendations for Paragraph 234.

235. APD's recruitment plan will also consult with community stakeholders to receive recommended strategies to attract a diverse pool of applicants. APD shall create and maintain sustained relationships with community stakeholders to enhance recruitment efforts.

Paragraph 235 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	O	O	O	O	O	O	O	O

APD Response: APD Recruiting Unit attended monthly Community Policing Counsel (CPC) meetings across the city to provide updates and seek input from the community. During the 2021 year, the unit attended

20 CPC meetings. The Recruiting Unit offered ideas to the community as well as accepted ideas from the community in increase the number of applicants. One suggestion from the CPC board was to recruit from the Seattle area due to reports of officers leaving the area due to vaccine mandates. APD targeted that area with advertisements and phone contacts, but we discovered few officers actually left the state of Washington. Recruiting also attended several "Community block parties" hosted by the City of Albuquerque to offer job opportunities to various groups from different areas of the City.

There were no IMR-14 Recommendations for Paragraph 235.

236. APD shall develop and implement an objective system for hiring and selecting recruits. The system shall establish minimum standards for recruiting and an objective process for selecting recruits that employs reliable and valid selection devices that comport with best practices and anti-discrimination laws.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: APD will continue using the online automated application system. This is an automated system that qualifies applicants based on minimum state/APD hiring standards.

There were no IMR-14 Recommendations for Paragraph 236.

237. APD shall continue to require all candidates for sworn personnel positions, including new recruits and lateral hires, to undergo a psychological, medical, and polygraph examination to determine their fitness for employment. APD shall maintain a drug testing program that provides for reliable and valid pre-service testing for new officers and random testing for existing officers. The program shall continue to be designed to detect the use of banned or illegal substances, including steroids.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: APD continues to require all candidates for sworn positions to undergo a psychological, medical and polygraph exam. This process has been followed for all sworn applicants this year.

There were no IMR-14 Recommendations for Paragraph 237.

238. APD shall ensure that thorough, objective, and timely background investigations of candidates for sworn positions are conducted in accordance with best practices and federal anti-discrimination laws. APD's suitability determination shall include assessing a candidate's credit history, criminal history, employment history, use of controlled substances, and ability to work with diverse communities.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: In an ongoing effort to streamline the process the Background Unit began weekly meetings with Human Resource Department personnel to develop an automated application that will work in conjunction with the City of Albuquerque’s Human Resource Department application system. The goal is to eliminate the need for applicants to apply on various websites and streamline the application process.

There were no IMR-14 Recommendations for Paragraph 238.

239. APD shall complete thorough, objective, and timely pre-employment investigations of all lateral hires. APD’s pre-employment investigations shall include reviewing a lateral hire’s history of using lethal and less lethal force, determining whether the lateral hire has been named in a civil or criminal action; assessing the lateral hire’s use of force training records and complaint history, and requiring that all lateral hires are provided training and orientation in APD’s policies, procedures, and this Agreement

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

APD Response: APD will continue to complete thorough and objective background investigations with clear deadlines established in conjunction with the Department of Public Safety requirements. The APD continues to look for ways to streamline the process without compromising the integrity of the background. In October 2021 the Background Unit was selected to participate in a mock assessment to provide a sample of how the department will assess sustained compliance of the CASA.

There were no IMR-14 Recommendations for Paragraph 239.

240. APD shall annually report its recruiting activities and outcomes, including the number of applicants, interviewees, and selectees, and the extent to which APD has been able to recruit applicants with needed skills and a discussion of any challenges to recruiting high-quality applicants.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: The 2021 strategic recruitment plan and 2020 analysis were submitted. Upon years’ end APD will evaluate 2021 and begin work on the 2022 recruitment plan based upon the analysis of that report.

There were no IMR-14 Recommendations for Paragraph 240.

C. Promotions

241. APD shall develop and implement fair and consistent promotion practices that comport with best practices and federal anti-discrimination laws. APD shall utilize multiple methods of evaluation for promotions to the ranks of Sergeant and Lieutenant. APD shall provide clear guidance on promotional

criteria and prioritize effective, constitutional, and community-oriented policing as criteria for all promotions. These criteria should account for experience, protection of civil rights, discipline history, and previous performance evaluations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

APD Response: APD remains in operational in promotional paragraphs 241-243.

There were no IMR-14 Recommendations for Paragraph 241.

242. APD shall develop objective criteria to ensure that promotions are based on knowledge, skills, and abilities that are required to perform supervisory and management duties in core substantive areas.¹⁵

Paragraph 242 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P		P	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 242.

Please see APD Response after paragraph 243:

243. Within six months of the Operational Date, APD shall develop and implement procedures that govern the removal of officers from consideration from promotion for pending or final disciplinary action related to misconduct that has resulted or may result in a suspension greater than 24 hours.

Paragraph 243 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 243.

APD Response for 243 and 243: For both Sergeant and Lieutenant 33% (33 of 100 questions) of written exams are focused solely on constitutional policing. This reinforces emphasis on better constitutional policing among supervisors which touches many aspects of the CASA. Supervisory candidates are required to attend an 8-hour constitutional policing class where before taking the written exam. Court precedents, search and seizure, legal basis for force, etc., are stressed.

APD continues to utilize practical exercises in the assessment center. Candidates conduct Reality-Based Training in uniform and are given a specific fact set and then they interact with role players to add as much realism and artificial stress to replicate real world conditions (typically four scenarios). The scenarios focus on areas developed from identified supervisor trends from the previous year. The scenarios include a

¹⁵ Paragraph 242 was reported in IMR5 as not in compliance.

constitutional policing dilemma, use of force, discipline, and other critical incident events. Actual OBRD footage one would see on a scene is utilized. APD feels this is the best possible way to assess a candidate’s real-world ability to make decisions in real time and test knowledge of the CASA, SOP and proper procedures with a focus on high liability activities.

Candidates continue to be vetted during any and all promotional processes to determine if they have incurred sustained discipline that would eliminate them for eligibility. APD continues to be very particular in determining eligibility. Candidates are screened via review of their application packet and experience.

D. Performance Evaluation

244. APD shall develop and implement fair and consistent practices to accurately evaluate the performance of all APD officers in areas related to constitutional policing, integrity, community policing, and critical police functions on both an ongoing and annual basis. APD shall develop objective criteria to assess whether officers meet performance goals. The evaluation system shall provide for appropriate corrective action, if such action is necessary.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 244.

Please see APD Response after paragraph 246:

245. As part of this system, APD shall maintain a formalized system documenting annual performance evaluations of each officer by the officer’s direct supervisor. APD shall hold supervisors accountable for submitting timely, accurate, and complete performance evaluations of their subordinates.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 245.

Please see APD Response after paragraph 246:

246. As part of the annual performance review process, supervisors shall meet with the employee whose performance is being evaluated to discuss the evaluation and develop work plans that address performance expectations, areas in which performance needs improvement, and areas of particular growth and achievement during the rating period.

246 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 246.

APD Response to 244-246: All three paragraphs remain in operational compliance. This reporting period covered two checkpoints in the employee evaluation process. The Final Checkpoint of the 2021 Employee Evaluations were completed in August 2021 with a 98.63% completion rate. For Checkpoint #1 for 2022, the completion rate was 99.1%. For personnel not in compliance, internal affairs investigations were initiated.

APD has initiated a process review of the employee evaluation system to identify points of failure in the system. The goal is to identify improvements and eliminate any points of failure. APD will implement any improvements in the evaluation system with the go live process in Benchmark.

All three paragraphs have remained in Operational Compliance as of IMR-14.

This reporting period covered two checkpoints in the employee evaluation process.

- a. The Final Checkpoint of the 2021 Employee Evaluations. (Due date was August 25, 2021)
- b. The final checkpoint had a 98.63% completion rate by the department.
- c. Two supervisors accounted for the eleven employee evaluations that had not been completed on time.

An internal affairs investigation was requested for both supervisors.

- a. Checkpoint #1 of the 2022 employee evaluations (Due Date was January 2, 2022)
- b. Checkpoint #1 had a completion rate of 99.1%.
- c. Three supervisors accounted for the seven evaluations that had not been completed by the deadline.

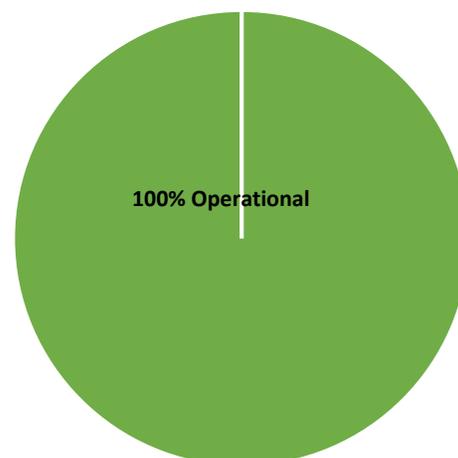
An internal affairs investigation was requested for the three supervisors.

- a. APD has initiated a process review of the employee evaluation system to identify points of failure in the system.
- b. The goal is to identify improvements and eliminate any points of failure.
- c. Implement any improvements in the evaluation system with the go live process in Benchmark.

Section 8: Officers Assistance and Support (Paragraphs 247 – 253)

There are 7 measurable paragraphs in Section 8:

100% are in Operational Compliance.



247. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD agrees to provide officers and employees ready access to mental health and support resources. To achieve this outcome, APD agrees to implement the requirements below.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 247.

Please see APD Response after paragraph 253:

248. APD agrees to develop and offer a centralized and comprehensive range of mental health services that comports with best practices and current professional standards, including: readily accessible confidential counseling services with both direct and indirect referrals; critical incident debriefings and crisis counseling; peer support; stress management training; and mental health evaluations.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 248.

Please see APD Response after paragraph 253:

249. APD shall provide training to management and supervisory personnel in officer support protocols to ensure support services are accessible to officers in a manner that minimizes stigma.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 249.

Please see APD Response after paragraph 253:

250. APD shall ensure that any mental health counseling services provided to APD employees remain confidential in accordance with federal law and generally accepted practices in the field of mental health care.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 250.

Please see APD Response after paragraph 253:

251. APD shall involve mental health professionals in developing and providing academy and in-service training on mental health stressors related to law enforcement and the mental health services available to officers and their families.

Paragraph 251 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 251.

252. APD shall develop and implement policies that require and specify a mental health evaluation before allowing an officer back on full duty following a traumatic incident (e.g., officer-involved shooting, officer-involved accident involving fatality, or all other uses of force resulting in death) or as directed by the Chief.

Paragraph 252 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 252.

Please see APD Response after paragraph 253:

253. APD agrees to compile and distribute a list of internal and external available mental health services to all officers and employees. APD should periodically consult with community and other outside service providers to maintain a current and accurate list of available providers.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 253.

APD Response for paragraphs 247-253: The SCION program hired a part-time coordinator. This person will help assure the monthly meeting has excellent speakers and the podcast is produced professionally and with a steady stream of guests. They will also help with promotion of the project.

Dr. Rosenbaum and Det Ben Melendrez have recorded the first set of Police Wellness Podcasts and have posted them on multiple platforms including stitcher, Apple Podcasts, and many others. When the new coordinator starts, they will promote the podcast.

The Behavioral Sciences Section (BSS) is working with the University of New Mexico on a long-term plan of having all pre-employment evaluations go through the University forensic psychiatry department.

Two new therapists will be granted access to help with annual check-ins that are part of the Wellness SOP mandate. EHRs allow easier care coordination, more responsive data tracking, and better patient care.

SOP 1-36 Officer Wellness Program will be published in February 2022. As a reminder, this program was developed from meetings with City Wellness, Academy Wellness, Chaplin's services, and Peer Support. The goal is to make access to a wide range of mental health and wellness resources, including therapy, as easy as possible; to reduce stigma for officers; to mandate yearly visits to a therapist for all sworn APD employees; and to coordinate closely with Peer Support and develop a protocol on how to respond proactively to any critical incidents, which will be in addition to our responses to an OIS.

Dr. Rosenbaum will get training in mindfulness and how to teach mindfulness. Based on grant funding he will get two trainings in CA and will attend police specific training put on by Pacific University. As above, the new SOP for Wellness has been published.

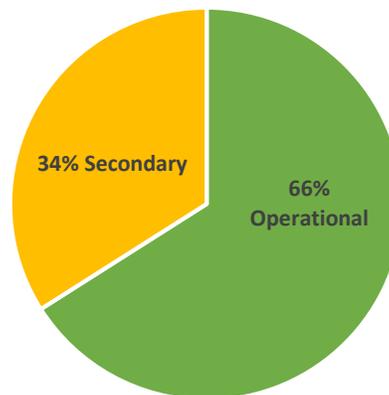
The Behavioral Sciences Section (BSS) SOP has been revised and scheduled for publication 2022.

Section 9: Community Engagement and Oversight (Paragraphs 254 – 293)

There are 38 measurable paragraphs in Section 9:

66% are in Operational Compliance,

34% are in Secondary Compliance.



A. Community & Problem-Oriented Policing (Paragraphs 254-259)

254. To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, APD shall promote the sustainability of reforms by supporting strong community participation and creating formal and informal mechanisms that facilitate ongoing and constructive communication between APD and the many communities that make up Albuquerque. APD shall take an active role in generating broad community support and mutual respect with the diverse communities it serves by adopting greater transparency, forming problem-solving and goal-oriented partnerships, and sharing responsibility for positive outcomes and continuous improvement through meaningful civilian oversight. To achieve these objectives, APD shall implement the provisions below.

Paragraph 254 is not a measurable paragraph.

255. APD agrees to ensure its mission statement reflects its commitment to community-oriented policing and agrees to integrate community and problem-oriented policing principles into its management, policies and procedures, recruitment, training, personnel evaluations, resource deployment, tactics, and accountability systems.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	S	S	S	S	S	S	S	S

APD Response: APD's mission statement documented in SOP 1-1 Personnel Code of Conduct reflects the requirements outlined in paragraph 255.

IMR-14 Recommendations for Paragraph 255:

4.7.240a: Continue to develop a remediation plan to culture survey findings and seek outside assistance to revamp the culture survey;

4.7.240b: Continue to work with USAO and other community partners to expand and reach significantly higher numbers of high-risk youth through various engagement programming.

APD Response to 4.7.240a-b: The following are examples of Community Engagement initiatives during the reporting period:

The APD signed a Memorandum of Understanding (MOU) with New Mexico State University (NMSU) to develop and administer a Culture Survey to assess APD's temperature related to Community Policing principles. NMSU will administer the survey to a sample of APD personnel and provide a comprehensive report on the APD's internal culture and beliefs towards community policing principles to include what ranks, genders and ethnicities support the principles and what areas could be improved.

APD continues to work with numerous community partners to expand engagement with youth. Highlights of engagements and programs the APD has participated in over the course of the reporting period include: visiting patients at the University of New Mexico Hospital (UNMH) Pediatric Oncology Unit to show support for the children and allow them the opportunity to interact with APD on a personal level.

The APD Crime Lab personnel participated in curriculum development and instruction of a forensic focused course for high school students at a local alternative school. The school partners with local businesses to assist with school projects and internships to enhance the students learning and success in entrepreneurial career paths. APD personnel are also invited to participate on a panel who vote to award a scholarship for a student's presentation to initiate their business.

The APD Community Lowrider participated in approximately twenty (20) community events to include: the Albuquerque International Balloon Fiesta, The New Mexico State Fair Parade, the annual Twinkle Light Parade, Cops for Kids, community car shows, West Fest, and others.

The IMPRINT program, which is focused on improving relationships between law enforcement and elementary students continues to operate in several classrooms at several elementary schools. At the conclusion of the current reporting period it is estimated over 700 students have been reached this school year as a result of the IMPRINT program. Partnerships with the schools have developed into the further involvement in the schools. One of the IMPRINT schools requested an APD Community Engagement Unit officer participate as a judge for the school's science fair.

The APD Community Engagement Unit continues to partner with schools, agencies and businesses to reach high- risk youth and engage with the community. The Community Engagement Section is also collaborating with the DOJ, DEA, NMNG, and AFR to establish a means to increase the number of youth contacted.

APD Community Ambassadors Program participated in several community events to include: City of Albuquerque sponsored Block Parties, cultural-historical celebrations, community town-halls, national night out, and youth enrichment activities. The Ambassador for the Refugee community participated a cultural Orientation event with Lutheran Family Service for refugees from Afghanistan. Ambassadors for the Hispanic community have worked with the Mexican Consulate to create and post signage at APD facilities with information on their legal rights and services.

The APD remains successful with the Violence Intervention Program (VIP) Custom Notifications. The program has shown to have a low recidivism rate.

The APDs Criminal Investigations Division (CID) continues to make strides in connecting persons with resources though various programs. The Special Victims Advocate Unit proactively reaches out to victims of domestic violence, sexual assault and stalking to provide resources.

256. As part of the Parties' staffing plan described in Paragraph 204, APD shall realign its staffing allocations and deployment, as indicated, and review its recruitment and hiring goals to ensure they support community and problem-oriented policing.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				P	S	S	S	S	S	S	S	S

APD Response: Standard Operating Procedure 1-81 Proactive Response Team was finalized and published in December 2021.

IMR-14 Recommendations for Paragraph 256:

4.7.241a: Continue to make new staffing allocation and deployment plan a priority, and continue to take the necessary steps to gain important input and support from settlement partners and community stakeholders, including CPCs;

4.7.241c: Continue ongoing analysis to ensure adequate numbers of specifically trained PRT officers guided by specific, tangible, and quantitative goals and objectives.

APD Response for 4.7.241a and c: Over the course of the reporting period, the City of Albuquerque's Performance and Innovation Officer conducted a Staffing Analysis for the Proactive Response Teams

(PRT). The report was completed in January 2022. The staffing analysis includes an assessment process to evaluate the Staffing numbers to ensure APD’s PRTs are effective. PRTs are staffed throughout all six area commands.

4.7.241b: Consider a partnership with a local university to develop specific performance metrics and assess program effectiveness.

APD Response: APD considered and signed a Memorandum of Understanding (MOU) with New Mexico State University (NMSU) to develop and administer a Culture Survey to assess APD’s temperature related to Community Policing principles. NMSU will administer the survey to a sample of APD personnel and provide a comprehensive report on the APD’s internal culture and beliefs towards community policing principles to include what ranks, genders and ethnicities support the principles and what areas could be improved.

APD Response: Standard Operating Procedure 1-81 Proactive Response Team was finalized and published in December 2021.

257. APD shall ensure that officers are familiar with the geographic areas they serve, including their issues, problems, and community leaders; engage in problem identification and solving activities with the community members around the community’s priorities; and work proactively with other city departments to address quality-of-life issues.¹⁶

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P		S	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 257:

4.7.242a: Ensure that the City systems involved in these data-related problems noted with supporting electronic processes are noticed to the other City departments involved and noticed to the COA so that inter-department problem solving, and cooperation are enhanced to the point that solutions are identified and actualized.

APD Response: The APD defined the process for the Field Service Bureau (FSB) Bid Process, the Bid Packet and for all sworn personnel and Beat Familiarity Packet for Field Service Bureau sworn personnel. The process includes evaluating the Bid Packet on a quarterly basis to update any changes that have occurred.

Beginning in January 2022, the FSB Beat Familiarity Questionnaire was expanded to include an Area Command Specific Information sheet that outlines important information for the specific area command. This information is created by the individual area commanders and provided to all FSB personnel in that area command to assist in areas to focus on.

258. Within 13 months of the Operational Date, APD agrees to provide 16 hours of initial structured training on community and problem-oriented policing methods and skills for all officers, including supervisors, commanders, and executives. This training shall include:

¹⁶ Paragraph 257 was reported in IMR5 as not in compliance
 APD Fifteenth Progress Report August 1, 2021 to January 31, 2022

- a) methods and strategies to improve public safety and crime prevention through community engagement;
- b) leadership, ethics, and interpersonal skills;
- c) community engagement, including how to establish formal partnerships and actively engage community organizations, including youth, homeless, and mental health communities;
- d) problem-oriented policing tactics, including a review of the principles behind the problem solving framework developed under the “SARA Model” (Scanning, Analysis, Response, Assessment), which promotes a collaborative, systematic process to address issues of the community, safety, and quality of life;
- e) conflict resolution and verbal de-escalation of conflict; and
- f) cultural awareness and sensitivity training. These topics shall also be included in APD’s annual in-service training.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	P	P	P	S	S	S	S

IMR-14 Recommendations for Paragraph 258:

4.7.243a: Ensure that supervisory processes are oriented with the COP training and new COP goals and objectives.

4.7.243b: Finalize COP annualized refresher training and ensure future training schedules that provide annualized refresher training.

APD Response for 4.7.243a and b: The annual in-service training, COP-POP II, is scheduled to be a part of Maintenance of Effort (MOE) Training, and will include topics required in this paragraph. COP-POP Phase II to be delivered in June and August of 2022.

4.7243c: Develop assessment processes to measure the impact of training on-field practices.

APD Response to 4.7.243c: The following are examples of APD approaches to community oriented policing:

APD has fully incorporated the community oriented policing training into new supervisor and acting supervisor training, as well as the cadets in the Academy.

APD continues to implement Community Outreach in its training beginning at the Basic Training level. In addition to the mandatory sixteen (16) hours of COP/POP training required for all sworn, cadets also receive a full day of training on Cultural Diversity/Community Engagement. This training consists of outside individuals within our community representing a variety of religions and cultural/ethnic backgrounds. Cadets also receive presentations from community groups and organizations during their academy training. The presentations include the APD Chaplin's Unit, Stand True for Blue, and the Citizens Police Academy.

During the Basic Training Academy, Cadets are required as a team to perform community outreach while in the Academy. The team who goes above and beyond for a charitable act is presented with the

community Service Awarded at graduation. Cadet class 124 graduated October 2021 and the team who earned the Community Service Award collaborated with a local elementary school to work with at-risk youth. Together the children and cadets planted trees and flowers; enhancing the school grounds and promoting school pride.

During 2021, the Field Training and Evaluation Program (FTEP) provided COP/POP training as part the curriculum for the Field Training Officer (FTO) Basic Certification Course and the FTEP Recertification. Community engagement is incorporated into employee evaluations and continues to require Field Service Bureau personnel to attend community meetings, community events, and contact block captains. APD continues to host coffee with a cop, cop on a corner and other community focused events which enables the community to participate in face to face dialog with officers.

Each area command continues to focus on Problem Oriented Projects. There are currently a total of seventeen (17) different POPs in the six (6) area commands.

259. Within six months of the Operational Date, APD agrees to develop and implement mechanisms to measure officer outreach to a broad cross-section of community members, with an emphasis on mental health, to establish extensive problem-solving partnerships and develop and implement cooperative strategies that build mutual respect and trusting relationships with this broader cross-section of stakeholders.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	P	P	S	S	S	S	S

IMR-14 Recommendations for Paragraph 259:

4.7.244a: Continue development of new web-based tracking system and implement department-wide during the next reporting period.

4.7.244b Identify community service organizations and advocacy groups that serve and represent high-risk populations and better document those partnerships, including background, referral arrangements, resource sharing, decision-making, roles, and responsibilities parties.

APD Response to 4.7.244a-b: The following are examples of ways APD has met the recommendation requirements:

The Community Event Tracker is fully operational. The training was approved and published on PowerDMS in January 2022 and now allows both sworn and non-sworn Department personnel to create an entry into the system for tracking. The Department understands that non-sworn personnel are essential to ensuring the success of APD and assist with community outreach and engagement. The Department recognized many of the efforts provided by non-sworn APD personnel were not tracked and recognized. The tracker will also provide a visual map of areas in need of more community outreach and can assist in directing these efforts if necessary.

The APD revised the partnership tracker and has expanded the information included. The partnership tracker now encompasses partnerships outside of the Field Service Bureau.

The APD continues to participate in the Law Enforcement Assisted Diversion (LEAD) program for individuals suspected of non-violent, misdemeanor crimes and make LEAD referrals in lieu of arrest, prosecution and incarceration. The LEAD program has expanded its referrals to allow officers to make social referrals when there are no criminal charges. The number of referrals has increased from 47 in 2020 to 173 in 2021.

The Civilian Police Oversight Agency reported they received 255 complaints in 2021, down from 329 in 2020.

In 2021, the APD created two award categories focused on community oriented policing efforts. The De-escalation of the month award recognizes officers who show outstanding efforts in identifying a citizen in distress and using de-escalation tactics to resolve the situation peacefully. The Community Outreach Officer of the month award recognizes an officer who goes above and beyond to provide outreach in the community.

B. Community Meetings & Public Information (Paragraphs 260-265)

260. APD shall develop a Community Outreach and Public Information program in each Area Command.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	O	O	S	S	S	S	S	S	S

IMR-14 Recommendations for Paragraph 260:

4.7.245a: Further develop and document area command public information strategies and programming by developing a planning template and aiding formulating customized approaches for each Area Command.

APD Response: The Area Command Websites were revamped and crime statistics are updated in a timely manner. Events are maintained and up to date and area command newsletters are posted.

Each area command completed a command-based public information plan to specifically address community outreach, messaging, and outreach to marginalized segments of the population, and use of social media to enhance community engagement. The commander's plans will be finalized after incorporating feedback and recommendations from their area command CPCs.

4.7245b: Seek outside assistance to help formulate effective community outreach and public information plans for each Area Command that fully utilizes up-to-date engagement tools and processes.

APD Response: APD is collaborating with New Mexico State University to develop and administer a Culture Survey to assess APD's temperature related to Community Policing principles. NMSU will administer the survey to a sample of APD command area personnel and provide a comprehensive report on the APD's internal culture and beliefs towards community policing principles to include what ranks, genders and ethnicities support the principles and what areas could be improved.

261. The Community Outreach and Public Information program shall require at least one semi-annual meeting in each Area Command that is open to the public. During the meetings, APD officers from the Area Command and the APD compliance coordinator or his or her designee shall inform the public about the requirements of this Agreement, update the public on APD’s progress meeting these requirements, and address areas of community concern. At least one week before such meetings, APD shall widely publicize the meetings.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 261.

APD Response: Area Command officers are required to attend community meetings on a regular basis to include Community Policing Councils, block captains, and neighborhood associations.

262. The Community Outreach and Public Information meetings shall, with appropriate safeguards to protect sensitive information, include summaries of all audits and reports completed pursuant to this Agreement and any policy changes made and other significant action taken as a result of this Agreement. The meetings shall also include public education on an individual’s rights and responsibilities during a police encounter.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 262.

APD Response: APD collects information from community meetings and incorporate into APD processes, as applicable.

263. For at least the first two years of this Agreement, every APD officer and supervisor assigned to an Area Command shall attend at least two community meetings or other meetings with residential, business, religious, civic or other community-based groups per year in the geographic area to which the officer is assigned.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		P	P	P	P	S	S	S	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 263.

APD Response: Area Command officers attend community meetings on a regular basis to include CPC’s, block captains, neighborhood associations, etc.

264. APD shall continue to maintain and publicly disseminate accurate and updated crime statistics on a monthly basis.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P	P	S	S	S	O	O	O	S	S	O	O

There were no IMR-14 Recommendations for Paragraph 264.

APD Response: Crime statistics are posted to the city website. Information is also provided at Community Policing Councils (CPC) and neighborhood association meetings regarding crime trends.

265. APD audits and reports related to the implementation of this Agreement shall be posted on the City or APD's website, with reasonable exceptions for materials that are legally exempt or protected from disclosure.¹⁷

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
	P		O	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 265.

APD Response: APD audits and reports are posted to the City website as required.

C. Community Policing Councils (Paragraphs 266-270)

266. The City shall establish Community Policing Councils in each of the six Area Commands with volunteers from the community to facilitate regular communication and cooperation between APD and community leaders at the local level. The Community Policing Councils shall meet, at a minimum, every six months.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 266.

APD Response: Information about all six APD Community Policing Councils can be found on the City web site located here: <https://www.cabq.gov/cpoa/community-policing-council>

267. In conjunction with community representatives, the City shall develop a mechanism to select the members of the Community Policing Councils, which shall include a representative cross-section of community members and APD officers, including, for example, representatives of social services providers

¹⁷ Paragraph 265 was reported in IMR3 as not due yet.

and diverse neighborhoods; leaders in faith, business, or academic communities; and youth. Members of the Community Policing Councils shall possess qualifications necessary to perform their duties, including successful completion of the Citizens Police Academy.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					P	S	S	O	O	O	S	O

There were no IMR-14 Recommendations for Paragraph 267.

APD Response: Information about all six APD Community Policing Councils can be found on the City web site located here: <https://www.cabq.gov/cpoa/community-policing-council>

268. The City shall allocate sufficient resources to ensure that the Community Policing Councils possess the means, access, training, and mandate necessary to fulfill their mission and the requirements of this Agreement. APD shall work closely with the Community Policing Councils to develop a comprehensive community policing approach that collaboratively identifies and implements strategies to address crime and safety issues. In order to foster this collaboration, APD shall share appropriate information and documents with the Community Policing Councils, provided adequate safeguards are taken not to disclose information that is legally exempt or protected from disclosure.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P	S	S	S	O	O	S	O	O	O

There were no IMR-14 Recommendations for Paragraph 268.

APD Response: This paragraph is not within the control of APD or the Mayor's administration, and requires the City Council to address compliance.

269. APD shall seek the Community Policing Councils' assistance, counsel, recommendations, or participation in areas including:

- a) reviewing and assessing the propriety and effectiveness of law enforcement priorities and related community policing strategies, materials, and training;
- b) reviewing and assessing concerns or recommendations about specific APD policing tactics and initiatives;
- c) providing information to the community and conveying feedback from the community to APD;
- d) advising the Chief on recruiting a qualified, diverse workforce; and
- e) advising the Chief on ways to collect and publicly disseminate data and information, including information about APD's compliance with this Agreement, in a transparent and public-friendly format to the greatest extent allowable by law.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					S	S	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 269.

APD Response: This paragraph is not within the control of APD or the Mayor’s administration, and requires the City Council to address compliance.

270. The Community Policing Councils shall memorialize their recommendations in an annual public report that shall be posted on the City’s website. The report shall include appropriate safeguards not to disclose information that is legally exempt or protected from disclosure.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				S	P	S	O	O	S	O	O	O

There were no IMR-14 Recommendations for Paragraph 270.

APD Response: This paragraph is not within the control of APD or the Mayor’s administration, and requires the City Council to address compliance.

D. Civilian Police Oversight Agency (CPOA) (Paragraphs 271-292)

271. The City shall implement a civilian police oversight agency (“the agency”) that provides meaningful, independent review of all citizen complaints, serious uses of force, and officer-involved shootings by APD. The agency shall also review and recommend changes to APD policy and monitor long-term trends in APD’s use of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	S	O	O	S	S	O	O	S	S

There were no IMR-14 Recommendations for Paragraph 271.

APD Response: The City created the Civilian Police Oversight Agency for independent reviews of citizen complaints, serious uses of force, and officer-involved shootings by APD.

272. The City shall ensure that the agency remains accountable to, but independent from, the Mayor, the City Attorney’s Office, the City Council, and APD. None of these entities shall have the authority to alter the agency’s findings, operations, or processes, except by amendment to the agency’s enabling ordinance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	S	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 272.

APD Response: This paragraph is not within the control of APD or the Mayor’s administration.

273. The City shall ensure that the individuals appointed to serve on the agency are drawn from a broad cross-section of Albuquerque and have a demonstrated commitment to impartial, transparent, and objective adjudication of civilian complaints and effective and constitutional policing in Albuquerque.

Paragraph 273 Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		O	O	O	O	O	O	S	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 273.

APD Response: This paragraph is not within the control of APD.

274. Within six months of their appointment, the City shall provide 24 hours of training to each individual appointed to serve on the agency that covers, at a minimum, the following topics:

- a) this Agreement and the United States’ Findings Letter of April 10, 2014;
- b) the City ordinance under which the agency is created;
- c) state and local laws regarding public meetings and the conduct of public officials;
- d) civil rights, including the Fourth Amendment right to be free from unreasonable searches and seizures, including unreasonable uses of force;
- e) all APD policies related to use of force, including policies related to APD’s internal review of force incidents; and f) training provided to APD officers on use of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		O	O	O	O	O	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 274:

4.7.259a: Ensure that newly appointed CPOA members receive the necessary 24 hours of training within the required six-month time period.

CPOA Response: The CPOA Director developed a training checklist (provided to board members) and made it available to members through SharePoint. Board members have access to this training 24/7.

275. The City shall provide eight hours of training annually to those appointed to serve on the agency on any changes in law, policy, or training in the above areas, as well as developments in the implementation of this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 275:

4.7.260a: For future training, ensure that current CPOA Board members complete the agreed-upon assessment requirements of annual training within an established time frame.

CPOA Response: The CPOA Director and Chair of the CPOA Board met with members to remind them of the on-going obligations regarding this requirement.

276. The City shall require those appointed to the agency to perform at least two ridealongs with APD officers every six months. There were no IMR-13 Recommendations for Paragraph 276, which remains in Operational Compliance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		O	O	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 276.

277. The City shall provide the agency sufficient resources and support to assess and make recommendations regarding APD’s civilian complaints, serious uses of force, and officer involved shootings; and to review and make recommendations about changes to APD policy and long-term trends in APD’s use of force.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
O	S	P	S	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 277.

278. The City shall provide the agency a dedicated budget and grant the agency the authority to administer its budget in compliance with state and local laws. The agency shall have the authority to hire staff and retain independent legal counsel as necessary.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		O	O	O	O	O	O	O	O	O	O	O

There were no IMR-14 Recommendations for Paragraph 278.

279. The agency shall retain a full-time, qualified investigative staff to conduct thorough, independent investigations of APD’s civilian complaints and review of serious uses of force and officer-involved shootings. The investigative staff shall be selected by and placed under the supervision of the Executive Director. The Executive Director will be selected by and work under the supervision of the agency. The City shall provide the agency with adequate funding to ensure that the agency’s investigative staff is sufficient to investigate civilian complaints and review serious uses of force and officer-involved shootings in a timely manner.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P	P	P	O	O	O	O	O	O	O	O	S	S

IMR-1 Recommendations for Paragraph 279:

4.7.264a: Expeditiously fill all approved and funded investigative positions with qualified personnel.

CPOA Response: The FY/22 budget expands the investigative staff at the CPOA to 7, including 1 Lead Investigator.

280. The Executive Director will receive all APD civilian complaints, reports of serious uses of force, and reports of officer-involved shootings. The Executive Director will review these materials and assign them for investigation or review to those on the investigative staff. The Executive Director will oversee, monitor, and review all such investigations or reviews and make findings for each. All findings will be forwarded to the agency through reports that will be made available to the public on the agency's website.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P	P	O	O	O	O	O	O	O	S	O	O	O

There were no IMR-14 Recommendations for Paragraph 280.

281. Investigation of all civilian complaints shall begin as soon as possible after assignment to an investigator and shall proceed as expeditiously as possible.¹⁸

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P		P	S	S	S	S	S	S	S	S	S	S

IMR-1 Recommendations for Paragraph 281:

4.7.266a: Continue to refine the internal tracking system and other processes that ensure all complaints are either assigned for investigation, referred to mediation, or administratively closed within seven working days of receipt of a complaint, and once assigned for investigation, proceed according to the timelines outlined in the CASA and CBA.

CPOA Response: Changing the procedure to having the intake done by the Lead Investigator has improved this process significantly. Cases are entered into IA Pro generally within 7 calendar days so it gives the buffer to be within 7 working days.

4.7.266b: Ensure that tardy assignments of investigations and tardy investigations are noted and discussed with the involved CPOA personnel.

¹⁸ Paragraph 281 was reported in IMR2 as not due yet.

CPOA Response: Investigation timeliness have improved significantly now that more investigators are hired and progress should continue to improve once all investigators are fully trained.

4.7.266c: Ensure the inclusion of an investigative timeline clarifying each investigative time point so that the assessment of CPOA's timeliness requirements under the CASA and CBA are clear and not subject to interpretation.

CPOA Response: Without appropriate investigative staff there has been a need to triage and make choices about which complaints received the focus of limited resources. A traditional timeline has not been an option, but the activities and delays have been listed in each investigation.

4.7.266d: Expeditiously fill all approved investigative positions and provide initial training as soon as practicable according to CASA training requirements.

CPOA Response: Filling the investigative positions has been affected by the limitations of the City HR department. However, now all investigative positions are filled and training is ongoing. The three newest investigators will be receiving the Monitor approved Internal Affairs training provided by the Daigle Law Group in late April.

4.7.266e: Make greater use of the mediation program by providing the public with sufficient information for a complainant to decide on the choice of mediation as a complaint resolution process.

CPOA Response: The mediation program has been on hold due to the expiration of the suspended CASA paragraph regarding mediation. It is the intention of the Agency pending approved funding to contract with mediators directly versus working through a third party to enhance satisfaction and accountability.

4.7.266f: A preliminary investigation may be completed without the necessity of a full investigation only where it shows by clear and convincing evidence that the allegations of misconduct did not occur, and also shows no indication of misconduct not related to the original complaint that would require further investigation and should not be used for expediency sake in tackling investigative burdens.

CPOA Response: The agency feels closures and preliminary investigations have been completed appropriately and investigators understand it is not a tool for expediency.

282. The City shall ensure that the agency, including its investigative staff and the Executive Director, have access to all APD documents, reports, and other materials that are reasonably necessary for the agency to perform thorough, independent investigations of civilian complaints and reviews of serious uses of force and officer-involved shootings. At a minimum, the City shall provide the agency, its investigative staff, and the Executive Director access to:

- a. all civilian complaints, including those submitted anonymously or by a third party;
- b. the identities of officers involved in incidents under review;
- c. the complete disciplinary history of the officers involved in incidents under review;
- d. if requested, documents, reports, and other materials for incidents related to those under review, such as incidents involving the same officer(s);
- e. all APD policies and training; and
- f. if requested, documents, reports, and other materials for incidents that may evince an overall trend in APD's use of force, internal accountability, policies, or training.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
O	O	O	S	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 282 has been in operational compliance since IMR5 (August, 2016 - January, 2017).

There were no IMR-14 Recommendations for Paragraph 282.

283. The City shall provide reasonable access to APD premises, files, documents, reports, and other materials for inspection by those appointed to the agency, its investigative staff, and the Executive Director upon reasonable notice. The City shall grant the agency the authority to subpoena such documents and witnesses as may be necessary to carry out the agency functions identified in this Agreement.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 283 has been in operational compliance since IMR4 (January, 2016 - July, 2017).

There were no IMR-14 Recommendations for Paragraph 283.

284. The City, APD, and the agency shall develop protocols to ensure the confidentiality of internal investigation files and to ensure that materials protected from disclosure remain within the custody and control of APD at all times.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 284 has been in operational compliance since IMR4 (January, 2016 - July, 2017).

There were no IMR-14 Recommendations for Paragraph 284.

285. The Executive Director, with approval of the agency, shall have the authority to recommend disciplinary action against officers involved in the incidents it reviews. The Chief shall retain discretion over whether to impose discipline and the level of discipline to be imposed. If the Chief decides to impose discipline other than what the agency recommends, the Chief must provide a written report to the agency articulating the reasons its recommendations were not followed.¹⁹

¹⁹ Paragraph 285 was reported in IMR5 as not in compliance.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			P		S	O	O	O	O	O	O	S

IMR-14 Recommendations for Paragraph 285:

4.7.270a: The Chief of Police should issue non concurrence letters to the CPOA for every case in which he disagrees with the CPOA's findings. These letters should clearly delineate why the Chief disagrees with the CPOA's findings, using specific point-by-point analysis.

CPOA Response: There have been issues with the non-concurrence memos received in the past, however, there have been improvements in the very recent memos received.

286. The findings of the Executive Director shall be documented by APD's Internal Affairs Division for tracking and analysis.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			O	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 286 has been in operational compliance since IMR4 (January, 2016 - July, 2017).

There were no IMR-14 Recommendations for Paragraph 286.

287. The City shall permit complainants a meaningful opportunity to appeal the Executive Director's findings to the agency.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
P	P	S	O	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 287 has been in operational compliance since IMR4 (January, 2016 - July, 2017).

There were no IMR-14 Recommendations for Paragraph 287.

288. The agency shall make recommendations to the Chief regarding APD policy and training. APD shall submit all changes to policy related to this Agreement (i.e., use of force, specialized units, crisis intervention, civilian complaints, supervision, discipline, and community engagement) to the agency for review, and the agency shall report any concerns it may have to the Chief regarding policy changes.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	S	O	O	O	O	O	O	O

APD Response: Paragraph 288 has been in operational compliance since IMR8 (February, 2018 - July, 2018).

There were no IMR-14 Recommendations for Paragraph 288.

289. For any of the agency's policy recommendations that the Chief decides not to follow, or any concerns that the agency has regarding changes to policy that Chief finds unfounded, the Chief shall provide a written report to the agency explaining any reasons why such policy recommendations will not be followed or why the agency's concerns are unfounded.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
			S	O	S	S	O	O	O	O	O	O

APD Response: Paragraph 289 has been in operational compliance since IMR9 (August, 2018 – January, 2019).

There were no IMR-14 Recommendations for Paragraph 289.

290. The agency shall conduct regular public meetings in compliance with state and local law. The City shall make agendas of these meetings available in advance on websites of the City, the City Council, the agency, and APD.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
O	O	O	O	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 290 has been in operational compliance since IMR1 (November, 2014 – November, 2015).

There were no IMR-14 Recommendations for Paragraph 290.

291. The City shall require the agency and the Executive Director to implement a program of community outreach aimed at soliciting public input from broad segments of the community in terms of geography, race, ethnicity, and socio-economic status

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
		P	O	O	O	O	O	O	O	O	O	O

APD Response: Paragraph 291 has been in operational compliance since IMR4 (January, 2016 - July, 2017).

There were no IMR-14 Recommendations for Paragraph 291.

292. The City shall require the agency to submit semi-annual reports to the City Council on its activities, including:

- a) number and type of complaints received and considered, including any dispositions by the Executive Director, the agency, and the Chief;
- b) demographic category of complainants;
- c) number and type of serious force incidents received and considered, including any dispositions by the Executive Director, the agency, and the Chief;
- d) number of officer-involved shootings received and considered, including any dispositions by the Executive Director, the agency, and the Chief;
- e) policy changes submitted by APD, including any dispositions by the Executive Director, the agency, and the Chief;
- f) policy changes recommended by the agency, including any dispositions by the Chief;
- g) public outreach efforts undertaken by the agency and/or Executive Director; and
- h) trends or issues with APD’s use of force, policies, or training.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
				O	O	O	O	S	S	S	S	S

IMR-14 Recommendations for Paragraph 292:

4.7.277a: CPOA should continue its current processes that have improved the timeliness of the release of semi-annual reports and brought CPOA close to issuing semi-annual reports within 120 days of completion of the semi-annual period.

CPOA Response: The semi-annual reports are becoming increasingly timely with the efforts of the data analyst.

Section 10: Assessing Compliance (Paragraph 320)

There is only one measurable paragraph in Section 10,
And it is in Secondary Compliance.

A. Access and Confidentiality

320. To facilitate its work, the Monitor may conduct on-site visits and assessments without prior notice to the City. The Monitor shall have access to all necessary individuals, facilities, and documents, which shall include access to Agreement-related trainings, meetings, and reviews such as critical incident review

and disciplinary hearings. APD shall notify the Monitor as soon as practicable, and in any case within 13 hours, of any critical firearms discharge, in-custody death, or arrest of any officer.

Compliance Level History:

IMR 1	IMR 2	IMR 3	IMR 4	IMR 5	IMR 6	IMR 8	IMR 9	IMR 10	IMR 11	IMR 12	IMR 13	IMR 14
					O	O	O	O	O	O	S	S

IMR-14 Recommendations for Paragraph 320:

4.7.278a: The City should ensure that critical incidents continue to be noted, and where required by the CASA, are reported to the monitor and DOJ.

APD Response: The City has made one point of contact responsible for the initial notifications for paragraph 320 to ensure timely notification is made to the DOJ and IMT.

VII. Conclusion

APD has made notable progress during this reporting period regarding the two critical issues: completing department-wide 2021 use of force training and improving Level 2 and Level 3 use of force investigations. This training requirement was not completed in 2020 resulting in a decrease in compliance levels in numerous paragraphs as outlined in IMRs 13 and 14. By implementing this requirement in 2021, APD will gain secondary compliance in multiple paragraphs directly related to use of force training mandates.

The City and the DOJ entered into a Stipulated Agreement which established the External Force Investigation Team (EFIT) to assist APD in conducting quality and timely investigations of Level 2 and Level 3 uses of force by APD officers. The Agreement includes multiple mandates such as EFIT and IAFD conducting joint and timely investigations, staffing levels, and evaluation measurement for each investigation. EFIT went live on July 16, 2021, and will continue through the end of 2022.

The first EFIT quarterly report covering July 16, 2021 to October 16, 2021, noted the EFIT team observed improvements in areas such as IAFD interview skills, interview preparation, increased professionalism, and on-boarding of newly hired civilian investigators. Areas were also identified that need improvement such as adherence to the required process narrative and investigative plans, which were designed as roadmaps to assist IAFD in completing quality and timely investigations. The EFIT Stipulated Order is working as designed and IAFD has improved during this reporting period. APD will continue to work with EFIT and work towards operational compliance in IAFD-related paragraphs.

Reaching and maintaining 25 investigators mandated in the EFIT Agreement was a major accomplishment in this reporting period. The City created and began filling civilian investigator positions to supplement IAFD staffing issues. To date, the number of civilian investigators continues to grow, they are doing well, and the City intends on continuous hiring of these positions.

Another notable accomplishment is with EFIT and IAFD conducting joint investigations. IAFD investigators have significantly improved in conducting interviews. This was one of the main areas in need of improvement as outlined in the EFIT Agreement. In January 2022, three investigators (2 sworn and 1

civilian) were selected by EFIT to enter a phased transition for interviews during the course of use of force investigations. These three investigators will begin their phased transition, which will ultimately result in being able to conduct interviews on their own. There are additional investigators expected to enter the transition phase for interviews during the next reporting period. This is a major step forward for IAFD as interviews were one of the most criticized areas of use of force investigations.

Since the start of EFIT and during this reporting period, every case has been completed within timelines. This process is working as designed and IAFD is improving daily.

The City, the DOJ, and IMT have agreed the EFIT will complete the use of force backlog investigations through an amended Stipulated Order. This will ensure the backlog is completed in a timely manner by subject matter experts that have proven their ability since July 16, 2021. This will allow IAFD personnel to continue to improve their investigative skills and focus on current use of force cases.

The City continues working with the Department of Justice and the Independent Monitor to transition the Department towards self-assessment in multiple paragraphs. The Department will take the place of the Independent Monitoring Team in the assessment and reporting of compliance levels for numerous Court-Approved Settlement Agreement (CASA) requirements.

APD annually reviews all policies to ensure they are current and up-to-date. As an example, the Standard Operating Procedure (SOP) that governs APD's discipline system, SOP 3-46 Discipline System was revised, received DOJ and IMT feedback and approval, and was published. Improvements to the policy regarding the chart of sanctions and corrective measures are empowering the principles of effective progressive discipline, which is now handled by the Bureau of Police Reform with the Superintendent of Police Reform, the Deputy Superintendent of Police Reform, and one commander reviewing and opining on cases. This is a different structure than before when there were multiple chains of command involved in the disciplinary process.

The APD Training Academy developed a 2022 training calendar that outlines all 2022 courses to include the required use of force training. The Training Academy intends to administer select annual curricula, such as use of force, during the same time period each year. This will allow the department to plan ahead for staffing needs for non-Academy instructors, Academy staffing, and squad staffing in the field. The training calendar allows for the planning of training curriculum development or revision and making adjustments knowing what other training exists throughout the year.

APD annually reviews all policies to ensure they are current and up-to-date. As an example, policy and training was approved for the new early intervention system called Performance Evaluation and Management System (PEMS), and training was completed for 96.77% of sworn supervisors in December 2021. The PEMS is planned to go live in the next reporting period.

Encouraging progress was made with the APD Benchmark Project during this reporting period. A dedicated Business Analyst and a Project Manager were added to the project team which is making significant progress towards project deployment.

In collaboration with the Department of Justice and in response to the recommendations by AH Datalytics' Gap Analysis, the City created the Data Division and a new position, Data Director. The Data Director will oversee and coordinate both criminal and non-criminal analysis to assist the department in not only reporting data in a cohesive manner, but using that data to drive future decisions. The Performance

Metrics Unit (PMU) who conducts monthly audits is also positioned within the Accountability Bureau, and will provide for streamlined coordination between auditing and data analysis.

A new process and tool called ReformStat was adapted to assist APD in achieving CASA compliance for paragraphs not yet operational. ReformStat has been successfully administered in the Baltimore and New Orleans police departments, both of which are under consent decrees. Since 2018, APD has used action plans to assess and correct existing problems. Action plans were developed that identify specific strategies to move the non-operational paragraphs into compliance, which include recommendations outlined in IMRs. The action plans include the people who will be in charge of carrying out each task, deadlines and milestones for each task, the resources needed to complete the tasks, and measures to evaluate the process. APD anticipates the addition of the ReformStat process will enhance action plan efforts through monthly meetings with executive leadership that provide valuable real-time support, guidance, oversight, and authorization.

The progress made during this reporting period highlights the Department's ability and continued commitment to work collaboratively with stakeholders to implement positive change. Through guidance and feedback from the IMT and DOJ, APD will continue to work towards full operational compliance for all CASA paragraphs.

IX. Appendix

Appendix 1, Detailed Scorecards

Appendix 2, ECW Scorecards



Appendix 1 Detailed Scorecards

Detailed Scorecard

Review Month: August 2021
GOAL: 100%

Attachments:

- Detailed Scorecard
- Scorecards by Topic
- Scorecard Sample Size
- Scorecards Explained

Scorecard	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total	Legend
MONTHLY INSPECTIONS								95-100%
ECW								85-94%
OBRD								≤ 84%
(P230) Video Uploaded by the end of subsequent shift	96%	100%	100%	100%	97%	98%	99%	
(P224) Mandatory recording incidents under APD policy	100%	100%	100%	100%	100%	100%	100%	
Firearms								
(P18) Inspection of carrying agency approved firearms	100%	97%	100%	100%	100%	100%	99%	
(P18) Inspection of carrying agency approved ammunition	100%	97%	100%	100%	100%	100%	99%	
Supervision								
(P207) Supervision 8:1 Ratio for a day	4.5	4.0	5.0	3.5	4.5	3	4.1	
(P32) ECW is carried on weak-side holster	100%	100%	100%	100%	100%	100%	100%	
(P225) Equipment inspection	100%	100%	100%	100%	100%	100%	100%	
(P225) Two video reviews per officer completed by the sergeant	93%	97%	100%	100%	100%	100%	98%	
72 Hour Extension								
(P53) Documentation present requesting an extension of the 72 hour deadline	100%	100%	100%	100%	100%	100%	100%	
(P53) Documentation present of a Commander approving an extension request	100%	100%	100%	100%	100%	100%	100%	
(P53) Complete supervisory force review within 72 hours of incident unless a Commander authorized an extension	100%	100%	100%	100%	100%	100%	100%	
QUARTERLY INSPECTIONS								
ECW (Next Inspection: October 2021)								
SEMI-ANNUALLY INSPECTIONS								
Firearms (Next Inspection: February 2022)								
Citizen Complaint Forms (Next Inspection: January 2022)								
Month/Year	8	2021						



Detailed Scorecard

Review Month: September 2021
GOAL: 100%

Attachments:

- Detailed Scorecard
- Scorecards by Topic
- Scorecard Sample Size
- Scorecards Explained

Contact apdmetrics@cabq.gov with questions or comments

Scorecard	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total	Legend
MONTHLY INSPECTIONS								95-100%
<input checked="" type="checkbox"/> ECW								85-94%
<input type="checkbox"/> OBRD								≤ 84%
(P230) Video Uploaded by the end of subsequent shift	100%	100%	99%	100%	100%	100%	100%	
(P224) Mandatory recording incidents under APD policy	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> Firearms								
(P18) Inspection of carrying agency approved firearms	100%	100%	100%	100%	100%	100%	100%	
(P18) Inspection of carrying agency approved ammunition	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> Supervision								
(P207) Supervision 8:1 Ratio for a day	5	3.0	3.0	3.3	7	4.33333	4.3	
(P32) ECW is carried on weak-side holster	100%	100%	100%	100%	100%	100%	100%	
(P225) Equipment inspection	100%	100%	100%	100%	100%	100%	100%	
(P225) Two video reviews per officer completed by the sergeant	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> 72 Hour Extension								
(P53) Documentation present requesting an extension of the 72 hour deadline	100%	100%	100%	100%	100%	100%	100%	
(P53) Documentation present of a Commander approving an extension request	100%	100%	100%	50%	100%	100%	92%	
(P53) Complete supervisory force review within 72 hours of incident unless a Commander authorized an extension	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> QUARTERLY INSPECTIONS								
<input checked="" type="checkbox"/> ECW (Next Inspection: October 2021)								
<input type="checkbox"/> SEMI-ANNUALLY INSPECTIONS								
<input checked="" type="checkbox"/> Firearms (Next Inspection: February 2022)								
<input checked="" type="checkbox"/> Citizen Complaint Forms (Next Inspection: January 2022)								
Month/Year	9	2021						



Detailed Scorecard

Review Month: October 2021

GOAL: 100%

Attachments:

[Detailed Scorecard](#)

[Scorecards by Topic](#)

[Scorecard Sample Size](#)

[Scorecards Explained](#)

Contact apdmetrics@cabq.gov with questions or comments

Scorecard	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total	Legend
MONTHLY INSPECTIONS								95-100%
ECW								85-94%
OBRD								≤ 84%
(P230) Video Uploaded by the end of subsequent shift	100%	98%	100%	98%	98%	99%	99%	
(P224) Mandatory recording incidents under APD policy	100%	100%	100%	100%	100%	100%	100%	
Firearms								
(P18) Inspection of carrying agency approved firearms	100%	100%	100%	100%	90%	100%	98%	
(P18) Inspection of carrying agency approved ammunition	100%	100%	100%	100%	90%	100%	98%	
Supervision								
(P207) Supervision 8:1 Ratio for a day	3	5.0	5.5	4.5	5.5	4.5	4.7	
(P32) ECW is carried on weak-side holster	100%	100%	100%	100%	90%	100%	98%	
(P225) Equipment inspection	100%	100%	100%	100%	90%	100%	98%	
(P225) Two video reviews per officer completed by the sergeant	100%	100%	93%	100%	90%	100%	97%	
72 Hour Extension								
(P53) Documentation present requesting an extension of the 72 hour deadline		100%		100%	100%		100%	
(P53) Documentation present of a Commander approving an extension request		100%		100%	80%		93%	
(P53) Complete supervisory force review within 72 hours of incident unless a Commander authorized an extension		100%		100%	100%		100%	
QUARTERLY INSPECTIONS								
ECW (Next Inspection: January 2022)								
(P37) Quarterly ECW upload	98%	99%	100%	99%	100%	98%	99%	
SEMI-ANNUALLY INSPECTIONS								
Firearms (Next Inspection: February 2022)								
Citizen Complaint Forms (Next Inspection: January 2022)								
Month/Year	10	2021						



Detailed Scorecard

Review Month: November 2021

GOAL: 100%

Attachments:

[Detailed Scorecard](#)

[Scorecards by Topic](#)

[Scorecard Sample Size](#)

[Scorecards Explained](#)

Contact apdmetrics@cabq.gov with questions or comments

Scorecard	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total	Legend
MONTHLY INSPECTIONS								95-100%
ECW								85-94%
OBRD								≤ 84%
(P230) Video Uploaded by the end of subsequent shift	100%	98%	99%	100%	99%	99%	99%	
(P224) Mandatory recording incidents under APD policy	100%	100%	100%	75%	100%	100%	96%	
Firearms								
(P18) Inspection of carrying agency approved firearms	100%	100%	100%	100%	100%	100%	100%	
(P18) Inspection of carrying agency approved ammunition	100%	100%	100%	100%	100%	100%	100%	
Supervision								
(P207) Supervision 8:1 Ratio for a day	3.5	4.5	8.0	5.0	6	3	5.0	
(P32) ECW is carried on weak-side holster	100%	100%	100%	100%	100%	100%	100%	
(P225) Equipment inspection	100%	100%	100%	100%	100%	100%	100%	
(P225) Two video reviews per officer completed by the sergeant	100%	100%	100%	100%	100%	100%	100%	
72 Hour Extension								
(P53) Documentation present requesting an extension of the 72 hour deadline	100%	100%	100%	100%	100%		100%	
(P53) Documentation present of a Commander approving an extension request	100%	80%	100%	100%	100%		96%	
(P53) Complete supervisory force review within 72 hours of incident unless a Commander authorized an extension	100%	100%	100%	100%	100%		100%	
QUARTERLY INSPECTIONS								
ECW (Next Inspection: January 2022)								
(P37) Quarterly ECW upload								
SEMI-ANNUALLY INSPECTIONS								
Firearms (Next Inspection: February 2022)								
Citizen Complaint Forms (Next Inspection: January 2022)								
Month/Year	11	2021						



Detailed Scorecard

Review Month: December 2021

GOAL: 100%

Attachments:

[Detailed Scorecard](#)

[Scorecards by Topic](#)

[Scorecard Sample Size](#)

[Scorecards Explained](#)

Contact apdmetrics@cabq.gov with questions or comments

Scorecard	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total	Legend
MONTHLY INSPECTIONS								95-100%
<input checked="" type="checkbox"/> ECW								85-94%
<input type="checkbox"/> OBRD								≤ 84%
(P230) Video Uploaded by the end of subsequent shift	99%	99%	98%	100%	99%	100%	99%	
(P224) Mandatory recording incidents under APD policy	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> Firearms								
(P18) Inspection of carrying agency approved firearms	100%	100%	100%	97%	100%	100%	99%	
(P18) Inspection of carrying agency approved ammunition	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> Supervision								
(P207) Supervision 8:1 Ratio for a day	7	3.0	3.5	4.5	2	7	4.5	
(P32) ECW is carried on weak-side holster	100%	100%	100%	100%	100%	100%	100%	
(P225) Equipment inspection	100%	100%	100%	100%	100%	100%	100%	
(P225) Two video reviews per officer completed by the sergeant	100%	100%	97%	100%	100%	100%	99%	
<input type="checkbox"/> 72 Hour Extension								
(P53) Documentation present requesting an extension of the 72 hour deadline	100%	100%	100%	100%	100%	100%	100%	
(P53) Documentation present of a Commander approving an extension request	100%	100%	100%	100%	100%	100%	100%	
(P53) Complete supervisory force review within 72 hours of incident unless a Commander authorized an extension	100%	100%	100%	100%	100%	100%	100%	
<input type="checkbox"/> QUARTERLY INSPECTIONS								
<input type="checkbox"/> ECW (Next Inspection: January 2022)								
(P37) Quarterly ECW upload								
<input type="checkbox"/> SEMI-ANNUALLY INSPECTIONS								
<input checked="" type="checkbox"/> Firearms (Next Inspection: February 2022)								
<input checked="" type="checkbox"/> Citizen Complaint Forms (Next Inspection: January 2022)								
Month/Year	12	2021						



Appendix 2

ECW Scorecards

Casa ¶	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
+							
(P37) Quarterly ECW upload	98%	99%	100%	99%	100%	98%	99%
Overall	98%	99%	100%	99%	100%	98%	99%
Month/Year	10	2021					



ECW Scorecard Sample Size

Casa ¶	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
+							
(P37) Quarterly ECW upload	61	74	78	77	59	56	405
Overall							
Month/Year	10	2021					



ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	<input type="checkbox"/> (P37) Quarterly ECW upload	Inspect the Taser 7 Audit Trail in Evidence.com for one log upload date within the quarter in which the upload was due.	Yes or No



Random ECW Scorecard

Review Period: October 2021

Casa 137	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
(P37) Total number Armed Events with Discharge	82	77	73	67	75	81	455
(P37) Total of firings categorized as a spark test	78	77	73	66	74	77	445
(P37) Total of firings matching a force report	0	0	0	0	0	0	0
(P37) Total of undetermined ECW firings (not a spark test nor a matching to a SOF/UOF report during the review period)	4	0	0	1	1	4	10
Month/Year	10	2021					



Random ECW Scorecard Sample Size

Casa #37	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
(P37) Total ECW firings for the review period	20	20	20	20	20	21	121
(P37) Total of firings categorized as a spark test (including a test after an upload)	20	20	20	20	20	21	121
(P37) Total of matching reported uses of force	20	20	20	20	20	21	121
Overall	60	60	60	60	60	63	363
Month/Year	10	2021					



Random ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
2-53-4(J)(1) 2-53-4(K)	(P37) Total ECW firings for the review period	From the officers ECW Device Log, review armed events with a discharge deployed by the officer during the review period.	Yes or No
2-53-4(J)(1) 2-53-4(K)	(P37) Total of firings categorized as a spark test (including a test after an upload)	Armed events with a discharge in a Function Test mode are classified as Function Tests (spark test).	Yes or No
2-53-4(J)(1) 2-53-4(K)	(P37) Total of matching reported uses of force	Armed events with a discharge, not in Function Test mode, will be compared with UOF reports within the same time period. Armed events with a corresponding UOF report will be classified as a UOF incident.	Yes or No
2-53-4(J)(1) 2-53-4(K)	(P37) Total of undetermined ECW firings (not a spark test nor a matching UOF report during the review period)	All armed events with a discharge that are not in a Function Test Mode, and with no matching UOF report, are considered undetermined ECW discharges during the inspection.	Yes or No



ECW Scorecard

Review Period: October 2021

Casa ¶	MOTORS	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
+									
(P37) Quarterly ECW upload	100%	100%	100%	100%	100%	100%	100%	100%	100%
Overall	100%	100%	100%	100%	100%	100%	100%	100%	100%
Month/Year	10	2021							



ECW Scorecard Sample Size

Casa ¶	MOTORS T1/T2	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
+									
(P37) Quarterly ECW upload	22	10	5	19	4	7	16	6	89
Overall									
Month/Year	10	2021							



ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	+ (P37) Quarterly ECW upload	Inspect the Taser 7 Audit Trail in Evidence.com for one log upload date within the quarter in which the upload was due.	Yes or No



Random ECW Scorecard

Review Period: October 2021

Casa #37	MOTORS T1/T2	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
(P37) Total number Armed Events with Discharge	15	5	10	16	5	3	16	14	84
(P37) Total of firings categorized as a spark test	15	5	10	16	5	3	16	14	84
(P37) Total of firings matching a force report	0	0	0	0	0	0	0	0	0
(P37) Total of undetermined ECW firings (not a spark test nor a matching to a SOF/UOF report during the review period)	0	0	0	0	0	0	0	0	0
Month/Year	10	2021							



Random ECW Scorecard Sample Size

Casa #37	Motors T1/T2	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
(P37) Total ECW firings for the review period	6	2	2	6	2	2	4	4	28
(P37) Total of firings categorized as a spark test (including a test after an upload)	6	2	2	6	2	2	4	4	28
(P37) Total of matching reported uses of force	6	2	2	6	2	2	4	4	28
Overall	18	6	6	18	6	6	12	12	84
Month/Year	10	2021							



Random ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	(P37) Total ECW firings for the review period	From the officers ECW Device Log, review armed events with a discharge deployed by the officer during the review period.	Yes or No
SO 20-57	(P37) Total of firings categorized as a spark test (including a test after an upload)	Armed events with a discharge in a Function Test mode are classified as Function Tests (spark test).	Yes or No
SO 20-57	(P37) Total of matching reported uses of force	Armed events with a discharge, not in Function Test mode, will be compared with UOF reports within the same time period. Armed events with a corresponding UOF report will be classified as a UOF incident.	Yes or No
SO 20-57	(P37) Total of undetermined ECW firings (not a spark test nor a matching UOF report during the review period)	All armed events with a discharge that are not in a Function Test Mode, and with no matching UOF report, are considered undetermined ECW discharges during the inspection.	Yes or No



ECW Scorecard

Review Period: January 2022

Casa ¶	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
+							
(P37) Quarterly ECW upload	100%	99%	100%	100%	100%	100%	100%
Overall	100%	99%	100%	100%	100%	100%	100%
Month/Year	1	2022					



ECW Scorecard Sample Size

Casa ¶	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
+							
(P37) Quarterly ECW upload	59	75	76	78	56	52	396
Overall							
Month/Year	1	2022					



ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	(P37) Quarterly ECW upload	Inspect the Taser 7 Audit Trail in Evidence.com for one log upload date within the quarter in which the upload was due.	Yes or No



Random ECW Scorecard

Review Period: January 2022

Casa 137	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
(P37) Total number Armed Events with Discharge	74	69	76	66	71	67	423
(P37) Total of firings categorized as a spark test	74	68	75	66	71	67	421
(P37) Total of firings matching a force report	0	1	0	0	0	0	1
(P37) Total of undetermined ECW firings (not a spark test nor a matching to a SOF/UOF report during the review period)	0	0	1	0	0	0	1
Month/Year	1	2022					



Random ECW Scorecard Sample Size

Casa #37	Southwest	Valley	Southeast	Northeast	Foothills	Northwest	Total
(P37) Total ECW firings for the review period	20	20	20	20	20	18	118
(P37) Total of firings categorized as a spark test (including a test after an upload)	20	20	20	20	20	18	118
(P37) Total of matching reported uses of force	20	20	20	20	20	18	118
Overall	60	60	60	60	60	54	354
Month/Year	1	2022					



Random ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	(P37) Total ECW firings for the review period	From the officers ECW Device Log, review armed events with a discharge deployed by the officer during the review period.	Yes or No
SO 20-57	(P37) Total of firings categorized as a spark test (including a test after an upload)	Armed events with a discharge in a Function Test mode are classified as Function Tests (spark test).	Yes or No
SO 20-57	(P37) Total of matching reported uses of force	Armed events with a discharge, not in Function Test mode, will be compared with UOF reports within the same time period. Armed events with a corresponding UOF report will be classified as a UOF incident.	Yes or No
SO 20-57	(P37) Total of undetermined ECW firings (not a spark test nor a matching UOF report during the review period)	All armed events with a discharge that are not in a Function Test Mode, and with no matching UOF report, are considered undetermined ECW discharges during the inspection.	Yes or No



ECW Scorecard

Review Period: January 2022

Casa ¶	MOTORS	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
+									
(P37) Quarterly ECW upload	100%	100%	100%	100%	100%	100%	100%	100%	100%
Overall	100%	100%	100%	100%	100%	100%	100%	100%	100%
Month/Year	1	2022							



ECW Scorecard Sample Size

Casa ¶	MOTORS T1/T2	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
+									
(P37) Quarterly ECW upload	20	8	8	18	6	7	14	4	85
Overall									
Month/Year	1	2022							



ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	+ (P37) Quarterly ECW upload	Inspect the Taser 7 Audit Trail in Evidence.com for one log upload date within the quarter in which the upload was due.	Yes or No



Random ECW Scorecard

Review Period: January 2022

Casa ¶37	MOTORS T1/T2	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
(P37) Total number Armed Events with Discharge	5	4	14	12	7	7	5	6	60
(P37) Total of firings categorized as a spark test	5	4	14	11	7	7	5	6	59
(P37) Total of firings matching a force report	0	0	0	0	0	0	0	0	0
(P37) Total of undetermined ECW firings (not a spark test nor a matching to a SOF/UOF report during the review period)	0	0	0	1	0	0	0	0	1
Month/Year	1	2022							



Random ECW Scorecard Sample Size

Casa #37	Motors T1/T2	DWI	AUTO THEFT	IMPACT	GANGS	ISU	SWAT	K-9	Total
(P37) Total ECW firings for the review period	3	1	3	3	3	3	2	2	20
(P37) Total of firings categorized as a spark test (including a test after an upload)	3	1	3	3	3	3	2	2	20
(P37) Total of matching reported uses of force	3	1	3	3	3	3	2	2	20
Overall	9	3	9	9	9	9	6	6	60
Month/Year	1	2022							



Random ECW Scorecard Explained

SOP	Metric	Review Procedure Explanation	Scoring
SO 20-57	(P37) Total ECW firings for the review period	From the officers ECW Device Log, review armed events with a discharge deployed by the officer during the review period.	Yes or No
SO 20-57	(P37) Total of firings categorized as a spark test (including a test after an upload)	Armed events with a discharge in a Function Test mode are classified as Function Tests (spark test).	Yes or No
SO 20-57	(P37) Total of matching reported uses of force	Armed events with a discharge, not in Function Test mode, will be compared with UOF reports within the same time period. Armed events with a corresponding UOF report will be classified as a UOF incident.	Yes or No
SO 20-57	(P37) Total of undetermined ECW firings (not a spark test nor a matching UOF report during the review period)	All armed events with a discharge that are not in a Function Test Mode, and with no matching UOF report, are considered undetermined ECW discharges during the inspection.	Yes or No