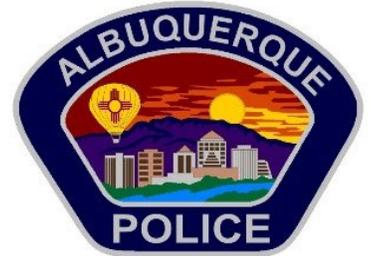


Albuquerque Police Department

Use of Force Analysis, 2022

Supplement Covering Court Approved
Settlement Agreement sub-Paragraphs
298.a.ii, 298.a.iii, 298.a.v, and 298.b.ii



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Calendar Year (CY) 2022 Use of Force Metrics

1. Introduction

This supplement addresses the Albuquerque Police Department’s (APD) uses of force as they relate to complaints regarding the use of force, uses of force that violate policy, the status of the Early Intervention System, and uses of force by specialized units. These subsections of Paragraph 298 were not included in previous reports and this supplement ensures that all sections of the Paragraph are addressed in APD public reports. Future reports from APD will address these subsections in primary reports.

Use of force complaints will comprise the number of complaints, their disposition, the force types driving the complaints, area command in which the complaint was motivated, and the demographics of the complainants. Uses of force violating policy will be enumerated, classified by force type, divided into area command, categorized by type of arrest and the demographics of the citizens involved. The report also provides information on the status of the Early Intervention System during CY22. The section devoted to specialized units will enumerate the uses of force, the force type employed, the area command in which the relevant incidents occurred, and the demographics of the citizens receiving services.

2. Use of Force Complaints

The Civilian Police Oversight Agency (CPOA) investigates most citizen complaints directed toward APD. Over the course of the year, 205 complaints where there was an allegation of misconduct were investigated by the CPOA. Of these, 13 were related to a use of force SOP. Figure 2.1 provides a high-level summary of complaints received.

Figure 2.1: Total Complaints Lodged with CPOA listing allegations

Total Complaints		
Force Involved	Force Not Involved	Grand Total
13	192	205
6.3%	93.7%	100.0%

Out of the 13 cases that were force-related, 3 had sustained allegations. These allegations were not directly force-related SOPs but included: “Honesty, Integrity, and Accountability” (SOP 1-1), “Procedures” (SOP 2-7), and “Custodial Interviews and Interrogation” (SOP 2-68)

Figure 2.2: Disposition of Complaints

	Administratively Closed	Exonerated	Not Sustained	Other	Sustained	Unfounded	Grand Total
Force Involved	1 7.7%	6 46.2%		5 38.5%	3 23.1%	9 69.2%	13 100.0%

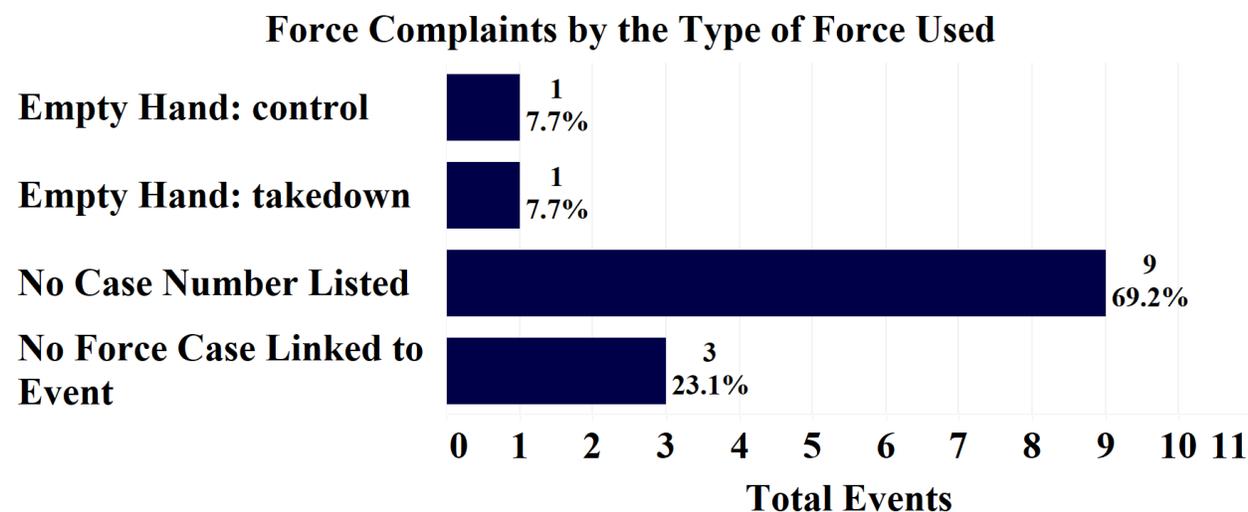
Geographically, most complaints originated from the Northeast Area Command with 4 or 30.8%, followed by Valley Area Command with 3 or 23.1% of the annual total. Southeast Area Command and Northwest Area Command each had 2 force complaints or 15.4% each. Figure 2.3 provides the details across all area commands and out-of-area incidents.

Figure 2.3: Complaints by Area Command

	Force Complaints by Area Command						Grand Total
	Southwest	Valley	Southeast	Northeast	Northwest	Out of Area	Grand Total
Force Involved	1 7.7%	3 23.1%	2 15.4%	4 30.8%	2 15.4%	1 7.7%	13 100.0%

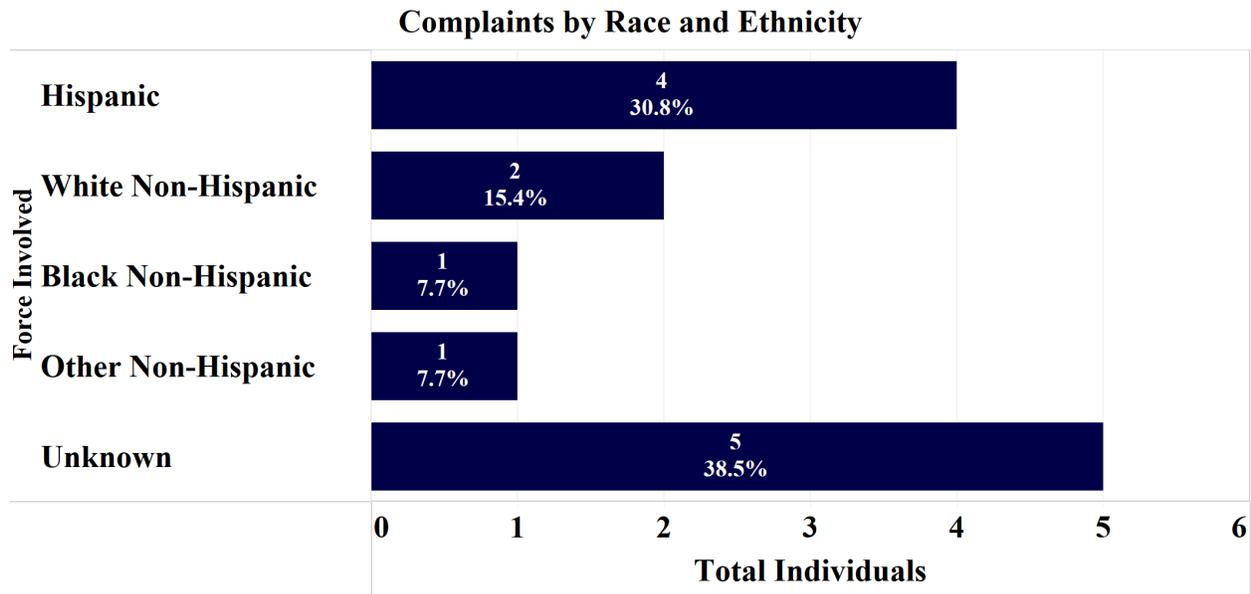
The majority of complaints related to force SOPs were not related to a known use of force case. Out of 13 force complaints, 9 or 69% have no case number listed and a further 3 (23%) have no force case linked to the event in question. In the one case that was linked to a force investigations, empty hand control and empty hand takedown were the sole applications, as reflected in Figure 2.4:

Figure 2.4: Complaints by Type of Force Used



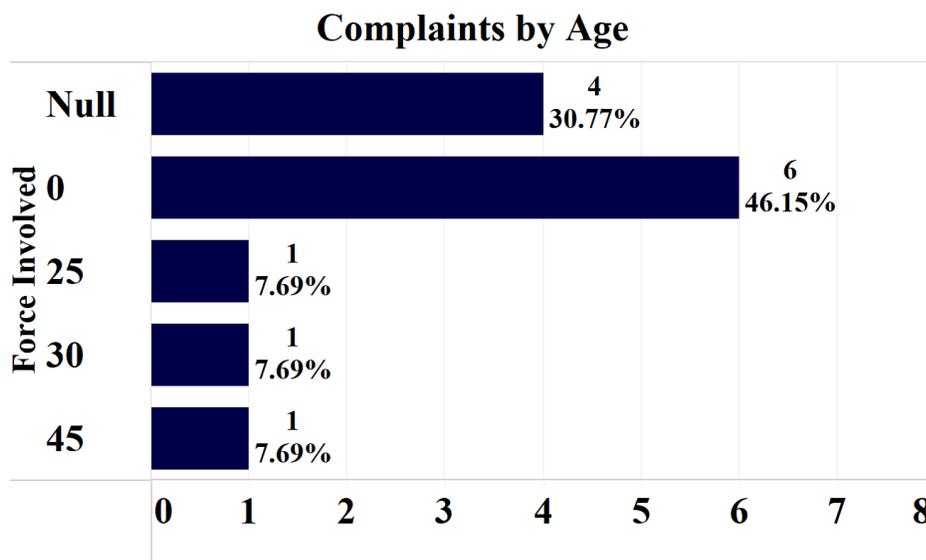
Among complainants, the most common category for race and ethnicity is “Unknown” with 5 or 38%. Hispanics (4 or 31%) and White Non-Hispanic (2 or 16%) are the next most prevalent. Figure 2.5 provides a more detailed view of complainant’s race and ethnicity.

Figure 2.5: Complaints by Race and Ethnicity of Complainant



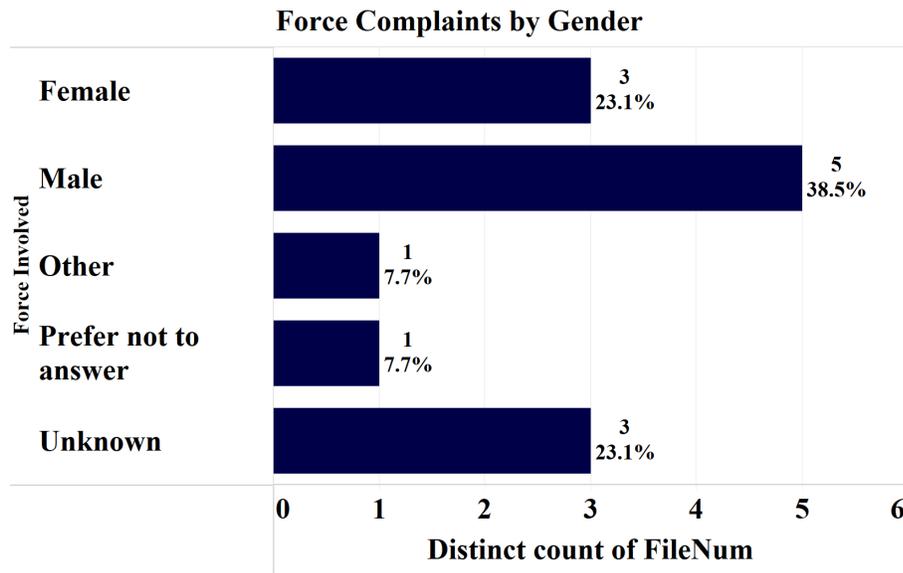
Complainant age is missing in 10 or 77% of all cases, the field is either blank or 0. For the complaints for which age data are available, the age ranges are 25-30, 30-35, and 45-50, as reflected in Figure 2.6:

Figure 2.6: Force Complaints by Age of Complainant



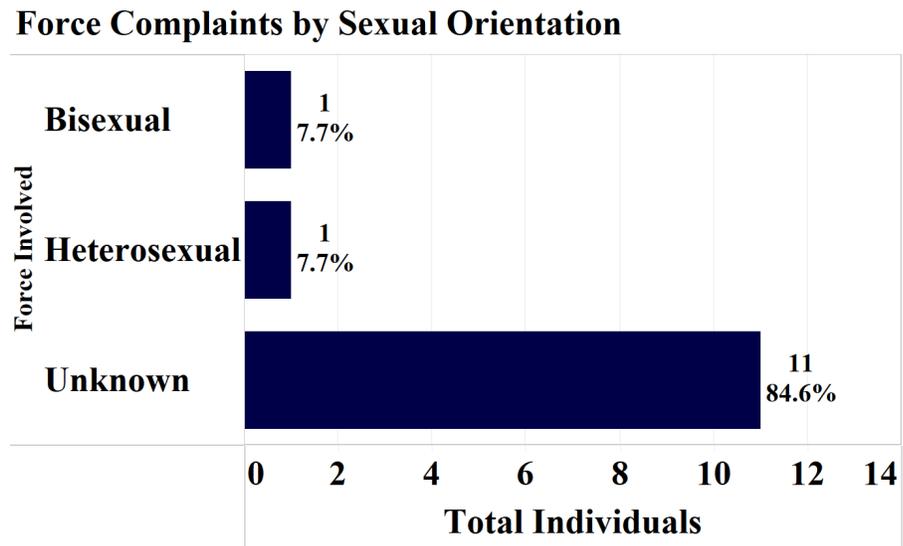
Among complainants, gender for 3 (23%) was “unknown” and 2 (15%) listed as “other” or “prefer not to answer.” Men submitted more complaints related to force SOPs than women, as reflected in Figure 2.7.

Figure 2.7: Force Complaints by Complainant's Gender



Sexual orientation is 'Unknown' in 11 or 85% of all complaints, see Figure 2.8.

Figure 2.8: Force Complaints by Complainant's Sexual Orientation



3. Uses of Force as They Relate to Policy

Given 626 Use of Force (UOF) interactions during 2022, 26 (4.1%) were deemed out of policy with a remaining 600 (95.8%) of all force incidents falling within policy. See the 2022 [Annual Use of Force](#) report for a comprehensive discussion on counting force cases and force interactions. This break-down is provided at Figure 3.1:

Figure 3.1: 2022 Use of Force Summary

Use of Force Summary	
In Policy	600 95.85%
Out of Policy	26 4.15%
Grand Total	626 100.00%

Prevalence for Out-of-Policy events is the greatest in Southeast area command at 7 accounting for about 3.5% of all force interactions in the Area Command. Across all Area Commands, the 7 out of policy interactions represent 27% of all out-of-policy incidents. The Area Command with the next greatest prevalence for out-of-policy force is the Foothills Area Command with 6, which reflects 7.8% of all incidents that occurred in the area command and 23% of all out-of-policy incidents across all Area Commands, as reflected in Figure 3.2:

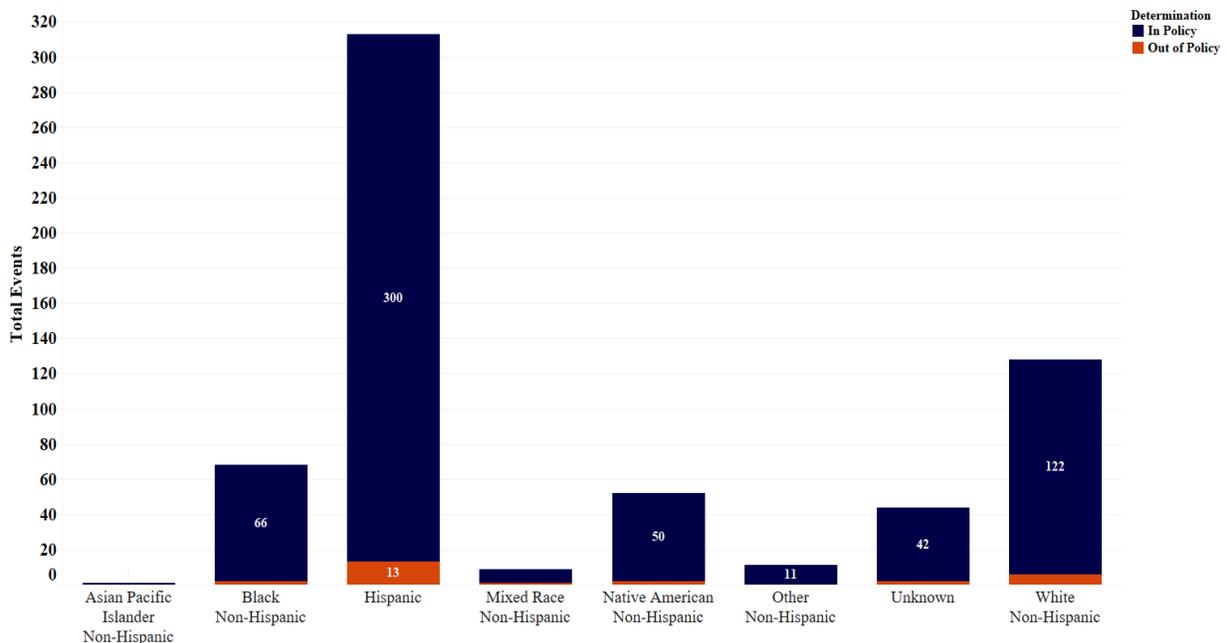
Figure 3.2: Incidents by Area Command

Area Command	In Policy	Out of Policy	Grand Total
Foothills	71 92.2%	6 7.8%	77 100.0%
Northeast	125 97.7%	3 2.3%	128 100.0%
Northwest	56 96.6%	2 3.4%	58 100.0%
Southeast	191 96.5%	7 3.5%	198 100.0%
Southwest	63 95.5%	3 4.5%	66 100.0%
Valley	88 94.6%	5 5.4%	93 100.0%
Out of Area	6 100.0%		6 100.0%

Among in-policy cases, the most prevalent racial and ethnic groups were Hispanics, reflecting 300 or 50% of all cases. Next most prevalent were White non-Hispanics at 122 or 20% and Black non-Hispanics at 66 or 11%. A very similar pattern is apparent among the out-of-policy cases with Hispanics comprising 13 of the 26 cases for 50% and white non-Hispanics at 6 or 23%. Figure 3.3 provides a detailed breakdown by in- or out-of-policy, and the race and ethnicity of the involved individuals.

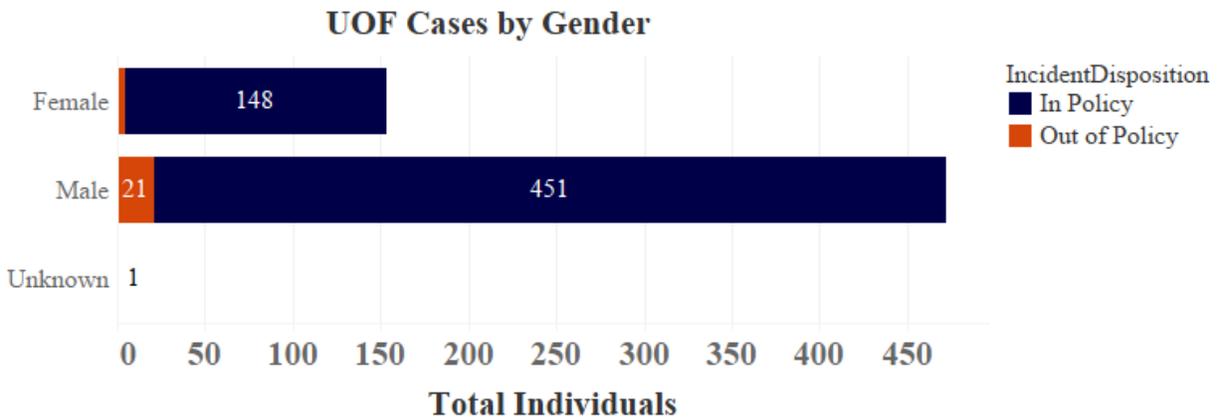
Figure 3.3: UOF Cases by Race, Ethnicity, and Whether in-Policy

Race and Ethnicity	In Policy	Out of Policy	Grand Total
Asian Pacific Islander Non-Hispanic	100.0%		100.0%
Black Non-Hispanic	97.1%	2.9%	100.0%
Hispanic	95.8%	4.2%	100.0%
Mixed Race Non-Hispanic	88.9%	11.1%	100.0%
Native American Non-Hispanic	96.2%	3.8%	100.0%
Other Non-Hispanic	100.0%		100.0%
Unknown	95.5%	4.5%	100.0%
White Non-Hispanic	95.3%	4.7%	100.0%



Across all 626 UOF interactions, 153 involved female subjects, reflecting 24% of all cases. However, women comprised a little under 20% of all out-of-policy events in 2022, as depicted in Figure 3.4:

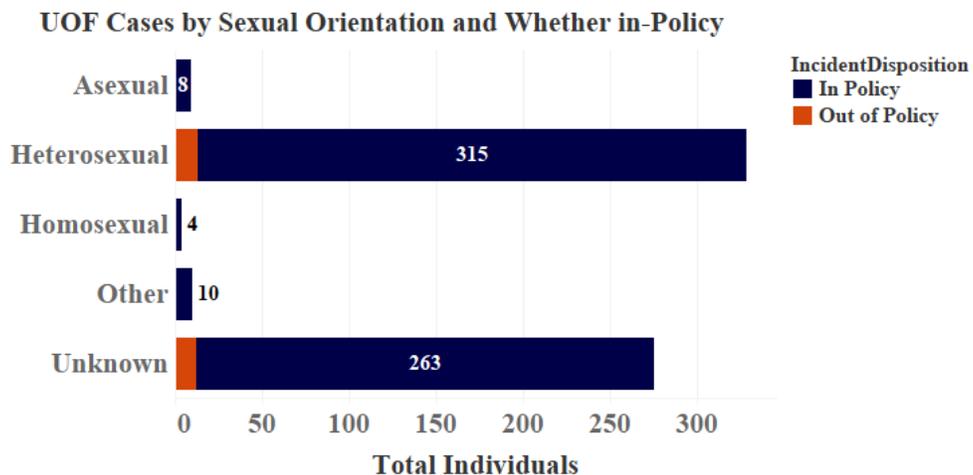
Figure 3.4: UOF Cases by Gender and Whether in-Policy



Citizen Gender	In Policy	Out of Policy	Grand Total
Female	148 96.7%	5 3.3%	153 100.0%
Male	451 95.6%	21 4.4%	472 100.0%
Unknown	1 100.0%	0	1 100.0%
Grand Total	600 95.8%	26 4.2%	626 100.0%

Heterosexual individuals comprise 325 or 52% of all UOF cases, followed by unknown at 275 or 44%. Among 26 out-of-policy UOF incidents, 13 (50%) were heterosexual and 12 (46%) were unknown.

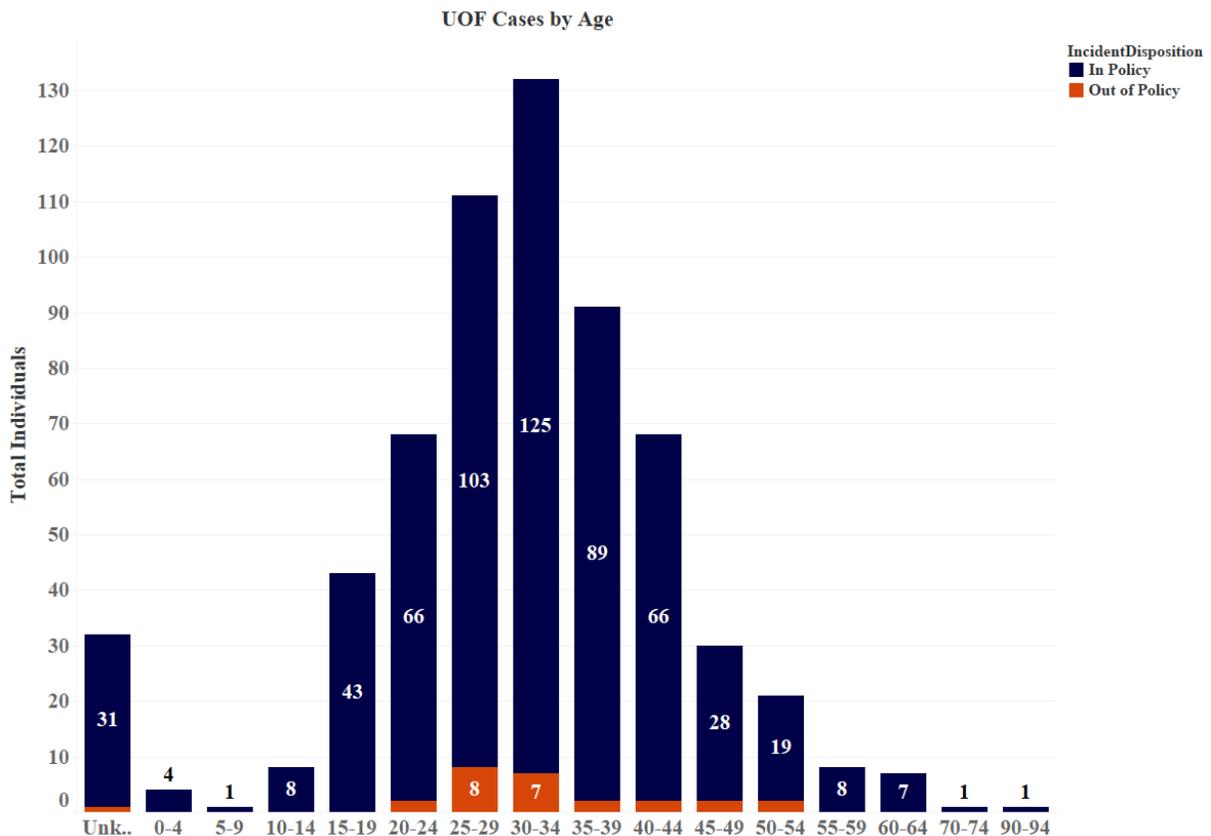
Figure 3.5: UOF Cases by Sexual Orientation and Whether in-Policy



Sexual Orientation	In Policy	Out of Policy	Grand Total
Asexual	8 88.9%	1 11.1%	9 100.0%
Heterosexual	315 96.0%	13 4.0%	328 100.0%
Homosexual	4 100.0%		4 100.0%
Other	10 100.0%		10 100.0%
Unknown	263 95.6%	12 4.4%	275 100.0%
Grand Total	600 95.8%	26 4.2%	626 100.0%

The most prevalent age range among all subjects is 30-34 at 132 or 21%. The next most prevalent age range is 25-29 at 111 or 18% followed by 35-39 at 91 or 15%. Among out-of-policy events, the most prevalent was in the 25-29 age range at 8 or 31% with the next range being 30-34 at 7 or 27% of all out-of-policy incidents. Out-of-policy events did not appear to affect minors or senior citizens. Details are available at Figure 3.6:

Figure 3.6: UOF Cases by Age and Whether in-Policy



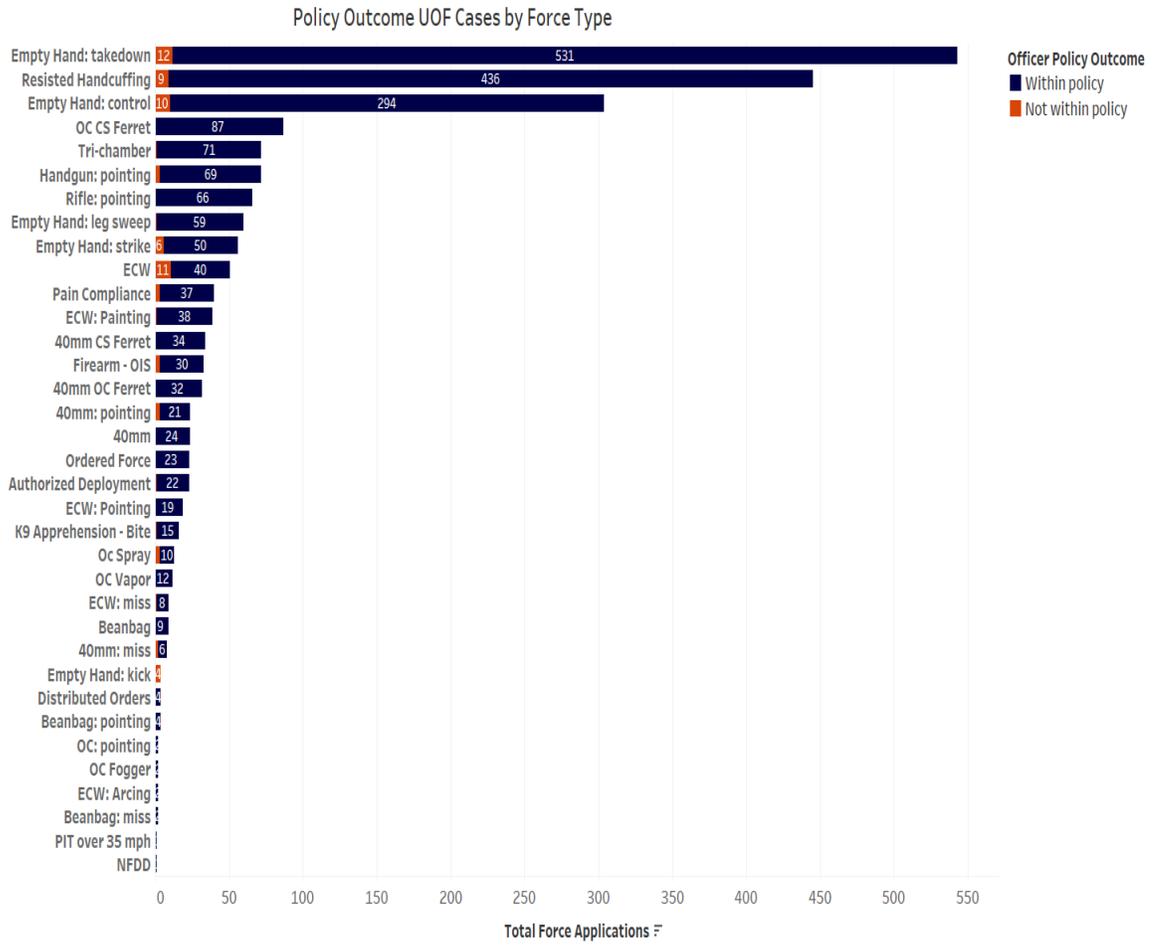
APD Use of Force, 2022, Final Report

Age Groups	In Policy	Out of Policy	Grand Total
Unknown	31 96.9%	1 3.1%	32 100.0%
0-4	4 100.0%		4 100.0%
5-9	1 100.0%		1 100.0%
10-14	8 100.0%		8 100.0%
15-19	43 100.0%		43 100.0%
20-24	66 97.1%	2 2.9%	68 100.0%
25-29	103 92.8%	8 7.2%	111 100.0%
30-34	125 94.7%	7 5.3%	132 100.0%
35-39	89 97.8%	2 2.2%	91 100.0%
40-44	66 97.1%	2 2.9%	68 100.0%
45-49	28 93.3%	2 6.7%	30 100.0%
50-54	19 90.5%	2 9.5%	21 100.0%
55-59	8 100.0%		8 100.0%
60-64	7 100.0%		7 100.0%
70-74	1 100.0%		1 100.0%
90-94	1 100.0%		1 100.0%
Grand Total	600 95.8%	26 4.2%	626 100.0%

Among all 626 UOF interactions, there were a total of 2,163 applications of force. Multiple types of force are usually applied in each interaction and an application is counted for each officer used a force type. The most prevalent force type was the empty hand takedown with 543 applications. Empty hand takedown was followed by resisted handcuffing with 445 applications and empty hand control at 304. For determining whether a use of force application was within policy, this report relied on APD's use of force database which tracks out of policy applications for each officer in an interaction. If any of an officer's force applications is out of policy, the database indicates that all applications are out of policy. This may lead to a slight over-count of out of policy force applications. The type of force with the higher percentage of out of policy applications was ECWs with 11 out of 51 being out of policy; however, these out of policy applications reflect three force events. Figure 3.7 reflects all force applications and whether they were in policy.

Figure 3.7: Types of Force Applied by Officer Police Outcome

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Within-Policy UOF Cases by Force Type

Type of Force	Within policy	Not within policy	Grand Total
40mm	24 (100.0%)		24 (100.0%)
40mm CS Ferret	34 (100.0%)		34 (100.0%)
40mm OC Ferret	32 (100.0%)		32 (100.0%)
40mm: miss	6 (75.0%)	2 (25.0%)	8 (100.0%)
40mm: pointing	21 (87.5%)	3 (12.5%)	24 (100.0%)
Authorized Deployment	22 (95.7%)	1 (4.3%)	23 (100.0%)
Beanbag	9 (100.0%)		9 (100.0%)
Beanbag: miss	2 (100.0%)		2 (100.0%)
Beanbag: pointing	4 (100.0%)		4 (100.0%)
Distributed Orders	4 (100.0%)		4 (100.0%)
ECW	40 (78.4%)	11 (21.6%)	51 (100.0%)
ECW: Arcing	2 (100.0%)		2 (100.0%)
ECW: miss	8 (88.9%)	1 (11.1%)	9 (100.0%)
ECW: Painting	38 (97.4%)	1 (2.6%)	39 (100.0%)
ECW: Pointing	19 (100.0%)		19 (100.0%)
Empty Hand: control	294 (96.7%)	10 (3.3%)	304 (100.0%)
Empty Hand: kick		4 (100.0%)	4 (100.0%)
Empty Hand: leg sweep	59 (98.3%)	1 (1.7%)	60 (100.0%)
Empty Hand: strike	50 (89.3%)	6 (10.7%)	56 (100.0%)
Empty Hand: takedown	531 (97.8%)	12 (2.2%)	543 (100.0%)
Firearm - OIS	30 (90.9%)	3 (9.1%)	33 (100.0%)
Handgun: pointing	69 (95.8%)	3 (4.2%)	72 (100.0%)
K9 Apprehension - Bite	15 (93.8%)	1 (6.3%)	16 (100.0%)
NFDD	1 (100.0%)		1 (100.0%)
OC CS Ferret	87 (100.0%)		87 (100.0%)
OC Fogger	2 (100.0%)		2 (100.0%)
Oc Spray	10 (76.9%)	3 (23.1%)	13 (100.0%)
OC Vapor	12 (100.0%)		12 (100.0%)
OC: pointing	2 (100.0%)		2 (100.0%)
Ordered Force	23 (100.0%)		23 (100.0%)
Pain Compliance	37 (92.5%)	3 (7.5%)	40 (100.0%)
PIT over 35 mph	1 (100.0%)		1 (100.0%)
Resisted Handcuffing	436 (98.0%)	9 (2.0%)	445 (100.0%)
Rifle: pointing	66 (100.0%)		66 (100.0%)
Tri-chamber	71 (98.6%)	1 (1.4%)	72 (100.0%)
Grand Total	2,061 (96.5%)	75 (3.5%)	2,136 (100.0%)

4. Early Intervention System

The early intervention system (EIS) was not deployed until 30 September 2022 and following deployment APD engaged in several rounds of data validation to ensure accurate information in the system. APD will report 2023 EIS outcomes.

5. Specialized Units

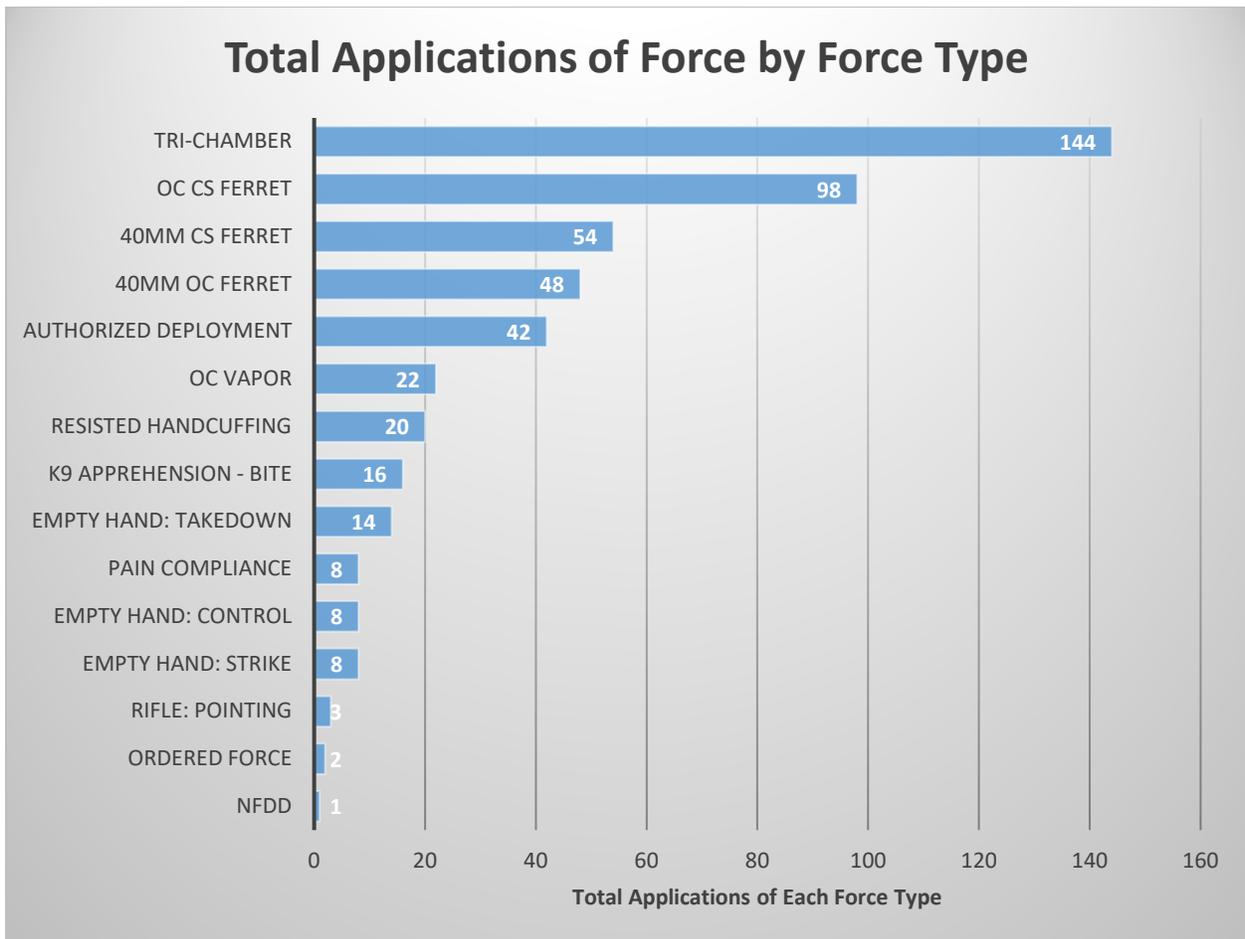
Over the course of 2022, there were 69 tactical activations. Of these service calls, in 42 instances force was not used. Force was used in the remaining 27 cases. Within the 27 cases involving force, there were 32 force interactions in which there were 31 officers and 30 citizens involved. There were 2 citizens associated with two force interaction each (e.g. one use of force to take the person into custody and a second use of force at the hospital). Table 5.1 summarizes these results.

Table 5.1: Out-of-Policy UOF Cases by Force Type

Calls for Service	Total Events
Tactical Activations Other than K9	69
Force not Involved	42
Force Involved	27
Force Events	Category Totals
Cases	27
Interactions	32
Citizens Involved	30
Officers Involved	31

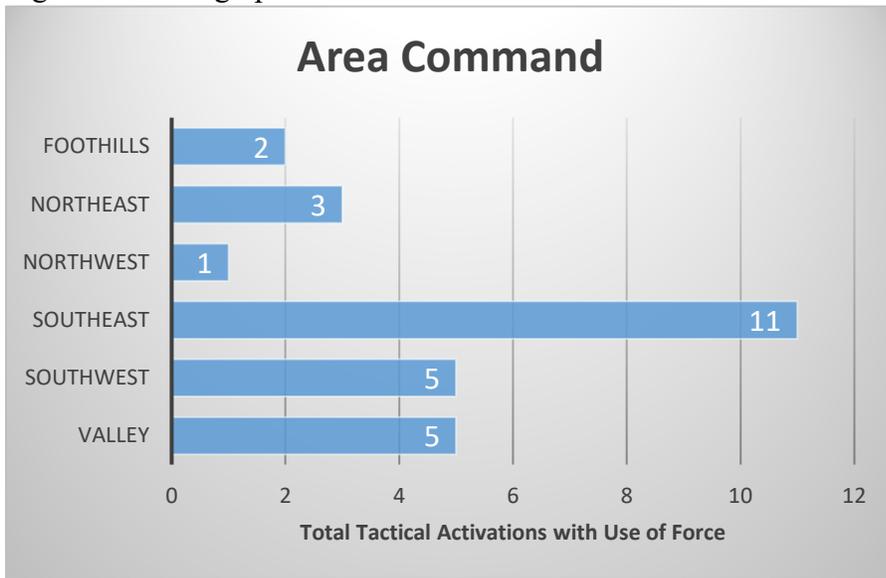
The most prevalent force types employed during tactical activations were chemical munitions. Tri-chamber was the most prevalent, comprising 144 of 488 total applications for 30% of all applications. OC CS Ferret was the next most prevalent at 98 (20%) followed by 40mm CS Ferret at 54 (11%). Adding 40mm OC Ferret at 48 (10%) and Authorized Deployment at 42 (9%). There were no lethal force applications. Figure 5.1 summarizes the force applications employed by force type.

Figure 5.1: Applications of Force by Force Type



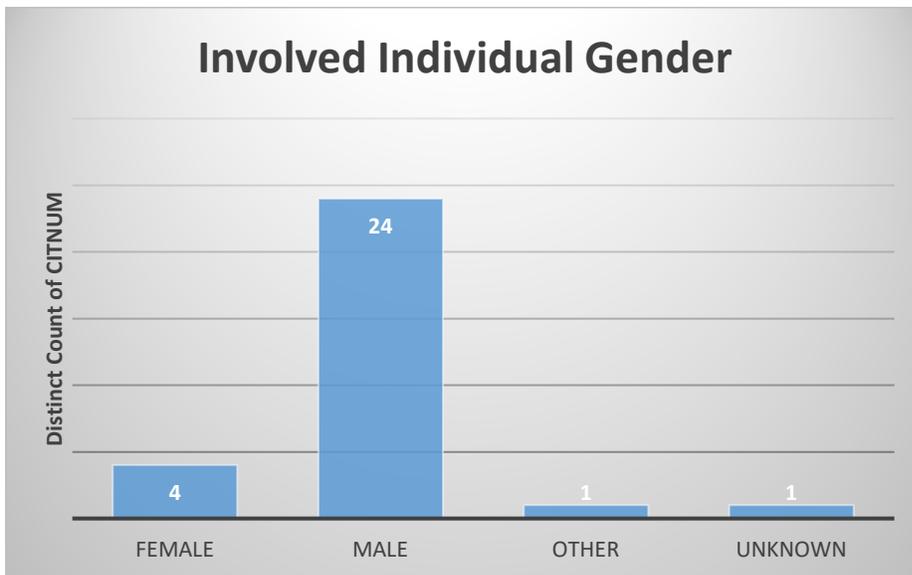
Tactical activations involving force were most prevalent in the Southeast Area Command with 11 activations out of the 27 total activations (41%). Southwest and Valley had the next greatest prevalence at 5 each (19%). Southeast Area Command had more than twice the number of tactical activation using force than either Southwest or Valley Area Commands. Geographical prevalence of tactical activations involving force is provided at Figure 5.2.

Figure 5.2: Geographical Distribution of Tactical Activations Involving Force



Within the 27 tactical activations involving a use of force, 30 citizens were involved. Out of 30 citizens, 24 were male (80%), 4 were female (13%), and the remainder were other or unknown. A break-down by gender is provided at Figure 5.3.

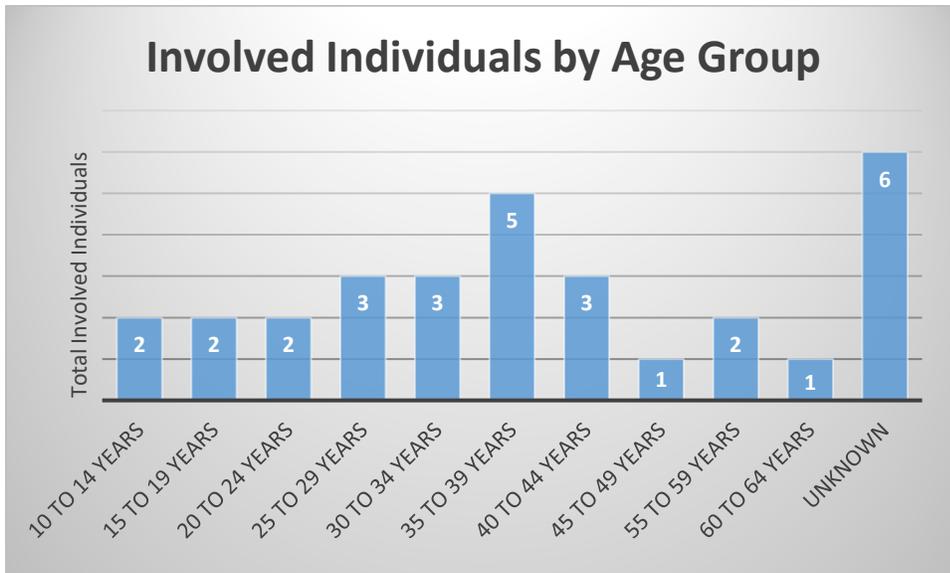
Figure 5.3: Gender of Citizens Involved in Use of Force Tactical Activations



The most prevalent age range for the 30 citizens associated with tactical activations involving force was the 35-39 year range at 5 or 17% of all citizens. The next most prevalent ranges were 25-29, 30-34, and 40-44 years, the adjacent ranges, at 3 (10%) each. The least range was 10-14

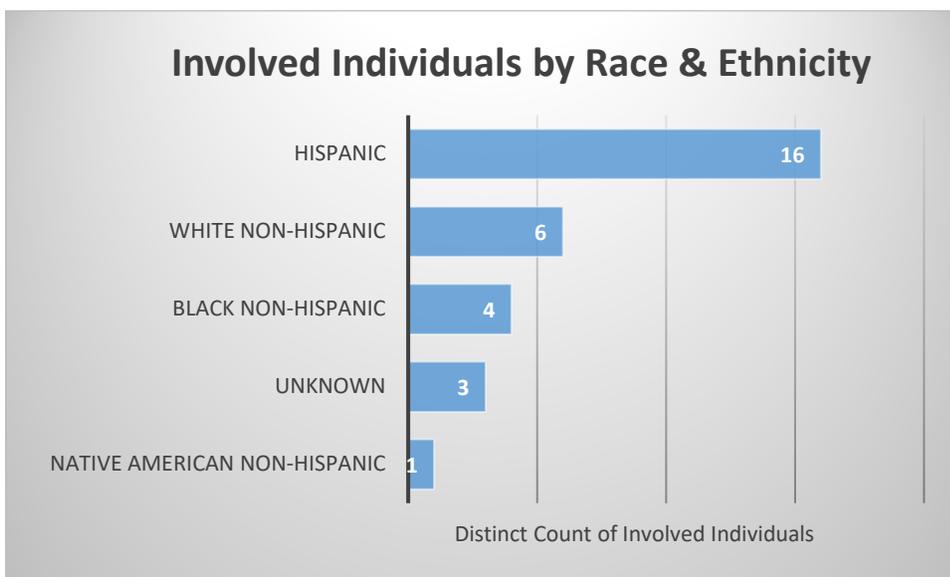
years and the greatest range was 60-64 years. The age range was unknown for 6 citizens (20%). The age distribution of the involved citizens is provided at Figure 5.4.

Figure 5.4: Age of Citizens Involved in Use of Force Tactical Activations



Among the citizens involved in tactical activations involving the use of force, 16 out of 30 were Hispanic (53%), followed by 6 White, Non-Hispanic citizens (20%) and 4 Black, Non-Hispanic citizens (13%). Race and ethnicity were unknown for 3 citizens (10%). Figure 5.5 provides the race and ethnicity for the 30 citizens associated with tactical activations involving force.

Figure 5.5: Race and Ethnicity of Citizens Involved in Use of Force Tactical Activations



6. Conclusion

This supplement addressed the Albuquerque Police Department's (APD) uses of force as they related to complaints regarding the use of force, uses of force that violate policy, the status of the Early Intervention System, and uses of force by specialized units. A total of 13 out of 205 civilian complaints where there was a documented allegation and directive were related to force. Out of 626 use of force interactions, there were 26 uses of force violating policy (4%). Empty-hand takedown was the most prevalent technique employed. The Early Intervention System was deployed at 4th Quarter 2022 and achieved operational capability on 01 February 2023. Given 69 tactical activations, 27 involved a use of force in which 31 officer and 30 civilians were involved. The top three force applications across these were the tri-chamber, OC CS Ferret, and 40mm CS Ferret, all less-lethal options.