

Prepared by the Albuquerque Civilian Police Oversight Agency



Albuquerque Police Department Use of Force Policy Changes

This document is for informational purposes. It describes changes between the prior version and the revised and published APD use-of-force policies. It does not present the use-of-force policies in their entirety or display every revision made, including changes to discipline. APD may revise these policies at any time by Special Order or complete revision to the UOF Policy Suite (SOPs 2-52 through 2-57).

The APD's Standard Operating Procedures are available online. The manual contains three specific areas: General Orders, Procedural Orders, and Administrative Orders. The use-of-force policy suite is under Procedural Orders, sections 2-52 through 2-57. For the full published policy text, please visit APD's PowerDMS portal: <https://public.powerdms.com/COA/tree>. The versions of the policies and special orders in effect at the time of this document's publication are attached for reference.

The Albuquerque Police Department (APD) published its revised use-of-force (UOF) policies on April 18th, 2026. These policies govern when and how APD personnel may use force, how incidents are reported, and how they are reviewed. This summary presents the substantive changes between prior versions of these policies and the currently published versions.

The changes fall into five primary areas: (1) revisions of core principle language, (2) the definitions of injury terms and force categories, (3) the revised binary structure of the force classification system, (4) new accountability requirements added to low-level control tactics, and (5) the reporting and review procedures for each category. This document aims to present the substantive changes without editorial judgment.

On May 12, 2025, the Court-Approved Settlement Agreement (CASA) was formally dismissed by the federal court, ending more than a decade of federal oversight of the APD. The City and DOJ jointly moved to terminate it after APD achieved full and effective compliance with all terms of the agreement. The revised use-of-force policies are the first revisions to APD's use-of-force policy suite published under APD's self-directed process following federal oversight.

The Civilian Police Oversight Agency (CPOA), CPOAB (Civilian Police Oversight Advisory Board), and CPCs (Community Policing Councils) were participants in the UOF Policy Suite Revision process. APD worked cooperatively with the CPOA to facilitate discussion, both within and beyond the formal and routine policy review process. The CPOAB's Policy and Procedure Review Subcommittee convened a special meeting on January 21, 2026, to review the proposed policies. The Policy and Procedures Review Board (PPRB) reviewed the policies on January 28, 2026. The CPOAB subsequently held a Special Meeting on February 24, 2026, dedicated to the APD Use of Force Policy Suite Review, providing an opportunity for full board deliberation and public participation prior to the policies' adoption.

The CPOA and CPOAB also routinely review Serious Use-of-Force, Officer-Involved Shooting (OIS), and In-Custody Death incidents at monthly Board meetings. The CPOA does not investigate these incidents, but plays a monitoring role throughout the review process. The CPOA Executive Director or a designee responds to the scene of all OIS incidents and attends APD investigative briefings in the weeks following each incident. The CPOA Executive Director or a designee also attends the Force Review Board (FRB), where the CPOA reviews all OIS incidents and a random sample of Serious Use-of-Force incidents. Following FRB, the cases are presented by the CPOAB at its monthly board meeting, where board members review the materials and may ask questions of both the CPOA and APD. The CPOAB then determines whether it agrees with APD's investigative findings and may make recommendations regarding discipline or policy.

Glossary

Key terms and abbreviations used in this document:

Term	Definition
APD	Albuquerque Police Department
CBA	Collective Bargaining Agreement
CPC	Community Policing Council
CPOA	Civilian Police Oversight Agency
CPOAB	Civilian Police Oversight Advisory Board
CSS	Crime Scene Specialist
ECW	Electronic Control Weapon — commonly known as a Taser
IAFD	Internal Affairs Force Division
IAR	Internal Affairs Request — a system entry initiated when a potential policy violation is identified during incident review
NFDD	Noise Flash Diversionary Device
OBRD	On-Body Recording Device
OC Spray	Oleoresin Capsicum spray
PIT	Pursuit Intervention Technique — a vehicle pursuit tactic in which an officer's vehicle makes contact with a fleeing vehicle to end the pursuit
PMU	Performance Metrics Unit — an APD unit responsible for aiding in the auditing of potentially unreported uses of force or misconduct
PSD	Police Service Dog
SOP	Standard Operating Procedure
<i>Graham v. Connor</i>	A 1989 U.S. Supreme Court decision that established the 'objectively reasonable' standard under the Fourth Amendment for evaluating police use of force.

Core Principles – SOP 2-52 Use of Force: General

APD's use-of-force core principles retain a higher standard than *Graham v. Connor*. Most provisions are unchanged or minimally reworded; the most notable change is that “necessary” is no longer listed as a standalone force condition but is incorporated into the objectively reasonable and minimum-force standard. Notably changed language is highlighted below.

Former: Core Principles 2-52-4 (p. 1-2)	Current: Core Principles 2-52-4 (p. 2-3)
A. Department personnel derive their authority to use force from the United States Constitution, federal and state laws, Department policies, and the community. 1. Unreasonable force degrades the legitimacy of the officer's authority. B. The Department holds Department personnel to a higher standard than that articulated in <i>Graham v. Connor</i>, 490 U.S. 386 (1989) when performing their duties on behalf of the Department and the community. Department personnel who use force shall use the minimum amount of force that is objectively reasonable and necessary and based on the totality of the circumstances confronting them in order to bring about a lawful objective. C. Based on the totality of the circumstances, Department personnel shall: 1. Only use force to accomplish a lawful objective; 2. Only use force that is objectively reasonable; 3. Only use force when force is necessary; and 4. Only use the minimum amount of force necessary. D. Department personnel shall continually assess whether they are using the minimum amount of force, whether the use of force is necessary, and whether the use of force is objectively reasonable. E. When feasible, any Department employee who observes any officer using force that a reasonable officer would consider out of policy shall safely intercede to stop the officer's actions. F. All levels of use of force by sworn personnel shall be evaluated under the totality of the circumstances and pursuant to the standards and training set in this policy. G. Consistent with SOP Complaints Involving Department Personnel, the Department shall hold personnel accountable when they: 1. Use force that does not conform to this SOP or training that the Department conducts; and 2. Do not uphold lawful, professional, and ethical standards before, during, and after every use of force incident. H. Consistent with SOP Discipline System, Department personnel shall be disciplined for using force that is unreasonable and found to be outside of the Department's policies. I. Department personnel may be subject to criminal prosecution and/or civil liability for uses of force that are unreasonable consistent with SOP Discipline System.	A. Department personnel derive their authority to use force from the United States Constitution, federal and state laws, Department policies, and the community. 1. Unreasonable force degrades the legitimacy of the officer's authority. B. The Department holds Department personnel to a higher standard than articulated in <i>Graham v. Connor</i>, 490 U.S. 386 (1989) when performing their duties on behalf of the Department and the community. Department personnel who use force shall use the minimum amount of force necessary that is objectively reasonable and based on the totality of the circumstances confronting them in order to bring about a lawful objective. C. Department personnel shall only use force to accomplish a lawful objective D. Based on the totality of the circumstances, Department personnel shall: 1. Only use force that is objectively reasonable; and 2. Only use the minimum amount of force necessary under the circumstances. E. Department personnel shall continually assess whether they are using the minimum amount of force necessary under the circumstances that is objectively reasonable. F. When feasible, any Department personnel who observes another officer using force that a reasonable officer would consider unreasonable shall safely intercede to stop the officer's actions. G. All levels of use of force by Department personnel shall be evaluated under the totality of the circumstances and pursuant to the standards and training that the Department conducts. H. In accordance with SOP Complaints Involving Department Personnel, the Department shall hold personnel accountable when they: 1. Use force that does not conform to this SOP or training that the Department conducts; and 2. Do not uphold lawful, professional, and ethical standards before, during, and after every use of force incident. I. In accordance with SOP Discipline System, Department personnel shall be disciplined for using force that is unreasonable, not minimal, or found to be outside of the Department's policies. J. Department personnel may be subject to criminal prosecution and/or civil liability for uses of force that are unreasonable in accordance with SOP Discipline System.

De-escalation – SOP 2-55 Use of Force: De-escalation

APD's use-of-force de-escalation guidelines remained unchanged and continue to reinforce the core principles outlined in SOP 2-52.

Current: De-escalation Techniques and Guidelines	<i>2-55-4 (p. 1-3)</i>
Sworn personnel shall proactively use de-escalation techniques to gain voluntary compliance of an individual to reduce or eliminate the need to use force.	
Current: Use of Force Guidelines – Pre-Use of Force	<i>2-52-5-A (p. 3-4)</i>
When feasible, Department personnel shall make a concerted effort to attempt to calm a situation or to prevent a situation from escalating into a physical confrontation or injury by using verbal and non-verbal techniques, in accordance with SOP Response to Behavioral Health Issues.	
Current: Use of Force Guidelines – During Use of Force	<i>2-52-5-B (p. 3-4)</i>
When using force, Department personnel shall stop or reduce the level of force as the individual reduces their resistance and/or ceases to be a threat to the safety of Department personnel or others.	

Injury Definitions – SOP 2-53 Use of Force: Definitions

The revised policies modify the defined injury terms, which factor into how force is classified, reported, and reviewed.

Term	Former: Definition	Current: Definitions
Temporary Pain (Former) Pain Compliance Technique (Current)	<i>2-53-RR (p. 9)</i> – Temporary Pain A bodily sensation that causes brief discomfort that stops, limits, or distracts from normal activities and subsides after the cause of pain is removed.	<i>2-53-KK (p. 9)</i> – Pain Compliance Technique A technique that causes temporary pain or brief discomfort that stops, limits, or distracts from normal activities and subsides after the cause of pain is removed.
Superficial Wounds	New definition	<i>2-53-W-1 (p. 5)</i> Superficial wounds include wounds with minor bleeding, scrapes, bruises, cuts, or abrasions.
Injury	<i>2-53-X (p. 5)</i> Physical harm or damage to a person's body incurred over the course of an officer-involved physical interaction.	<i>2-53-W-2 (p. 5)</i> Physical harm or damage to a person's body greater than superficial wounds but less than a serious physical injury.
Serious Physical Injury	<i>2-53-NN (p. 9)</i> An injury that creates a high probability of death, that causes serious disfigurement, or that results in permanent or protracted loss or impairment of the function of any member or organ of the body.	<i>2-53-W-3 (p. 5)</i> An injury that creates a high probability of death, that causes serious disfigurement, or that results in permanent or protracted loss or impairment of the function of any member or organ of the body. May include, but are not limited to: broken bones, dislocations, sprains, concussions, loss of consciousness/seizures, or injuries resulting in admission to the hospital

Force Classification System

One of the most significant structural changes in the new policies is a reorganization of the force classification system. The prior policies used a three-tier (Level 1/2/3) classification system; the new policies use a two-tier (Use of Force/Serious Use of Force) system. Low-level control tactics remain as a separate category of physical techniques used to control and/or stop resistance that do not rise to the level of a use-of-force as defined in policy.

The injury definitions factor into how force is classified. A force incident may be classified based on its outcome, such as whether the individual sustained an injury as defined in policy, or on the specific tactics or equipment used.

Former: Low-Level Control Tactic	Current: Low-Level Control Tactics
2-53-DD (p. 7) A physical technique used to move, guide, restrain, or stop an individual that is not reasonably likely to cause any pain or injury, and does not cause a complaint of pain or injury, including: - Escort holds, use of control holds, or handcuffing an individual. - A low-level control tactic is not a use of force.	2-53-DD (p. 8) A physical technique used to move, guide, restrain an individual, or stop an individual's resistance, that results in temporary pain or superficial wounds. Superficial wounds include: Minor bleeding, scrapes, bruises, cuts, or abrasions. A low-level control tactic is not a use of force.
Former: Level 1 Use of Force 2-53-BB (p. 6) Any use of force that is likely to cause only temporary pain, disorientation, and/or discomfort during its application as a means of gaining compliance, or any show of force. Any Level 1 use of force against an individual in handcuffs remains a Level 1 use of force.	
Former: Level 2 Use of Force	Current: Use of Force
2-53-BB-2 (p. 6) Any use of force that causes injury, that could reasonably be expected to cause injury, or that results in a complaint of injury greater than temporary pain, regardless of whether the use of force was unintentional or unavoidable. <u>Includes:</u> ECW (2 or fewer cycles), beanbag shotgun, 40mm launcher, OC spray, empty-hand techniques, impact weapon strikes, NFDD without barrier causing injury, horse rein strike on extremities, baton/improvised weapon use, force against handcuffed individual causing injury, PIT maneuver ≤35 mph.	2-53-BB-1 (pp. 6-7) Any use of force that causes injury, or that results in an injury as a result of the officers' actions. <u>Includes:</u> ECW (2 or fewer cycles), beanbag shotgun, 40mm launcher, OC spray, empty-hand techniques, impact weapon strikes and attempted strikes, NFDD without barrier causing injury, horse rein strike on extremities, baton/improvised weapon use, force against handcuffed individual causing injury, PIT maneuver ≤35 mph.
Former: Level 3 Use of Force	Current: Serious Use of Force
2-53-BB-3 (pp. 6-7) Any use of force that results in, or could reasonably result in, serious physical injury, hospitalization, or death, regardless of whether the use of force was unintentional or unavoidable. <u>Includes:</u> deadly force, critical firearm discharge, serious injury/LOC/seizure, PSD bite, 3+ ECW cycles, ECW >15 seconds, 4+baton strikes, horse rein strike to head/neck/throat/chest/groin, any Level 2 force against handcuffed individual, PIT ≤35 mph with serious injury potential, PIT >35 mph.	2-53-BB-2 (p. 7) Any use of force that results in serious physical injury, hospitalization, or death. <u>Includes:</u> deadly force, critical firearm discharge (excluding accidental), serious injury/LOC/seizure, PSD bite, 3+ ECW cycles, ECW >15 seconds, baton/improvised weapon causing serious injury, empty hand strikes (knee, elbow, etc.) causing serious injury, horse rein strike to head/neck/throat/chest/groin, Use of Force against handcuffed individual causing serious injury, PIT ≤35 mph that could reasonably cause or result in serious injury/hospitalization/death, PIT >35 mph.

Deadly Force

The definitions and directives on deadly force were minimally revised. APD now restates the principle in 2-52-4-B, consolidates the impact-weapon directives, and uses revised language regarding warnings and moving vehicles. The changed language is highlighted below.

Former: Deadly Force Definition 2-53-3-D (p. 2)	Current: Deadly Force Definition 2-53-3-D (p. 2) / SO 26-53
Any use of force that is reasonably likely to cause death or serious physical injury and includes, but is not limited to: a. Discharging a firearm at an individual, whether intentionally or accidentally; b. Any neck hold, as defined in this SOP; c. Intentionally striking vital areas of the body, including the head, neck, throat, chest, or groin with a baton, flashlight, radio, weapon, stock/handle, improvised impact weapon, or hard object; d. Intentionally striking an individual's head against a hard, fixed object, such as a roadway, floor, wall, or steel/iron bars; e. Intentionally targeting an individual's head, neck, throat, chest, or groin with a beanbag shotgun; f. Intentionally targeting an individual's head, neck, throat, chest, or groin with a 40-millimeter impact munition launcher; g. Intentionally targeting an individual's head, neck, throat, chest, or groin with an Electronic Control Weapon (ECW); h. Intentionally kneeling or kicking an individual's head, neck, throat, chest, or groin while the individual is in a prone or supine position; i. Deliberately striking an individual with a motor vehicle; j. Using the Pursuit Intervention Technique (PIT) over 35 mph, consistent with SOP Pursuit Intervention Technique; k. Using a tire deflation device on all two-wheeled or three-wheeled motor vehicles, consistent with SOP Use of Tire Deflation Devices; or l. Using a PIT on all two-wheeled or three-wheeled motor vehicles, consistent with SOP Pursuit Intervention Technique.	Any use of force that is reasonably likely to cause death or serious physical injury and includes, but is not limited to: a. Discharging a firearm at an individual, whether intentionally or accidentally; b. Any neck hold, as defined in this SOP; c. Intentionally striking vital areas of the body, including the head, neck, throat, with a baton, flashlight, radio, weapon, stock/handle, improvised impact weapon, or hard object; d. Intentionally striking an individual's head against a hard, fixed object, such as a roadway, floor, wall, or steel/iron bars; e. Intentionally targeting an individual's head, neck, or throat, chest, or groin with any impact weapon; f. Intentionally kneeling or kicking an individual's head, neck, or throat while the individual is in a prone or supine position; g. Deliberately striking an individual with a motor vehicle; h. Using the Pursuit Intervention Technique (PIT) over thirty-five (35) mph, in accordance with SOP Pursuit Intervention Technique; i. Using a tire deflation device on all two-wheeled or three-wheeled motor vehicles, see SOP Use of Tire Deflation Devices; or j. Using a PIT on all two-wheeled or three-wheeled motor vehicles, see SOP Pursuit Intervention Technique.
Former: Prohibited Deadly Force 2-52-6-D (pp. 6-7)	Current: Prohibited Deadly Force 2-52-5-D (pp. 5-6)
Department personnel shall not use deadly force: a. Solely in defense or protection of property; b. Against any individual who is threatening suicide or self-injury when that individual is not posing a threat to anyone else; c. Against an individual unless the officer has an objectively reasonable belief that an individual poses a threat of death or serious physical injury to Department personnel or another person; or d. Against an individual who is fleeing or attempting to escape unless: i. They have established probable cause to believe that the individual has committed or is in the process of committing a felony involving the infliction or threatened infliction of death or serious physical injury; ii. If permitted to flee or escape, and the officer has an objectively reasonable belief that an individual poses a threat of death, or serious physical injury to Department personnel, or another person if not apprehended; and iii. The officer has identified themselves as a law enforcement officer, has stated the intention to use deadly force, and has given the individual a reasonable opportunity to comply with lawful orders and directions, if time, safety, and the totality of the circumstances permit.	Department personnel shall not use deadly force: a. Solely in defense or protection of property; b. Against any individual who is threatening suicide or self-injury when that individual is not posing a threat to anyone else; c. Against an individual unless the officer has an objectively reasonable belief that an individual poses a threat of death or serious physical injury to Department personnel or another person; or d. Against an individual who is fleeing or attempting to escape unless: i. They have established probable cause to believe that the individual has committed or is in the process of committing a violent felony involving the infliction or threatened infliction of death or serious physical injury; and ii. If permitted to flee or escape, and the officer has an objectively reasonable belief that an individual poses a threat of death, or serious physical injury to Department personnel, or another person, if not apprehended. iii. When feasible, Department personnel shall give warning prior to using deadly force.

Former: Deadly Force and Moving Motor Vehicles <i>2-52-6-E (p. 7)</i>	Current: Deadly Force and Moving Motor Vehicles <i>2-52-5-E (p. 6)</i>
Department personnel shall not: - Discharge a firearm at or from a moving vehicle, unless an occupant of the suspect vehicle is presenting a deadly threat to the officer or another person, other than the vehicle itself; - Intentionally place themselves in the path of a moving vehicle; or - When feasible, Department personnel shall move out of the path of a moving vehicle to a position of cover. - Reach inside a moving vehicle. - When feasible, sworn personnel shall assess the circumstances in the situation when the individual's occupied vehicle is stationary and idling and decide whether it is safe to reach into the vehicle to turn it off.	Department personnel shall not: - Discharge a firearm at or from a moving vehicle, unless an occupant of the suspect vehicle is presenting a deadly threat to the officer or another person; - Intentionally place themselves in the path of a moving vehicle; or - When feasible, Department personnel shall move out of the path of a moving vehicle to a position of cover. - Reach inside a moving vehicle. - When feasible, sworn personnel shall assess the circumstances in the situation when the individual's occupied vehicle is stationary and idling and decide whether it is safe to reach into the vehicle to turn it off.

Revised Requirements for Low-Level Control Tactics

The revised policies add procedural and documentation requirements specific to low-level control tactics.

Pre-Use Procedural Requirements

The revised policy (2-52-5-B-3) states that before using a low-level control tactic, when feasible, Department personnel must follow the pre-use of force guidelines. They must also:

- Have a lawful objective for the detention, seizure, or other reason for making physical contact with the individual prior to using a low-level control tactic.
- Only use a low-level control tactic to achieve a lawful objective, such as overcoming the resistance of an individual to being lawfully detained, arrested, moved, guided, restrained, or stopped.

Documentation Requirements

Under the prior policy, personnel were required to document the use of low-level control tactics in a Uniform Incident Report (2-56-4-B-1). The revised policy (2-56-4-B-1) requires the Uniform Incident Report to include the following specific elements:

- Reason for the initial police presence
- Lawful objective for the detention or seizure
- Specific description of the facts that led to the use of the low-level control tactic, including the individual's behavior and level of resistance
- De-escalation techniques used prior to or during the interaction
- Description and justification for each low-level control tactic used
- Description of any superficial wounds and/or complaints of pain
- Photographs taken of any superficial wounds by a Crime Scene Specialist (CSS)

Reporting and Review Procedures

The prior policies used a three-tier force classification system (Levels 1, 2, and 3) with separate review structures for each level, including a dedicated Level 1 Team to determine accurate force classification and review those incidents. The current policies reorganize review responsibilities within the two-tier system, repurpose the Level 1 Team, and create new standalone procedures for show-of-force and low-level control tactics.

Officer Reporting Requirements

Former <i>2-56-4-A (p. 1-2)</i>	Current <i>2-56-4-A (p. 2-3)</i>
- After a Level 2 or 3 use of force, call rescue to the scene when safe to do so - Personnel shall not discuss force with other involved or witness personnel until interviews and narratives are complete - Complete written narrative in a Uniform Incident Report by end of shift, including: reason for police presence; lawful objective; description of facts and individual's resistance; and description and justification for each type of force used - No boilerplate, canned, or conclusory language - Upload ECW data and OBRD footage by end of shift - A supervisor who was involved in, witnessed, or ordered force shall not classify or review that incident	- After a Use of Force or Serious Use of Force, call rescue to the scene when safe to do so - Same requirement, with a new exception: supervisors who witnessed the force and are conducting the on-scene classification investigation may discuss it - Same narrative requirements; now completed through a Use of Force Tab in the Uniform Incident Report rather than a separate form - Retained - Retained - Retained; clarified that a supervisor who witnessed force but was not otherwise involved may conduct the on-scene classification investigation

Low-Level Control Tactic Reporting

Former <i>2-56-4-B (p.3)</i>	Current <i>2-56-4-B-1 (pp.3-4)</i>
- Personnel document the use of low-level control tactics in a Uniform Incident Report - No specific narrative elements stated in policy, personnel must answer appropriate questions related to low-level tactics in the records management system - No CSS photographing requirement	- Retained - Personnel must now include in the narrative: reason for initial police presence; lawful objective; description of facts including individual's behavior and resistance; warnings, verbal persuasion, or de-escalation techniques used; description and justification for each tactic; and description of any superficial wounds and/or complaints of pain - Personnel must ensure a CSS is dispatched to photograph any superficial wounds

Show of Force Reporting

Former	Current <i>2-56-4-B-2 (p. 4)</i>
Show of force was classified as a Level 1 Use of Force and reported under use of force procedures	- Show of force is no longer classified as a use of force but has its own reporting procedure - Personnel must check the Show of Force Tab in the Uniform Incident Report and include in the narrative: reason for initial police presence; lawful objective; description of facts including individual's behavior and resistance; de-escalation techniques used; and description and justification for each show of force

CSS Photography Requirements

Former	Current <i>2-56-4-D (pp. 5-6)</i>
No standalone CSS photography policy in the former SOP 2-56	- New section establishes CSS photography requirements for Low-Level Control incidents with Superficial Wounds, Uses of Force, and Serious Uses of Force - CSS must photograph: the scene including physical evidence related to lawful objectives; all involved sworn personnel including injuries, damage to uniforms or equipment, and weapons systems used (witness-only personnel do not need to be photographed); and in-custody individuals including injuries, complaints of injury where no visible injury exists, and tools or weapons used by the individual - CSS does not respond to shows of force and is not required to photograph personnel who only witnessed the use of force - Last Point of Contact photographs taken by a CSS when involved personnel transport the individual to the Prisoner Transport Center (PTC) or Metropolitan Detention Center (MDC) with cooperation from the in-custody individual

Supervisory On-Scene Responsibilities — Use of Force

Former <i>2-57-5-A (pp. 3-4)</i>	Current <i>2-57-5-B (pp. 3-5)</i>
- Supervisor responds to scene, classifies force according to the three-level system, issues admonishments, turns on OBRD, identifies personnel and witnesses, visually inspects for injuries, contacts CSS, physically separates personnel, makes reasonable effort to identify community witnesses, reviews OBRD, collects narratives by end of shift, and completes the Supervisor On-Scene Investigative Checklist - Supervisor notified the on-call Level 1 Team supervisor if the force was classified as a Level 1 - Supervisor notified on-call IAFD supervisor if force was classified as Level 2 or 3	- Supervisors will respond to the scene for allegations of force and/or allegations of injury to determine if the allegations are caused by sworn personnel and/or to properly classify the force as a Use of Force or Serious Use of Force. - Core on-scene responsibilities retained with several additions: supervisor must use the Employee Admonishment Concerning Use of Force form¹; may release witness personnel after reviewing sufficient OBRD evidence; must conduct an on-scene interview of the individual (in addition to visual inspection); and must canvass for community witnesses and surveillance video - Supervisor submits the on-scene investigation to IAFD via the IA database web application by end of shift, uploading: Supervisor On-Scene Investigative Checklist and Form; written admonishments; written civilian witness statements; and OBRD links for the investigation, canvass, and force event (SOP 2-57-5-B-15, p. 5)² - Investigating supervisor who witnessed force is exempt from physical separation requirement in order to conduct the on-scene investigation

¹ Under SOP 2-57-5-B-4-a, the supervisor admonishes the witness and involved officers using the Employee Admonishment Concerning Use of Force form. APD reports that in current practice, this admonishment is captured in the Use of Force form within its records management system.

² Under SOP 2-57-5-B-15-b, the supervisor uploads the Supervisor On-Scene Investigative Checklist and Form, Written Admonishments, Written Civilian Witness Statements, and OBRD links to the IA database web application. APD reports that in current practice, the Checklist and Form and the admonishments are maintained in the records management system, and only written civilian witness statements and OBRD links are attached to the IA database entry.

Supervisory On-Scene Responsibilities — Serious Use of Force

Former <i>2-57-5-A (p. 2-4)</i>	Current <i>2-57-5-C (pp. 5-6)</i>
- Level 2 and Level 3 were investigated using the same IAFD on-scene procedures; there was no distinct procedure for Level 3 - For Level 2 and Level 3 incidents, the supervisor notified the on-call IAFD supervisor and ensured IAFD was dispatched to the scene to conduct the follow-up investigation - Supervisor completed the Supervisor On-Scene Investigation Checklist - If IAFD reclassified the incident, the case was reassigned based on the new classification level	- Serious Use of Force now has its own distinct supervisory procedure, separate from Use of Force - Once the supervisor has classified the force and determined who should remain on scene, the supervisor ensures IAFD is notified and dispatched to conduct the follow-up investigation - Supervisor fills out and signs the Supervisor On-Scene Investigation Checklist and Form and emails it directly to the responding IAFD investigator/detective³

Show of Force Supervisory Review

Former	Current <i>2-57-6 (p. 7)</i>
Show of force was reviewed under Level 1 use of force procedures by the Level 1 Team	- New standalone supervisory review procedure for shows of force - Supervisor ensures the officer's narrative includes all required elements per SOP 2-56; reviews relevant OBRD footage; and if the show of force is not reasonable, submits an Internal Affairs request per SOP Use of Force: Intermediate Weapon Systems - Review of show of force reports completed in accordance with SOP Reports

Tactical Activations

Former <i>2-57-6 (p. 4-5)</i>	Current <i>2-57-7 (p. 7)</i>
- Tactical incident commander provided After Action Report to IAFD within 20 calendar days for Level 2 or Level 3 force - Forms could go to IAFD investigator or Level 1 Team Reviewer	- After Action Report must now be provided within 30 calendar days for any Use of Force or Serious Use of Force - Level 1 Team Reviewer no longer referenced; forms go to IAFD investigator - Tactical incident commander must explicitly request on-call IAFD to respond to the scene

³ Under SOP 2-57-5-C-12, the supervisor fills out and signs the Supervisor On-Scene Investigation Checklist and Form and emails/uploads it onto the records management system for the IAFD investigator/detective.

IAFD Review — Low-Level Control

Former <i>2-57-9 (p. 14-16)</i>	Current <i>2-57-9 (p. 15-16)</i>
- Responding supervisor completed two checklists, created a Non-Force IA database entry, attached all evidence, marked the categories section, and routed to the Lieutenant within 3 calendar days - Lieutenant and Commander reviewed the Non-Force IA entry through chain of command in IA Pro - If force was reclassified through chain-of-command review, it was transferred to the Level 1 Team or IAFD	- IAFD now conducts the review of Low-Level Control directly, rather than routing through the chain of command - Review includes: the Uniform Incident Report/Supplemental Report with all required narrative elements; OBRD of the involved officer and any OBRD needed to verify or refute the classification; any additional evidence gathered; and an IAR if a policy violation is identified - If Low-Level Control is determined to be a Use of Force or Serious Use of Force, IAFD investigates under SOP 2-57-8

IAFD Review — Use of Force

Former <i>2-57-8-B (pp. 9-14)</i>	Current <i>2-57-8-B (pp. 8-10)</i>
- IAFD detectives responded to the scene within 1 hour for all Level 2 and Level 3 uses of force - On-scene responsibilities included: identifying personnel, asking the individual about injuries, verifying classification, collecting evidence and photographs, canvassing and interviewing community witnesses, and ensuring narratives completed by end of shift - IAFD Detective/Investigator was required to conduct interviews with all involved and witness sworn personnel - Level 1 Team handled Level 1 uses of force separately with its own on-scene and follow-up review structure	- IAFD does not automatically respond to the scene for Uses of Force; conducts an administrative review in the IA database - Administrative review includes: all written narratives and statements; all Uniform Incident Reports and Supplemental Reports; all OBRD as required; evidence list with witness contact information; names of witness personnel; photographs; ECW device log and audit record if applicable; CAD printouts; policy compliance evaluation; tactical and training analysis; and IAR if a policy violation is identified - IAFD Detective/Investigator conducts interviews when necessary per the CBA; interviews may be skipped in use of force cases if existing evidence is sufficient for a rigorous, full, and fair investigation — except that interviews are required in all cases where a subject of investigation letter is sent - Level 1 Team has been repurposed; force review below the Use of Force threshold can now be handled through IAFD administrative review

IAFD Investigation — Serious Use of Force

Former <i>2-57-8-B (p. 9-14)</i>	Current <i>2-57-8-C (p. 10-13)</i>
- Level 2 and Level 3 were investigated using the same IAFD on-scene procedures; no distinct procedure for Level 3 - IAFD asked the individual about injuries - If IAFD reclassified the incident, the case was reassigned based on the new level (2-57-4-B-2)	- Serious Use of Force now has its own distinct IAFD investigation procedure; IAFD detectives respond to the scene within 1 hour - IAFD now conducts a formal on-scene interview with the individual, in addition to asking about injuries and medical needs - If IAFD reclassifies a Serious Use of Force as a Use of Force, IAFD maintains case responsibility - Investigation timelines for both Use of Force and Serious Use of Force administrative investigations are governed by the CBA; requests for extensions must be approved by the Superintendent of Police Reform

Unreported Use of Force

Former <i>2-56-4-D (p. 4)</i>	Current <i>2-56-5 (p. 7-8)</i>
- Personnel shall immediately report an unreported use of force by another officer to an on-duty supervisor - No stated structured audit process in policy	- Retained - During scheduled OBRD audits, the Performance Metrics Unit (PMU) prepares an inspection findings report for potential unreported uses of force and provides it to the division head/commander within 2 business days; the division head notifies IAFD for Uses of Force or Serious Uses of Force - The force investigative unit reviews PMU findings, classifies the force, and generates a force entry in the IA database within 24 hours - IAFD investigates all identified unreported Uses of Force or Serious Uses of Force, including on-scene procedures where attainable, and initiates an IAR for all policy violations identified, including failure to report



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SOP 2-52

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2-52 USE OF FORCE: GENERAL (FORMERLY USE OF FORCE (DEADLY FORCE, NON DEADLY FORCE, LESS LETHAL FORCE))

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

A. Related SOP(s)

[2-19 Response to Behavioral Health Crisis](#)

2-53 Use of Force: Definitions

2-55 Use of Force: De-escalation

2-56 Use of Force: Reporting by Department Personnel

[2-82 Restraints and Transportation of Individuals](#)

[3-41 Complaints Involving Department Personnel](#)

[3-46 Discipline System](#)

B. Form(s)

None

C. Other Resource(s)

City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement (CBA)

Graham v. Connor, 490 U.S. 386 (1989)

D. Active Special Order(s)

SO 26-53

E. Rescinded Special Order(s)

SO 25-43 Amendment to SOP 2-52 Use of Force: General, and SOP 2-53 Use of Force: Definitions

2-52-1 Purpose

The purpose of this policy is to outline uniform guidelines and standards applicable to the use of force by Albuquerque Police Department (Department) personnel.

2-52-2 Policy

It is the policy of the Department to ensure that Department personnel respect the sanctity of human life when making decisions regarding the use of force.

N/A

2-52-3 Definitions



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For definitions specific to use of force, refer to SOP Use of Force: Definitions.

N/A 2-52-4 Core Principles

- A. Department personnel derive their authority to use force from the United States Constitution, federal and state laws, Department policies, and the community.
 - 1. Unreasonable force degrades the legitimacy of the officer's authority.
- B. The Department holds Department personnel to a higher standard than articulated in *Graham v. Connor*, 490 U.S. 386 (1989) when performing their duties on behalf of the Department and the community. Department personnel who use force shall use the minimum amount of force necessary that is objectively reasonable and based on the totality of the circumstances confronting them in order to bring about a lawful objective.

3-5 C. Department personnel shall only use force to accomplish a lawful objective

4-6 D. Based on the totality of the circumstances, Department personnel shall:

- 1. Only use force that is objectively reasonable; and
- 2. Only use the minimum amount of force necessary under the circumstances.

E. Department personnel shall continually assess whether they are using the minimum amount of force necessary under the circumstances that is objectively reasonable.

5 F. When feasible, any Department personnel who observes another officer using force that a reasonable officer would consider unreasonable shall safely intercede to stop the officer's actions.

G. All levels of use of force by Department personnel shall be evaluated under the totality of the circumstances and pursuant to the standards and training that the Department conducts.

N/A H. In accordance with SOP Complaints Involving Department Personnel, the Department shall hold personnel accountable when they:

- 1. Use force that does not conform to this SOP or training that the Department conducts; and
- 2. Do not uphold lawful, professional, and ethical standards before, during, and after every use of force incident.

N/A I. In accordance with SOP Discipline System, Department personnel shall be disciplined for using force that is unreasonable, not minimal, or found to be outside of the Department's policies.



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N/A

- J. Department personnel may be subject to criminal prosecution and/or civil liability for uses of force that are unreasonable in accordance with SOP Discipline System.

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2-52-5 Use of Force Guidelines

A. Pre-Use of Force

N/A

1. When feasible, Department personnel shall make a concerted effort to attempt to calm a situation or to prevent a situation from escalating into a physical confrontation or injury by using verbal and non-verbal techniques, in accordance with SOP Response to Behavioral Health Issues.
2. When feasible, sworn personnel shall announce their intent to detain, search, or arrest an individual before using force.
3. When feasible, sworn personnel shall announce themselves as "police" unless it is plainly obvious that they are a law enforcement officer by virtue of their uniform and equipment, or by the circumstances of the contact with the individual.
4. When feasible, Department personnel shall:
 - a. Recognize and use distance, cover, concealment, or intermediate barriers in order to maximize their reaction time and deployment of resources;
 - b. Issue a verbal force warning to a non-compliant individual before using force when doing so would not increase the danger to Department personnel or other people;
 - c. Prior to using an intermediate weapon, issue a verbal force announcement to other Department personnel before using force when doing so would not increase the danger to Department personnel or other people;
 - d. Allow an individual an objectively reasonable amount of time to submit to arrest or a lawful order before using force;
 - e. Consider whether an individual's failure to comply with their command is due to a medical condition, mental impairment, physical limitation, developmental disability, language barrier, drug interaction, behavioral crisis, or other factors that may impair the individual's understanding; and
 - f. Consider whether specific techniques or resources would help resolve the situation without resorting to force.
5. When feasible, Department personnel shall take reasonable steps under the circumstances, before and during any use of force, to avoid unnecessary risk to themselves or others.
6. When feasible, prior to making initial contact with an individual in response to a high-threat situation, Department personnel shall plan how they will respond to the situation, plan de-escalation techniques, and create a force array.



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- a. At the scene of a potentially violent encounter, Department personnel shall attempt to use all available resources to avoid resolving the incident or situation alone, unless there is a threat of death or serious physical injury.
- b. When feasible, supervisors shall designate a staging area for responding resources and personnel and communicate the location over the appropriate area command frequency.
- c. When feasible, supervisors shall ensure a force array is present.

4-6 B. During Use of Force

1. When using force, Department personnel shall stop or reduce the level of force as the individual reduces their resistance and/or ceases to be a threat to the safety of Department personnel or others.
2. When an individual is forced into a facedown position, Department personnel shall release pressure/weight from the individual and position the individual on their side or sit them up once they are no longer actively resistant or as soon as it is safe to do so. Department personnel shall monitor the individual for any breathing problems or any other signs of distress.
3. Use of Low-Level Control Tactics, non-force, requires the following:
 - a. Prior to using a low-level control tactic, when feasible, Department personnel shall follow the pre-use of force guidelines in SOP Use of Force: General;
 - b. Department personnel shall have a lawful objective for detention, seizure, or other reason for making physical contact with an individual prior to the use of a low-level control tactic;
 - c. Department personnel shall only use a low-level control tactic to achieve a lawful objective, such as overcoming the resistance of an individual to being lawfully detained, arrested, moved, guided, restrained, or stopped; and
 - d. Department personnel shall document all low-level control tactics used, justification for those tactics, and any superficial wounds that resulted from the low-level control tactics, as described in SOP Use of Force: Reporting by Department Personnel.

4-6 C. Prohibited Uses of Force

1. Department personnel shall not:

- 1**
 - a. Use force in a manner that violates federal or state laws;
 - b. Use force to attempt to gain compliance with an unlawful command;
 - c. Engage in objectively unreasonable actions, tactics, or make statements that escalate a situation such that the use of force becomes necessary;
 - d. Use force against a restrained or handcuffed individual except as objectively reasonable:
 - i. To prevent the imminent threat of harm to Department personnel, the individual, or another person(s);



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- ii. To overcome active resistance; or
 - iii. To move an individual who is passively resisting.
- e. Use leg sweeps, empty hand technique, and/or takedowns except as objectively reasonable:
 - i. To prevent imminent bodily harm to the officer, individual, or to another person(s); or
 - ii. To overcome active resistance; or
 - iii. Where it is objectively reasonable to overcome passive resistance.
- f. Use firearms as impact weapons, except to protect themselves, other Department personnel, or community members from a risk of deadly threat;
- g. Use of neck holds, except where deadly force is authorized, as defined in SOP Use of Force: Definitions;
- h. Fire warning shots;
- i. Fire less-lethal or lethal munitions at an individual in a crowded environment unless, based upon the totality of the circumstances, the danger of hitting an innocent bystander is outweighed by the necessity and likelihood of stopping the individual;
- j. Intentionally target the head, neck, or throat with any force application, unless deadly force is warranted; or
- k. Use the weapon-mounted light for general illumination.
 - i. Department personnel may use weapon-mounted lights to illuminate a potential threat area when the use of a weapon system is warranted.

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D. Deadly Force

1. Department personnel shall be held to a higher standard than articulated in *Graham v. Connor*, 490 U.S. 386 (1989) when performing their duties on behalf of the Department and the community. Department personnel who use force shall use the minimum amount of force necessary that is objectively reasonable and based on the totality of the circumstances confronting them in order to bring about a lawful objective.
2. Department personnel shall not use deadly force:
 - a. Solely in defense or protection of property;
 - b. Against any individual who is threatening suicide or self-injury when that individual is not posing a threat to anyone else;
 - c. Against an individual unless the officer has an objectively reasonable belief that an individual poses a threat of death or serious physical injury to Department personnel or another person; or
 - d. Against an individual who is fleeing or attempting to escape unless:
 - i. They have established probable cause to believe that the individual has committed or is in the process of committing a violent felony involving the infliction or threatened infliction of death or serious physical injury; and
 - ii. If permitted to flee or escape, and the officer has an objectively reasonable belief that an individual poses a threat of death, or serious physical injury to Department personnel, or another person, if not apprehended.



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- iii. When feasible, Department personnel shall give warning prior to using deadly force.

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E. Deadly Force and Moving Motor Vehicles

1. Department personnel shall not:

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- a. Discharge a firearm at or from a moving vehicle, unless an occupant of the suspect vehicle is presenting a deadly threat to the officer or another person;
- b. Intentionally place themselves in the path of a moving vehicle; or
 - i. When feasible, Department personnel shall move out of the path of a moving vehicle to a position of cover.
- c. Reach inside a moving vehicle.
 - i. When feasible, sworn personnel shall assess the circumstances in the situation when the individual's occupied vehicle is stationary and idling and decide whether it is safe to reach into the vehicle to turn it off.

N/A

F. Post-Use of Force

In accordance with SOP Use of Force: Reporting by Department Personnel, Department personnel shall clearly articulate the facts demonstrating that they used the minimum amount of force necessary that was objectively reasonable based on the totality of the circumstances confronting them in order to bring about a lawful objective.

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2-52-6 Duty to Provide Medical Attention and Transportation

A. Following any reportable use of force, and once the scene is secure, Department personnel shall:

- 1. Determine whether the use of force injured any individual;
- 2. Render aid consistent with the officer's training;
- 3. Request medical attention when it is safe to do so, when an individual is injured or complains of injury;
- 4. Immediately request medical attention following any use of force or serious use of force, regardless of visible injury or a complaint of injury;
 - a. This shall not apply to any use of force or serious use of force in which there is no bodily contact (i.e., attempted strikes and/or missed ECW discharges).
- 5. Closely monitor individuals who are taken into custody for signs of distress;
- 6. Not delay medical transport of the individual if medical attention is necessary;



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7. If Emergency Medical Services (EMS) personnel determine the individual requires medical transport, a supervisor shall ensure an officer accompanies or follows the individual to a medical facility; and

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8. If an officer transports an individual to a medical facility, notify the Emergency Communications Center (ECC) of the starting and ending mileage of the transporting vehicle;

N/A

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- a. When feasible, sworn personnel are encouraged to use medical transport.
- b. When transporting an individual to a medical facility for treatment, take the safest and most direct route to the medical facility, consistent with SOP Restraints and Transportation of Individuals.

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B. Following the use of any low-level control tactics and once the scene is secure, Department personnel shall check for superficial wounds or injuries and request medical attention when an individual is injured or complains of an injury.

N/A

C. If an officer is unable to secure the scene for medical personnel, the officer may safely extract the individual and transport them to a safe location for medical treatment, if necessary.

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D. Department personnel shall keep a tourniquet and chest seal on their person or in their unit to render aid to officers or others.



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2-53 USE OF FORCE: DEFINITIONS (FORMERLY ELECTRONIC CONTROL WEAPON (ECW))

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

A. Related SOP(s)

[2-11 Use of Tire Deflation Devices](#)

[2-12 Pursuit Intervention Technique](#)

[2-19 Response to Behavioral Health Issues](#)

2-56 Use of Force: Reporting by Department Personnel

[2-105 Destruction/Capture of Animals](#)

B. Form(s)

None

C. Other Resource(s)

NMSA 1978, Section 29-7D-3

D. Active Special Order(s)

SO 26-53

E. Rescinded Special Order(s)

SO 25-43 Amendment to SOP 2-52 Use of Force: General, and SOP 2-53 Use of Force: Definitions

SO 25-101 Amendment to SOP 2-53 Use of Force Definitions

2-53-1 Purpose

The purpose of this policy is to define the terminology used in the Albuquerque Police Department's (Department) use of force Standard Operating Procedures (SOP).

2-53-2 Policy

It is the policy of the Department to define terms within the use of force SOP to ensure that Department personnel use and understand the terms consistently.

N/A

2-53-3 Definitions

A. Authorizing Force

A directive from a supervisor to a subordinate to permit the use of force, consistent with the Department's use of force SOPs.



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B. Certificate for Evaluation

A document completed by a qualified, licensed mental health professional that certifies that an individual person, as a result of a mental disorder, presents a likelihood of harming themselves or others, and that immediate detention is necessary to prevent such harm. All Certificates for Evaluation expire seventy-two (72) hours after they are issued, unless explicitly stated otherwise.

C. Critical Firearm Discharge

A discharge of an off-duty or on-duty firearm by sworn personnel, excluding range practice and training firings, destruction of animals, and off-duty, accidental discharges of a personally owned weapon where no person is struck.

D. Deadly Force

1. Any use of force that is reasonably likely to cause death or serious physical injury and includes, but is not limited to:
 - a. Discharging a firearm at an individual, whether intentionally or accidentally;
 - b. Any neck hold as defined in this SOP;
 - c. Intentionally striking vital areas of the body, including the head, neck, throat, with a baton, flashlight, radio, weapon, stock/handle, improvised impact weapon, or hard object;
 - d. Intentionally striking an individual's head against a hard, fixed object, such as a roadway, floor, wall, or steel/iron bars;
 - e. Intentionally targeting an individual's head, neck, or throat, with a beanbag shotgun;
 - f. Intentionally targeting an individual's head, neck, or throat, with a 40-millimeter impact munition launcher;
 - g. Intentionally targeting an individual's head, neck, or throat, with an Electronic Control Weapon (ECW);
 - h. Intentionally kneeling or kicking an individual's head, neck, or throat while the individual is in a prone or supine position;
 - i. Deliberately striking an individual with a motor vehicle;
 - j. Using the Pursuit Intervention Technique (PIT) over thirty-five (35) mph, in accordance with SOP Pursuit Intervention Technique;
 - k. Using a tire deflation device on all two-wheeled or three-wheeled motor vehicles, in accordance with SOP Use of Tire Deflation Devices; or
 - l. Using a PIT on all two-wheeled or three-wheeled motor vehicles, in accordance with SOP Pursuit Intervention Technique.

E. De-escalation



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1. A concerted effort to attempt to calm a situation or to prevent a situation from escalating into a physical confrontation or injury by using verbal and non-verbal techniques, in accordance with SOP Response to Behavioral Health Issues.

- a. Commands and orders (e.g., “stop” and/or “get on the ground”) are not de-escalation techniques.

F. Deficient Review or Investigation

A review or an investigation that fails to derive a finding based upon an objective preponderance of the evidence and the totality of the circumstances.

G. Department Employee or Department Personnel

1. For the purpose of the Department’s use of force SOPs, “Department employee” or “Department personnel” refers to the following employees:

- a. Crime Scene Specialist (CSS);
- b. Sworn Personnel;
- c. Police Service Aide (PSA);
- d. Prisoner Transport Unit (PTU) employee; and
- e. Transport Safety Section (TSS) employee.

H. Electronic Control Weapon (ECW) Cycle

A cycle is achieved when at least two (2) ECW probes create an electrical impulse emitted from the ECW upon the detection of a positive connection.

I. Electronic Control Weapon (ECW) Discharge

The use or attempted use of an ECW by firing an ECW probe at an individual. A show of force with an ECW is not an ECW discharge.

J. Electronic Control Weapon (ECW) Warning Alert

A visual high intensity flashing light with an auditory high-pitched tone stimulus that emanates from the ECW device, which is designed to gain compliance from an individual to mitigate a need to use force.

K. Empty-Hand Takedown

Any authorized empty-hand technique used to forcibly maneuver an individual to a non-standing, prone, supine, seated, or kneeling position.

L. Empty-Hand Technique

A technique used by an officer with the specific intent to gain control through the



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manipulation of an individual's joints, limbs, extremities, and pressure points.

M. Escort Hold

A hands-on method an officer uses to guide and maintain physical control of an individual.

N. Exigent Circumstances

An emergency situation requiring swift action to prevent imminent danger to life, to forestall the imminent escape of an individual, or to prevent the destruction of evidence.

O. Feasible

An action that can be reasonably carried out to achieve a lawful objective without creating unnecessary risk of physical harm to the officer or other people based on the totality of the circumstances.

P. Force

1. Any physical means used to defend the officer or other people, restrain, or otherwise to forcibly gain physical control of an individual who is resisting an officer's attempt to accomplish a lawful objective.

- a. Physical contact solely for the purpose of rendering aid is not a reportable use of force.
- b. For the purposes of this policy, force does not include the use of low-level control tactics.

Q. Force Announcement

Verbal notification to notify on-scene Department personnel that an intermediate weapon system is about to be used.

R. Force Array

A team tactic that provides sworn personnel with a range of force options and allows them to quickly escalate or de-escalate their force response when necessary.

S. Force Warning

A verbal notification to an individual that force may be used if the individual does not comply with an officer's lawful commands.

T. Hard Object



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Any object used to strike an individual forcefully that has the potential to cause serious physical injury or death through blunt force trauma. A hard object may include an impact weapon (e.g., baton, beanbag shotgun rounds, and 40-millimeter impact launcher munitions) and improvised impact weapons. An officer's hands, knees, forearms, elbows, or feet are not considered hard objects.

U. Imminent Threat

A dangerous or threatening situation which is about to occur.

V. Improvised Impact Weapon

A hard object that was not designed to be a weapon, but can be used as a weapon if needed. An improvised impact weapon can be a fixed object (e.g., a pole, vehicle door, side of a vehicle, etc.); the object must have the potential to cause injury when utilized by sworn personnel.

W. Injury Types

1. Superficial Wounds

- a. Superficial wounds include wounds with minor bleeding, scrapes, bruises, cuts, or abrasions.

2. Injury

- a. Physical harm or damage to a person's body greater than superficial wounds but less than a serious physical injury.

3. Serious Physical Injury

- a. An injury that creates a high probability of death, that causes serious disfigurement, or that results in permanent or protracted loss or impairment of the function of any member or organ of the body.
 - i. Serious physical injuries may include, but are not limited to:
 - 1. Broken bones;
 - 2. Dislocations;
 - 3. Sprains;
 - 4. Concussions;
 - 5. Loss of consciousness/Seizures; or
 - 6. Injuries resulting in admission to the hospital.

X. Intermediate Weapon Systems

Department-issued, less-lethal weapons and munitions authorized for sworn personnel. Intermediate weapon systems include the tools addressed in SOP Use of Force: Intermediate Weapon Systems, such as oleoresin capsicum (OC) spray, ECW,



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batons, beanbag shotgun, 40-millimeter impact launcher, and any other Department-approved intermediate weapon systems authorized for use by specialized units in accordance with Department and unit SOPs.

Y. Involved Officer

Any officer who participates in a use of force, or orders a use of force.

Z. Lawful Objective

1. A purpose permitted by law, including but not limited to:

- a. Making a lawful arrest or lawful detention of an individual;
- b. Preventing harm to an individual or others;
- c. Preventing and/or terminating the commission of a crime;
- d. Intervening in a suicide or self-inflicted injury;
- e. Enforcing a valid Certificate for Evaluation (CforE);
- f. Defending an officer or person from the physical acts of an individual; or
- g. Conducting a lawful search.

AA. Leg Sweep

Intentionally tripping a person, causing one or both legs of an individual to collapse, resulting in the individual falling to the ground.

BB. Levels of Force

1. **Use of Force:** Any use of force that causes injury, or that results in an injury as a result of the officers' actions. Use of force includes:

- a. Two (2) or fewer cycles of an ECW, regardless of the number of discharges, including where the ECW is fired but misses;
- b. Use of a beanbag shotgun or 40-millimeter impact launcher, including when it is fired at an individual but misses;
 - i. This excludes strikes to the head, neck, throat, or groin with a beanbag shotgun, or 40-millimeter impact launcher, which are considered a serious use of force.
 - ii. The use of a 40-millimeter impact launcher as a tool to defeat a window of a commercial or residential structure or a window of an occupied vehicle or another type of barrier will not be investigated as a use of force unless the round strikes an individual. If debris strikes an individual, the classification of force will be made relative to the level of injury.
- c. Use of OC spray, including when it is sprayed at an individual but misses;
- d. Empty-hand techniques which causes an injury;
- e. Any empty hand strike, including knee strikes, and elbow strikes, etc.
- f. Strikes and attempted strikes with impact weapons;
 - i. This excludes strikes to the head, neck, throat, groin, with a baton or



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- improvised impact weapon, which are considered a serious use of force.
- g. Deployment of a noise flash diversionary device (NFDD) without an intermediate barrier, which results in an injury;
- h. Use of a horse rein strike on an individual's extremities;
- i. Use of baton or improvised impact weapon;
- j. Use of force against a handcuffed individual, which results in an injury; and
- k. Use of the PIT maneuver at thirty-five (35) mph or below.

2. **Serious Use of Force:** Any use of force that results in serious physical injury, hospitalization, or death.

Serious use of force includes:

- a. Use of deadly force;
- b. Critical firearm discharge, excluding accidental discharges;
- c. Force resulting in a serious physical injury, loss of consciousness, and/or a seizure;
- d. Police service dog (PSD) directed bite;
- e. Three (3) or more ECW cycles on an individual during a single interaction, regardless of the duration of the cycle, and regardless of whether the cycles are by the same or different Department personnel;
- f. An ECW cycle on an individual during a single incident for longer than fifteen (15) seconds, whether continuous or consecutive;
- g. Use of a baton or improvised impact weapon which results in a serious physical injury;
- h. Any empty hand strike, including knee strikes, and elbow strikes, etc., which results in serious physical injury;
- i. Use of a horse rein strike on an individual's head, neck, throat, chest, or groin;
- j. Any Use of force against a handcuffed individual which results in serious physical injury;
- k. Use of the PIT maneuver thirty-five (35) mph or below that results in, or could reasonably result in, serious physical injury, hospitalization, or death; and
- l. Use of the PIT maneuver above thirty-five (35) mph.

CC. Levels of Resistance

- 1. Active Resistance: When an individual physically counteracts an officer's control efforts.
 - a. Including when an individual:
 - i. Exhibits combative behavior (e.g., attempts to attack or attacks an officer, lunging towards the officer, striking the officer with hands, fists, feet, or any instrument that may be perceived as a weapon, such as a knife or stick);
 - ii. Attempts to leave the scene, flee, or hide from detection;
 - iii. Pulls away from the officer's grasp;
 - iv. Poses an imminent threat; or
 - v. Brandishes or is in possession of a weapon while also not following lawful



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commands.

1. Possession of a weapon is based on the totality of circumstances and articulable facts known to the officer at the time force was used.
 - b. Verbal statements alone do not constitute active resistance.
 - c. Target glancing alone does not constitute active resistance.
2. Passive Resistance: Non-compliance with officer commands that is nonviolent and does not pose a threat to the officer or others.
 - a. Bracing, tensing, linking arms, or verbally signaling an intention to avoid or prevent being taken into custody constitutes passive resistance.

DD. Low-Level Control Tactic

1. A physical technique used to move, guide, restrain an individual, or stop an individual's resistance, that results in temporary pain or superficial wounds. Superficial wounds include:
 - a. Minor bleeding, scrapes, bruises, cuts, or abrasions.
2. A low-level control tactic is not a use of force.

EE. Low Ready

A position of preparedness with a firearm, ECW, 40-millimeter impact launcher, or beanbag shotgun in which the muzzle of the weapon is not covering an individual, and the trigger finger is outside the trigger guard and straight along the frame. The angle of the low ready is based on the distance from the individual. A weapon at low ready is not a show of force because the weapon is not pointed at the individual.

FF. Minimum Amount of Force Necessary

The lowest level of force within the range of objective reasonableness that is relative to the degree of threat, necessary to achieve a lawful objective.

GG. Neck Hold

1. This term refers to the following types of holds: a carotid restraint hold; a vascular neck restraint; a choke hold that inhibits breathing by compression of the airway in the neck; or a hold with a knee or other object to the individual's neck. For more information on carotid restraint holds and lateral vascular neck restraints, refer to the definition of "vascular neck restraint".
2. Incidental contact includes the use of pressure point contact, touching, guiding, or brief contact with the neck that does not impede breathing or blood flow, and does not constitute a neck hold. This will be evaluated based upon the totality of circumstances.



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HH. Non-Force

A physical interaction with an individual that is not classified as a use of force or serious use of force.

II. Objectively Reasonable Force

Force based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.

JJ. Ordering Force

A directive from a supervisor to any sworn personnel, regardless of participating agency, to use force against an individual. Ordering force is the equivalent of using force for the purpose of reporting force.

KK. Pain Compliance Technique

A technique that causes temporary pain or brief discomfort that stops, limits, or distracts from normal activities and subsides after the cause of pain is removed.

LL. Preponderance of Evidence

Evidence that establishes that a fact is more probable than not.

MM. Rendering Aid

Any intervention consistent with training applied for the purpose of providing first aid and trauma care.

NN. Show of Force

Pointing a firearm, beanbag shotgun, 40-millimeter impact launcher, OC spray, or ECW at an individual, or pointing the laser of the ECW at an individual. A show of force is not a use of force.

OO. Situational Hazard

Any circumstance that may include, but is not limited to, 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.

PP. Target Glancing



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The obvious preoccupation an individual has with a particular area of an officer's body or any of their weapons, or scanning for items to be used as improvised weapons, or an individual's focus on an avenue of escape.

QQ. Totality of Circumstances

The cumulative information available to an officer throughout an interaction between a law enforcement officer and an individual on whom force is used, from the first contact through the conclusion of the incident, including consideration of contextual factors based on information received by the officer prior to contact and the perspective of a reasonable officer on scene without the 20/20 vision of hindsight.

RR. Vascular Neck Restraint

The application of pressure to the carotid arteries and jugular veins at the sides of the neck that results in diminished blood flow to the brain. When applied properly this diminished blood flow generally leads to unconsciousness. If applied improperly, the use of this technique could potentially result in death.

This technique is also commonly referred to as the carotid neck restraint or Lateral Vascular Neck Restraint[®] (LVNR[®]).

NMSA 1978, Section 29-7D-3 forbids the use of vascular neck holds unless there is an "imminent threat of harm" which states "A law enforcement officer shall not use a vascular neck restraint, unless a person's attack poses a threat of imminent harm to the officer or another person; provided that an officer shall cease the use of a vascular neck restraint as soon as the person no longer poses a threat of imminent harm to the officer or another person".

SS. Witness Employee

Any on-scene employee with relevant, personal knowledge of a use of force incident.



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**2-54 USE OF FORCE: INTERMEDIATE WEAPON SYSTEMS
(FORMERLY USE OF FORCE REPORTING AND SUPERVISORY
FORCE INVESTIGATION REQUIREMENTS)**

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

A. Related SOP(s)

[1-56 Horse Mounted Unit](#)

2-52 Use of Force: General

2-53 Use of Force: Definitions

2-56 Use of Force: Reporting by Department Personnel

2-57 Use of Force: Review and Investigation by Department Personnel

[2-82 Restraints and Transportation of Individuals](#)

[3-41 Complaints Involving Department Personnel](#)

B. Form(s)

None

C. Other Resource(s)

None

D. Active Special Order(s)

SO 26-53

E. Rescinded Special Order(s)

SO 25-102 Amendment to SOP 2-54 Use of Force: Intermediate Weapon Systems

2-54-1 Purpose

The purpose of this policy is to identify Department-issued intermediate weapon systems used by sworn personnel of the Albuquerque Police Department (Department) and to establish uniform guidelines for sworn personnel in the use and deployment of intermediate weapon systems.

2-54-2 Policy

It is the policy of the Department to use intermediate weapon systems only when it is the minimum amount of force necessary and objectively reasonable and in order to gain compliance with lawful objectives.

N/A 2-54-3 Definitions



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For definitions specific to use of force, refer to Standard Operating Procedures (SOP) Use of Force: Definitions.

2-54-4 Intermediate Weapon System General Requirements

6

A. Requirements to Carry Intermediate Weapon Systems

1. Sworn personnel shall only carry Department-issued intermediate weapon systems.
2. Sworn personnel shall not carry any intermediate weapon system unless they have been trained and currently qualified to use the system or certified to carry the system.
3. Uniformed sworn personnel, Police Service Aids (PSA), and Crime Scene Specialists (CSS) shall carry oleoresin capicum (OC) spray on their person while on duty.
4. Uniformed sworn personnel, unless specifically exempted by the Chief of Police, shall carry the Electronic Control Weapon (ECW) in their holster on their person at all times while on-duty.
 - a. Non-uniformed sworn personnel issued an ECW shall carry the ECW when enforcing laws, if feasible.

N/A

5. Sworn personnel may carry the expandable baton as an optional force tool.

N/A

6. Sworn personnel who are assigned to a specialized unit may carry intermediate weapon systems as dictated by their responsibilities.
 - a. Each division commander shall ensure that sworn personnel in their division carry intermediate weapon systems according to the division's SOP.

6

B. Intermediate Weapon System Use Guidelines

1. Sworn personnel shall:
 - a. Use an intermediate weapon system that is consistent with their training;
 - b. Ensure that the use of an intermediate weapon system is within the minimum amount of force necessary that is objectively reasonable, and shall be used only to bring about a lawful objective, considering the totality of the circumstances;
 - c. When feasible, issue a verbal warning to an individual and allow that individual a reasonable amount of time to comply with the warning prior to using any intermediate weapon system unless doing so would place an officer or another



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- person at increased risk. An example of a verbal warning is: "Stop or you will be Tased!";
- d. When feasible, give a verbal announcement in order to notify on-scene sworn personnel that an intermediate weapon system is about to be used, e.g., "Taser, Taser, Taser!", "Beanbag, beanbag, beanbag!";
 - e. Consider that some individuals may be more susceptible to injury as a result of using an intermediate weapon system. These higher-risk individuals include visibly pregnant women, young children, elderly individuals, visibly frail individuals, individuals exhibiting signs of medical distress, and individuals with low body mass; and
 - f. Objectively evaluate whether a situational hazard poses a substantial risk of serious physical injury or death based on the totality of the circumstances.
2. Sworn personnel shall not intentionally target the head, neck, throat, chest, or groin with any intermediate force application.
 3. Unless deadly force would be permitted, sworn personnel shall not use an intermediate weapon system where such deployment poses a substantial risk of serious physical injury or death from situational hazards.
 4. Sworn personnel may use a show of force to gain compliance with an individual who is an imminent threat to sworn personnel, others, or themselves, or based on the totality of circumstances. A show of force must be objectively reasonable and minimal.

N/A

C. Reporting

Sworn personnel shall report their use of intermediate weapon systems, in accordance with SOP Use of Force: Reporting by Department Personnel.

2-54-5 Oleoresin Capsicum (OC) Spray

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A. OC Spray Use Guidelines

1. Sworn personnel shall:
 - a. Use OC spray when it is objectively reasonable and the minimum amount of force necessary in order to gain control of an actively resistant individual; and
 - b. Direct OC spray only at the specific individual(s) posing a threat, and shall attempt to minimize exposure to other people.
2. Sworn personnel shall not use OC spray to overcome passive resistance by non-violent and/or peaceful protestors.
3. Sworn personnel may use OC spray on an animal to deter an attack or to prevent injury to an officer or other people.

N/A



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a. Sworn personnel shall document this action in a Uniform Incident Report.

3 B. OC Spray Restrictions

1. OC Spray shall not be used where such deployment poses a substantial risk of serious physical injury or death.

6 C. Medical Attention After Use of OC Spray

1. Sworn personnel shall:

4-6 a. Act to minimize the risk of positional asphyxia to the individual after OC spray has been used on the individual. If the individual is face down and there is pressure on the individual, the officer shall release the pressure/weight from the individual and position the individual on their side or sit them up as soon as they are restrained and it is safe to do so. An officer shall not leave the individual in a face-down position;

N/A b. Monitor the individual for any respiratory or breathing problems or change in mental status (e.g., loss of consciousness, confusion, or difficulty speaking), in accordance with SOP Restraints and Transportation of Individuals;

c. Request medical attention following the use of OC spray as soon as the scene is secure, and it is safe to do so; and

7 d. Remove the individual from the contaminated area as soon as possible and allow the individual to breathe fresh air if they were exposed to OC spray in a confined space.

2-54-6 Electronic Control Weapon (ECW)

7 A. Holstering the ECW

1. Sworn personnel shall carry their ECW in a weak-side holster to reduce the chances of accidentally drawing and/or firing a firearm.

2. Sworn personnel shall secure their ECWs in a Department-approved holster with a retention device.

N/A B. ECW Modes

1. Sworn personnel shall choose which mode they discharge depending on articulable facts and circumstances at the time of discharge and the guidelines and restrictions set forth in this SOP. The two (2) types of ECW modes are:

a. Show of Force Mode: Pointing an ECW and/or a laser sight at an individual;

b. Standoff Mode: Discharging an ECW cartridge from the device, which propels a probe toward the individual and, upon effective contact of at least two (2) probes, is intended to cause neuromuscular incapacitation.

6 C. ECW Discharging Guidelines



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1. Use an ECW when it is objectively reasonable and the minimum amount of force necessary when there is a reasonable expectation that it will be unsafe for the officer to approach the individual within contact range and in order to gain control of an actively resistant individual.
2. When feasible, sworn personnel shall issue a verbal warning to an individual and allow that person a reasonable time to comply with the warning, prior to discharging any ECW, unless doing so would place an officer or other person at increased risk. An example of a verbal warning is, "Stop, or you will be Tased!"
3. Upon discharging the ECW, the officer shall discharge the ECW no longer than reasonable to accomplish a lawful objective. Upon discharging the ECW, assisting sworn personnel should attempt to handcuff the individual during the cycle to reduce the risk of injury to the individual and sworn personnel.
4. Sworn personnel shall independently justify the objective reasonableness of each ECW discharge. After one (1) ECW cycle, the officer shall re-evaluate the situation to determine if subsequent cycles are objectively reasonable and the minimum amount of force necessary.
5. Exposure to the ECW for longer than fifteen (15) seconds, whether due to multiple cycles or continuous cycling, may increase the risk of death or serious physical injury. Sworn personnel shall also weigh the risks of subsequent or continuous cycles against other force options.
6. When possible, in standoff mode, sworn personnel shall primarily target the center mass of the individual's back. If feasible, in situations when a frontal deployment is the only available option, the low-center mass and/or the legs should be the targeted areas.
7. If an officer is confronted with an imminent threat that requires a close-quarter discharge of the ECW, sworn personnel shall use the opportunity, when feasible, to create distance from the individual and evaluate whether further discharges may be objectively reasonable and the minimum amount of force necessary.

6

D. ECW Restrictions

1. Sworn personnel shall not discharge an ECW to overcome passive resistance.
2. The following restrictions, considerations, and conditions apply to an ECW discharge:

2

a. Sworn personnel shall never use an ECW in a punitive manner;

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b. Sworn personnel shall not use an ECW on a handcuffed, restrained, or subdued individual unless doing so is objectively reasonable and the minimum amount of force necessary to prevent them from causing serious physical injury



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to themselves, sworn personnel, or other people, and if lesser attempts to control have been ineffective;

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c. Sworn personnel shall not intentionally target an individual's head, neck, throat, chest, or groin except where deadly force would be permitted;

4

d. A sworn officer shall not simultaneously point both an ECW and a firearm at an individual;

e. Sworn personnel shall only carry and use Department-issued ECWs;

f. Sworn personnel shall not discharge an ECW where such deployment poses a substantial risk of serious physical injury or death from situational hazards, except where deadly force would be permitted; and

i. Situational hazards include:

1. Falling from an elevated position;

2. Drowning;

3. Losing control of a moving motor vehicle or bicycle; or

4. The known presence of an explosive or flammable material or substance.

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g. Sworn personnel may be justified in discharging their ECW on a fleeing individual when a lawful objective exists based on the totality of the circumstances.

i. Sworn personnel shall take into consideration the following:

1. Type of crime; and

2. Active resistance; or

3. Presence of imminent threat to themselves or others; or

4. Known propensity for violence.

ii. Sworn personnel shall not discharge their ECW on a fleeing individual for non-violent misdemeanors unless there is an articulable belief that they pose an imminent threat to the officer or others.

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E. ECW Post-Use Guidelines and Requirements

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1. After discharging an ECW, sworn personnel shall act to minimize the risk of positional asphyxia to the individual. While restraining the individual, sworn personnel shall release the pressure/weight from the individual and position the individual on their side or sit them up as soon as they are restrained and when the individual is no longer actively resisting. An officer shall not leave the individual in a face-down position. Sworn personnel shall monitor the individual for any respiratory or breathing problems or change in mental status (e.g., loss of consciousness, confusion, or difficulty speaking), in accordance with SOP Restraints and Transportation of Individuals.

N/A

2. Once the scene is secure and as soon as it is safe to do so, sworn personnel shall notify their immediate supervisor, or, if unavailable, the next available on-duty supervisor after discharging the ECW.

a. Once the officer notifies the on-duty supervisor of the use of force, the on-duty supervisor shall immediately respond to the scene, in accordance with SOP Use of Force: Review and Investigation by Department.



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3. Department personnel shall call Emergency Medical Services (EMS) personnel to the scene to provide medical treatment.

N/A

- a. Based on their protocol, EMS personnel determine whether the individual needs to be transported to a medical facility for a high-risk or sensitive-probe removal and/or other medical care.
- b. If it is determined that the individual should be transported, transportation shall be provided as soon as practicable. In the absence of exigent circumstances, only medical personnel will remove the probes from the individual's skin.

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4. If EMS personnel determine the individual requires medical transport, a supervisor shall ensure an officer accompanies or follows the individual to the medical facility.

6

5. Sworn personnel shall independently justify the objective reasonableness of each discharge of their ECW and how it was the minimum amount of force necessary in their use of force documentation.

7

F. Accidental Discharge of the ECW Cartridge

1. In the event an officer accidentally discharges their ECW cartridge, they shall notify their immediate supervisor or, if unavailable, the next available on-duty supervisor as soon as it is safe to do so.

- a. An intentional discharge of the ECW that misses the individual is not considered an accidental discharge.

N/A

2. The responding supervisor shall assume investigative responsibility for the accidental discharge of an ECW cartridge. The accidental discharge of an ECW cartridge shall not be considered a use of force and shall be investigated using the same standard as an accidental discharge of a less-lethal impact munition, in accordance with SOP Use of Force: Review and Investigation by Department Personnel.

3. Sworn personnel shall document the accidental discharge in a Uniform Incident Report and shall include the serial number of the discharged ECW cartridge.

- a. An Internal Affairs Request (IAR) shall be filed when there is an ECW discharge.

N/A

- b. The investigating supervisor shall generate a non-force IA database web application entry for the accidental discharge of the ECW probe.

7

G. Discharge of an ECW on Dangerous Animals

N/A

1. Sworn personnel may discharge their ECW on dangerous animals that pose a threat to them or others.



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- a. If sworn personnel are required to discharge an ECW against a dangerous animal, they shall notify their immediate supervisor regarding the discharge once the scene has been secured.
2. An on-scene supervisor should consider contacting the City's Animal Welfare Department to respond to the scene when an officer successfully discharges an ECW against an animal.

6 H. Administrative Procedures for the ECW

1. Sworn personnel shall complete a function check at least once per week in accordance with training.
2. Sworn personnel shall exchange an ECW battery at least once per calendar month from a battery docking station in accordance with training.

N/A

3. The ECW is subject to direct and random audits for undetermined discharges and docking of the ECW battery.

6 2-54-7 **Expandable Baton, Straight Baton, and Bokken Baton**

A. Baton Use Guidelines

N/A

1. The expandable baton is an impact tool or weapon that is a friction lock expandable baton made of lightweight alloy. The expandable baton is issued to all sworn personnel as an optional force tool and is not required to be carried on-duty.
2. The straight baton is an impact tool or weapon that is a round wooden baton approximately thirty inches (30") to thirty-six inches (36") in length. The straight baton shall only be equipped by Emergency Response Team (ERT) sworn personnel during field force deployments.

N/A

3. The Bokken baton is an impact tool or weapon that is a white oak or polypropylene baton. It has an overall length of forty-one inches (41") or less, and has no sharp edges or points. The Bokken baton is used instead of an expandable/straight baton for the sworn personnel in the Horse Mounted Unit (HMU). Sworn HMU personnel may use the Bokken baton instead of an expandable/straight baton while on horseback, in accordance with SOP Horse Mounted Unit.
4. Sworn personnel may use the expandable, straight, or Bokken batons when such force is objectively reasonable and the minimum amount of force necessary to control an actively resistant individual.
5. Sworn personnel shall not intentionally strike an individual's head, neck, throat, chest, or groin with an expandable baton, straight baton, or Bokken baton, except where deadly force is justified.



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B. Medical Attention After Use of Baton

N/A

1. Following the use of an expandable baton, straight baton, or Bokken baton, and once it is safe to do so, sworn personnel shall call EMS personnel to the scene to provide medical attention, in accordance with SOP Use of Force: General.

6

- a. If EMS personnel determine that the individual requires medical transport, a supervisor shall ensure that an officer accompanies or follows the individual to the medical facility.

6

2-54-8 Beanbag Shotgun

A. Beanbag Shotgun Use Guidelines

N/A

1. The beanbag shotgun is a less-lethal impact weapon with an optimal range between twenty feet (20') to fifty feet (50') and a maximum effective range of seventy-five feet (75'). The effectiveness and accuracy of the beanbag shotgun starts to diminish at distances between fifty feet (50') and seventy-five feet (75').

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2. Sworn personnel shall ensure that their beanbag shotgun is plainly marked with high visibility yellow or orange tape, or paint, on the buttstock and muzzle area of the barrel.
3. Sworn personnel may deploy the beanbag shotgun when such force is objectively reasonable and the minimum amount of force necessary to control an actively resistant individual.
4. In potentially deadly force situations, sworn personnel shall have a lethal-cover officer when using less-lethal impact munitions.

B. Beanbag Shotgun Restrictions

4

1. In the absence of deadly force situations, sworn personnel shall not intentionally target an individual's head, neck, throat, chest, or groin.

N/A

2. Sworn personnel should understand there is an increased risk of serious physical injury when shooting beanbag shotgun rounds inside twenty feet (20').
 - a. Because an increased risk of serious physical injury may occur with beanbag shotgun deployments closer than twenty feet (20'), when feasible, sworn personnel should consider transitioning to other force options.

C. Medical Attention After Use of Beanbag Shotgun



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N/A

1. Following the use of a beanbag shotgun, and once it is safe to do so, sworn personnel shall immediately call EMS personnel to the scene to provide medical attention, in accordance with SOP Use of Force General.

6

- a. If EMS personnel determine that the individual requires medical transport, a supervisor shall ensure that an officer accompanies or follows the individual to the medical facility.

6

2-54-9

40-millimeter Impact Launcher

A. 40-millimeter Impact Launcher Use Guidelines

N/A

1. The 40-millimeter impact launcher is a less-lethal impact weapon with an optimal energy range of between five feet (5') to one-hundred twenty feet (120') and a maximum effective range of one-hundred twenty feet (120'). The effectiveness and accuracy of the 40-millimeter impact launcher starts to diminish at distances beyond one hundred and twenty feet (120').

5

2. The officer shall ensure the 40-millimeter impact launcher is plainly marked with high-visibility yellow or orange tape, or paint, on the buttstock and muzzle area of the barrel.
3. An officer may deploy their 40-millimeter impact launcher when such force is objectively reasonable and the minimum amount of force necessary to control an actively-resistant individual.
4. In potential deadly force situations, sworn personnel shall have a lethal-cover officer when deploying less-lethal impact munitions.

B. 40-millimeter Impact Launcher Restrictions

4

1. Absent deadly force situations, sworn personnel shall not intentionally target an individual's head, neck, throat, chest, or groin.

N/A

2. Sworn personnel should understand there is an increased risk of serious physical injury when using a 40-millimeter impact launcher inside five feet (5').
 - a. Because of an increased risk of serious physical injury that may occur with 40-millimeter impact launcher deployments inside five feet (5'), sworn personnel shall consider transitioning to other force options.

C. Medical Attention After Use of 40-millimeter Impact Launcher

N/A

1. Following the use of a 40-millimeter impact launcher and once it is safe to do so, sworn personnel shall immediately call EMS personnel to the scene to provide medical attention, in accordance with SOP Use of Force: General.



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2. If EMS personnel determine that the individual requires a medical transport, a supervisor shall ensure that an officer accompanies or follows the individual to the medical facility.

N/A 2-54-10 Intermediate Weapon Systems Approved for Use by Specialized Units

- A. Intermediate weapon systems approved for use by specialized units shall be used in accordance with the Department's use of force SOPs and their units' SOPs.



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2-55 USE OF FORCE: DE-ESCALATION (FORMERLY USE OF FORCE APPENDIX)

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

A. Related SOP(s)

[2-19 Response to Behavioral Health Issues](#)

2-52 Use of Force: General

2-53 Use of Force: Definitions

2-54 Use of Force: Intermediate Weapon Systems

B. Form(s)

None

C. Other Resource(s)

None

D. Active Special Order(s)

None

E. Rescinded Special Order(s)

None

2-55-1 Purpose

The purpose of this policy is to outline the requirements for Albuquerque Police Department (Department) sworn personnel regarding the use of de-escalation techniques, when feasible, to gain voluntary compliance from uncooperative individuals, and to reduce or eliminate the need to use force.

2-55-2 Policy

It is the policy of the Department for sworn personnel to use de-escalation techniques when feasible and for sworn personnel to use de-escalation techniques consistent with their training before resorting to using force or to reduce the need for force.

N/A 2-55-3 Definitions

For definitions specific to use of force, refer to SOP Use of Force: Definitions.

6 2-55-4 De-escalation Techniques and Guidelines



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- A. Sworn personnel shall proactively use de-escalation techniques to gain voluntary compliance of an individual to reduce or eliminate the need to use force.
- B. When feasible, sworn personnel shall:
 - 1. Assess the potential risks to the individual, the officer, and other people;
 - a. When assessing risk, sworn personnel should consider the following:
 - i. The individual's access to weapons;
 - ii. The individual's statements, conduct, or inferences that suggest the individual may commit a violent or dangerous act;
 - iii. The individual's history, which may be known to the Department, the officer, family, friends, or neighbors, or through social media;
 - iv. Signs of lack of self-control, which may include: extreme agitation; inability to sit still; clearly has difficulty communicating effectively; a lack of physical and psychological control over rage, anger, or fright; rambling incoherent thoughts and speech; clutching oneself or other objects to maintain control; and/or moving very rapidly; and
 - v. The volatility of the environment, which may include the presence of agitators or situational hazards.
 - 2. Gather information about the incident;
 - 3. Attempt to slow down situations without increasing the risk of harm to themselves, the individual, or other people;
 - a. When feasible, sworn personnel shall:
 - i. Use distance, cover, concealment, and/or time to:
 - 1. Assess the situation and their options;
 - 2. Develop a plan to reduce or eliminate the need to use force; and
 - 3. Consider the use of intermediate barriers.
 - 4. When appropriate, request additional sworn personnel and resources, such as Enhanced Crisis Intervention Team (ECIT) certified sworn personnel, to assist with resolving the incident;
 - 5. Use de-escalation techniques, including but not limited to; and
 - a. The seven (7) active listening skills;
 - b. Communicating with the individual in a conversational tone of voice; and
 - c. Beginning by asking questions rather than immediately issuing orders.
 - 6. Use verbal persuasion, warnings, or other techniques before using force.
- C. Commands and orders are not de-escalation techniques.



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1. Sworn personnel may use commands and orders when de-escalation techniques have failed, but they shall not use commands in place of de-escalation techniques.

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- D. Sworn personnel shall not engage in objectively unreasonable actions, use of tactics, or make statements that escalate a situation such that use of force becomes necessary.

- E. In the event an individual fails to comply with lawful directives or commands, sworn personnel shall consider whether an individual's lack of compliance may be based upon the individual's inability to comprehend or comply. Sworn personnel shall consider the relevance of the following factors:

1. The influence of drugs and/or alcohol;
2. A known or reasonably apparent mental illness or developmental disability;
3. A known or reasonably apparent physical disability or other medical or physical condition, including a visual or hearing impairment;
4. The individual is experiencing a behavioral health crisis; or
5. A language barrier.

N/A

- F. If the individual is or appears to be in a mental or behavioral health crisis, sworn personnel shall attempt to de-escalate the situation and shall otherwise follow SOP Response to Behavioral Health Issues.
- G. As soon as practicable, a supervisor shall become involved in managing an overall response to potentially violent encounters by coordinating resources and an officer's responses.
- H. Sworn personnel shall document their verbal and non-verbal de-escalation techniques in their use of force documentation.
 1. Sworn personnel shall not document commands and orders as de-escalation techniques in their use of force documentation.



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2-56 USE OF FORCE: REPORTING BY DEPARTMENT PERSONNEL

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

A. Related SOP(s)

[1-35 Crime Scene Specialists Unit](#)

[1-61 Internal Affairs Force Division \(IAFD\)](#)

[2-8 Use of On-Body Recording Devices](#)

2-53 Use of Force: Definitions

2-57 Use of Force: Review and Investigation by Department Personnel

B. Form(s)

[PD 1117 Use of Force Recorded Narrative Guide](#)

[PD 1118 Use of Force Written Narrative for Involved and Witness Officers](#)

C. Other Resource(s)

None

D. Active Special Order(s)

None

E. Rescinded Special Order(s)

SO 24-09 Amendment to SOP 2-56 Use of Force: Reporting by Department Personnel; Procedures for Unreported Uses of Force

SO 25-71 Amendment to SOP 2-56 Use of Force: Reporting by Department Personnel

SO 25-71 (Amended) Amendment to SOP 2-56 Use of Force: Reporting by Department Personnel

2-56-1 Purpose

The purpose of this policy is to outline the requirements for reporting uses of force by Albuquerque Police Department (Department) personnel.

2-56-2 Policy

It is the policy of the Department to properly report and document all uses of force.

N/A 2-56-3 Definitions

For definitions specific to use of force, refer to SOP Use of Force: Definitions.



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6 2-56-4 Reporting Procedures

A. Use of Force Reporting Procedures

1. All Department personnel who used or witnessed any level of force, while on-duty or off-duty, regardless of rank, shall:
 - a. When the scene is secure, and it is reasonably safe to do so, after a Use of Force or Serious Use of Force, call rescue to the scene;
 - b. Not discuss the use of force with other involved and witness Department personnel until the interview and narratives are completed;
 - i. Except supervisors who witnessed the force and are conducting the on-scene force classification investigation.
 - c. Following any use of force, notify their on-duty supervisor when the scene is secure and safe to do so. If the employee's immediate on-duty supervisor is involved or unavailable, they shall notify another on-duty supervisor;
 - d. Stay logged on the call of a use of force or serious use of force, until relieved by the responding on-duty supervisor or unit responsible for conducting review/investigation;
 - i. If the employee needs to leave the scene for essential investigative responsibilities, they shall notify the responding supervisor.
 - e. Provide the responding supervisor access to their On-Body Recording Device (OBRD) to review footage of the incident while on scene;
 - f. Document in a Uniform Incident Report and/or Supplemental Report any involvement in the use of force incident if they were on-scene or assisted with any aspect regarding the incident, including if they transported the individual;
 - g. Complete a Use of Force Written Narrative for Involved and Witness Officers form by checking the Use of Force Tab in the Uniform Incident Report and provide details for each of the required questions based upon the level of the involvement. Personnel shall include in their written narrative, regardless of the level of force classification:
 - i. The reason for the initial police presence;
 - ii. The lawful objective for detention and/or seizure;
 - iii. A specific description of the facts that led to the use of force, including the behavior of the individual;
 - iv. The individual's level of resistance; and
 - v. A description of each type of force used and justification for each use of force.
 1. Department personnel shall not use boilerplate, canned, or conclusory language (e.g., "guided to the ground," "offered resistance") when providing a narrative of a use of force incident.
 - h. Provide a written force narrative to the on-scene supervisor by the end of their shift;



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- i. After the on-scene investigation is complete, upload the data from their electronic control weapon (ECW), if discharged; and
 - j. Upload OBRD footage capturing all use of force incidents in which they witnessed force, ordered force, used force, or were otherwise involved as directed by a supervisor by the end of their shift in accordance with SOP Use of On-Body Recording Devices.
 - i. If Department personnel are not physically capable of uploading their OBRD footage by the end of their shift during which the use of force incident occurred, the employee's immediate supervisor, or their designee, shall ensure the OBRD footage from the affected employee's OBRD is uploaded by the end of the employee's shift during which the use of force incident occurred.
2. A supervisor who authorized a use of force shall document the circumstances for authorizing the force in a Supplemental Report.
- N/A

 3. If a supervisor ordered, was involved in a use of force/serious use of force, or was a victim of the individual's action, they shall:
 - a. Not be involved in the classification or review of the force incident;
 - i. A supervisor who witnessed force is able to conduct the on-scene force investigation in order to classify the force.
 - ii. A supervisor who was involved in a use of force shall ensure that another on-duty supervisor responds to the scene to investigate an employee's use of force.
 - b. If the supervisor ordered force, document the circumstances for ordering the force in the Use of Force Written Narrative for Involved and Witness Officers form; and
 - c. If the supervisor was involved in or witnessed a use of force, complete a Use of Force Written Narrative for Involved and Witness Officers form.
- N/A

 4. Supervisors shall classify force according to the procedures in accordance with SOP Use of Force: Review and Investigation by Department Personnel, and contact the appropriate investigative team upon determining if the force was a Use of Force or a Serious Use of Force.

B. Procedures for Reporting Non-Force Incidents

1. Department personnel shall document in a Uniform Incident Report the use of low-level control tactics and shall:
 - a. Check the Low-Level Control Tactics Tab in the Uniform Incident Report;
 - b. Complete a Uniform Incident Report and provide the following details in its narrative:
 - i. The reason for the initial police presence;



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- ii. Document the lawful objective for detention and/or seizure;
- iii. Include a specific description of the facts that led to the Low-Level Control Tactics, including the behavior, and any resistance from the individual;
- iv. Describe any warnings, verbal persuasion, or other de-escalation techniques used during the incident;
- v. Include a description of each type of Low-Level Control Tactic used and justification for each Low-Level Control Tactic;
- vi. Include a description of any superficial wounds and/or complaints of pain; and
- vii. Ensure a Crime Scene Specialist (CSS) be dispatched to photograph any superficial wounds and complete a Uniform Incident Report in accordance with SOP Crime Scene Specialists Unit.

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2. All Department personnel who utilize a show of force, while on-duty or off-duty, regardless of rank, shall;
 - a. Check the Show of Force Tab in the Uniform Incident Report;
 - b. Complete a Uniform Incident Report and provide the following details in its narrative:
 - i. The reason for the initial police presence;
 - ii. The lawful objective for detention and/or seizure;
 - iii. A specific description of the facts that led to the show of force, including the behavior, and any resistance from the individual;
 - iv. Describe any warnings, verbal persuasion, or other de-escalation techniques used during the incident; and
 - v. A description of each type of show of force used and justification for each show of force.
 3. Ensure the appropriate questions related to low-level, show of force, and non-force are answered in the records management system.
- N/A
4. Upload OBRD footage in accordance with SOP Use of On-Body Recording Devices.

C. Procedures Following Other Reportable Incidents

1. Following an allegation of use of force, Department personnel shall:
 - a. Notify the on-duty supervisor when the scene is secure and it is safe to do so, and document the incident in a Uniform Incident Report.
 - i. If the on-duty supervisor determines that the incident is a use of force or serious use of force, follow the procedures in this SOP.
 - ii. If the on-duty supervisor determines that the incident is Low-Level Control or non-force, the supervisor will ensure the sworn personnel check the "Low-Level Control" box in the Uniform Incident Report or Supplemental Report.



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1. Supervisors shall write a Supplemental Report summarizing their on-scene investigation.
 2. Following an accidental discharge of an intermediate weapon system that does not strike a person, Department personnel shall:
 - a. Notify the on-duty supervisor when the scene is secure and it is safe to do so;
 - b. Remain logged on the call until relieved by the responding supervisor or investigator;
 - c. Provide the responding supervisor access to review OBRD footage on scene, if available;
 - d. Document the incident in a Uniform Incident Report;
 - e. Upload OBRD footage, if available, by the end of shift; and
 - f. If the incident involved the accidental discharge of an ECW, upload the data from the ECW after the on-scene investigation is complete.
 3. Following an accidental discharge of an intermediate weapon system that strikes a person, Department personnel shall:
 - a. Follow the procedures in this SOP that require an on-scene investigation from an on-duty supervisor.
 4. Following an accidental discharge of a firearm that does not strike a person, Department personnel shall:
 - a. Notify the on-duty supervisor when the scene is secure and it is safe to do so;
 - b. Remain logged on the call until relieved by the responding supervisor or investigator;
 - c. Provide the responding supervisor access to review OBRD footage on scene, if available;
 - d. Document the incident in a Uniform Incident Report; and
 - e. Upload OBRD footage, if available, by the end of their shift.
 5. Following an accidental discharge of a firearm that strikes a person, Department personnel shall:
 - a. Follow the procedures in this SOP that require an investigation from an on-duty supervisor.
- D. CSS photographs when responding to Low Level Control with Superficial Wounds, Use of Force, Serious Use of Force Incidents.
1. Crime Scene Specialists will complete the following tasks when responding to a Use of Force:



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2. Photograph the scene where the Use of Force took place, to include any physical evidence related to lawful objectives, such as criminal trespass signs.
3. Photograph all sworn personnel involved in Low Level Control Tactics resulting in superficial wounds, Use of Force, and Serious Use of Force, to include any injuries sustained, damage to personnel uniforms or equipment, and any weapons systems used by sworn personnel.
 - a. Sworn personnel who only witnessed the Use of Force do not need to be photographed.
 - b. Crime Scene Specialists will not respond to Shows of Force.
4. Photograph in-custody individual(s) involved in Low Level Control Tactics resulting in superficial wounds, Use of Force, and Serious Use of Force, to include any injuries sustained, complaints of injury but no injury is visible, and any tools or weapons used by the in-custody individual.
 - a. When an in-custody individual refuses to cooperate with being photographed while still on scene, Crime Scene Specialists may, as feasible, take photographs of the individual from a distance and shall document the circumstances in a supplemental report.
 - b. If the Crime Scene Specialist is unable to photograph an in-custody individual on scene due to their lack of cooperation, photographs will be taken, as feasible, from a distance, and the circumstances documented in a supplemental report.
 - i. If the in-custody individual denies cooperation, the circumstances will be documented in a supplemental report, and a Crime Scene Specialist will not respond.
5. Take Last Point of Contact photographs.
 - a. If sworn personnel, who were involved in the Use of Force, transport the in-custody individual to either the Prisoner Transport Center (PTC) or the Metropolitan Detention Center (MDC), the Crime Scene Specialist will take Last Point of Contact photographs of the sworn personnel and the in-custody individual, when the sworn personnel transfer custody of the in-custody individual to either PTC or MDC staff.
 - b. Last Point of Contact photographs may be taken at the scene if:
 - i. The in-custody individual is cooperative and allows the Crime Scene Specialist to photograph their injuries with and without scale on scene.
 - ii. The sworn personnel transporting the in-custody individual was not involved in the use of force.
 - iii. The in-custody individual is uncooperative at the Last Point of Contact, sworn personnel shall request cooperation, and if granted, a Crime Scene Specialist shall respond to take photographs.



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- c. If the in-custody individual denies cooperation, the circumstances will be documented in a supplemental report, and a Crime Scene Specialist will not respond.

6 2-56-5 **Unreported Uses of Force**

A. Procedures for Unreported Uses of Force

1. General Procedures

- 3-5**
- a. Department personnel, regardless of rank, shall immediately report an unreported use of force incident to an on-duty supervisor when they have knowledge that the use of force by another officer has not been reported.
 - b. During a scheduled OBRD audit, Performance Metrics Unit (PMU) personnel shall:
 - i. Prepare an inspection findings report for the potential unreported use of force; and
 - ii. Provide the report within two (2) business days to the division head/commander, or their designee, and based on the potential level of force, the division head/commander, or their designee, shall notify Internal Affairs Force Division (IAFD) for Uses of Force or Serious Uses of Force, via email. The report shall include the case number, date of occurrence, and any available OBRD evidence.
 - c. The force investigative units who are notified of a potential unreported use of force shall:
 - i. Review the PMU findings;
 - ii. Classify the force;
 - iii. Generate the force entry in the Internal Affairs (IA) database web application within twenty-four (24) hours of identifying any unreported use of force without regard to the number of involved or witness officer(s).

2. Procedures Following Unreported Use of Force Or Serious Use of Force

- a. The IAFD Investigator shall investigate unreported Uses of Force or Serious Uses of Force in accordance with SOP Use of Force: Review and Investigation by Department Personnel, including the following on-scene investigation procedures, if attainable post-incident:
 - i. Examine personnel and the individual for injuries and request medical attention, where appropriate;
 - ii. Preserve any evidence located at the scene; and
 - iii. Canvass for witness(s).
- b. The IAFD Investigator shall initiate an Internal Affairs Request (IAR) through the IA database web application for any and all policy violations identified during their force investigation, including any and all policy violations surrounding the failure to report the force.



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- c. Where it is determined that no unreported use of force occurred by an officer(s), an IAFD Investigator shall submit a non-force entry through the IA database web application, to include the results of their investigation.



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2-57 USE OF FORCE: REVIEW AND INVESTIGATION BY DEPARTMENT PERSONNEL

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

A. Related SOP(s)

[1-1 Personnel Code of Conduct](#)
[1-61 Internal Affairs Force Division \(IAFD\)](#)
[1-67 Multi-Agency Task Force \(MATF\)](#)
2-53 Use of Force: Definitions
2-55 Use of Force: De-escalation
[3-32 Performance Evaluations](#)
[3-41 Complaints Involving Department Policy](#)
[3-46 Discipline System](#)

B. Form(s)

[PD 1118 Use of Force Written Narrative for Involved and Witness Officers](#)
[PD 1119 Supervisor On-Scene Investigation Checklist](#)
[PD 1120 Supervisor On-Scene Investigation](#)
[PD 4607 Juvenile Advise of Rights](#)

C. Other Related Resource(s)

Graham v. Connor, 490 U.S. 386 (1989)

D. Active Special Order(s)

None

E. Rescinded Special Order(s)

SO 25-72 Amendment to SOP 2-57 Use of Force: Review and Investigation by
Department Personnel

2-57-1 Purpose

The purpose of this policy is to establish procedures for Albuquerque Police Department (Department) personnel to objectively and thoroughly review use of low-level control, use of force, and show of force by sworn personnel in order to reach a finding supported by a preponderance of the evidence, concerning whether Department personnel used the minimum amount of force necessary that is objectively reasonable, based on the totality of the circumstances to bring about a lawful objective.



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The Department categorizes force based on the level of force used and the injury or serious injury from the use of force. The category of force—Use of Force or Serious Use of Force—determines the kind of review or investigation that will be completed.

2-57-2 Policy

It is the policy of the Department for supervisors and Internal Affairs Force Division (IAFD) Detectives/Investigators to conduct rigorous, timely, thorough, objective, and accurate reviews and investigations of the use of force by Department personnel.

N/A 2-57-3 Definitions

For definitions specific to use of force, refer to SOP Use of Force: Definitions.

6 2-57-4 Use of Force Review by Supervisors and Chain of Command

A. Use of Force Investigation Standards

1. Department personnel shall:

- a. Conduct investigations in a rigorous manner designed to determine the facts;
- b. When conducting interviews, avoid asking leading questions and never ask Department personnel or witnesses any questions that may suggest legal or procedural justifications for an employee's conduct;
 - i. All interviews shall be conducted separately.
- c. Consider all relevant evidence, including circumstantial, direct, and physical evidence, as appropriate, and make credibility determinations, if feasible; and
- d. Make all reasonable efforts to resolve material inconsistencies between the officer, individual, and witness's statements, and inconsistencies between the level of force described by the employee and any injuries to individuals.

B. Use of Force Investigation Responsibilities

1. The responding supervisor shall conduct an on-scene investigation in order to classify the force used during the incident.

- a. A supervisor who was involved in, ordered a use of force, or who was a victim of the individual's actions, shall not be involved in reviewing the use of force incident, nor any subsequent force incident involving the same individual.
 - i. The involved supervisor shall not review or approve any reports that are generated as a result of the force incident.
 - ii. A non-involved supervisor shall review and approve any reports that are generated following the force incident.
- b. A supervisor who is related to any Department employee who is involved in a use of force shall not be involved in reviewing the Department employee's force incident.



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2. If responding to the scene, the responding Detective/Investigator shall review the incident and verify the classification of the level of force used.
 - a. The Detective/Investigator shall have the authority to reclassify the level of force based on their on-scene review of the incident.
 - b. If the incident is reclassified, the case shall be assigned based on the force classification.

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2-57-5 Field Supervisory Investigative Responsibilities

- A. Supervisors shall respond to the scene for allegations of force and/or allegations of injury to determine if the allegations are caused by sworn personnel and/or to properly classify the force as a Use of Force or Serious Use of Force.
- B. When there is a Use of Force, the responding supervisor shall:
 1. Immediately respond to the scene to classify the use of force according to the highest level of force used during the incident based upon the Department's classification system, in accordance with SOP Use of Force: Definitions;
 2. Issue a direct order that the officer(s) on scene are not to speak about the use of force (admonishments);
 - a. If this happens by radio transmission while the supervisor is en route to the call, the supervisor will reissue the written admonishment once they arrive on scene.
 3. Turn on their On-Body Recording Device (OBRD) upon arriving on scene and record their investigation on their OBRD in accordance with the On-Scene Supervisor Investigation Form;
 4. Immediately identify involved and witness sworn and non-sworn personnel, the individual, upon whom force was used, and community member witnesses;
 - a. The investigating supervisor shall admonish all witness and involved officers, using the Employee Admonishment Concerning Use of Force form.
 - b. After reviewing sufficient On-Body Recording Device (OBRD) evidence, the investigating supervisor may release any witness officer after confirming they were not involved and were admonished.
 - c. Once the on-scene supervisor has gathered the necessary information from the involved officer, the supervisor may release the involved officer from the scene.
 - d. The investigating supervisor will include the signed admonishment(s) in the Internal Affairs (IA) Database Web Application Entry upon submission of the case to the Internal Force Division.
 5. Visually inspect Department personnel for injuries and request medical attention if anyone is injured or complains of injury;



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6. Conduct an on-scene interview and visually inspect the individual for injuries and request medical attention if anyone is injured or complains of injury;
7. Ensure Crime Scene Specialists (CSS) personnel are contacted to process the scene in accordance with SOP Use of Crime Scene Specialists (CSS) Unit;
8. Physically separate involved and witness Department personnel, when feasible;
 - a. The investigating supervisor who witnessed force is exempt from separation in order to conduct an on-scene investigation to properly classify the force.
 - b. The investigating supervisor shall not ask any leading questions or questions that may suggest legal or procedural justifications for an employee's conduct.
 - c. Supervisors shall not engage in conversation about their perception(s) of the use of force while conducting their investigation.
9. Make a reasonable effort to identify all community member witnesses, and speak with them to the extent necessary to determine the use of force classification;
 - a. If a community member witness needs to leave the scene, obtain their contact information for a follow-up investigation.
 - b. The responding supervisor may obtain a verbal statement if the witness is willing to do so.
 - c. Department personnel shall not detain a witness solely for the purpose of conducting administrative investigations.
10. Ensure all evidence is identified, collected, processed, and preserved;
11. Conduct a canvass for community member witnesses and surveillance video;
12. Review sufficient on-scene OBRD footage in order to classify the correct level of force;
13. Collect and approve Use of Force Written Narrative for Involved and Witness Officers forms from involved and witness Department personnel by the end of the shift;
 - a. If the investigating supervisor is a witness to the use of force, the supervisor shall also complete a use of force written narrative and have another supervisor approve their report prior to the end of shift.
14. Fill out and sign the Supervisor On-Scene Investigation Checklist and Form to document their on-scene investigation and classification;
15. Send the on-scene investigation of the Use of Force to IAFD via the IA database web application:



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- a. Complete an initial use of force IA database web application entry and submit it to the Office of Police Reform via "IA Force Group" by end of shift.
 - b. Upload the following to the IA database web application entry:
 - i. Supervisor On-Scene Investigative Checklist and Form;
 - ii. Written Admonishments;
 - iii. Written Civilian Witness Statements; and
 - iv. OBRD link(s) of the supervisor on-scene investigation, the canvass, and the force.
 16. If the officer has a physical injury preventing them from completing a Uniform Incident Report, is in an officer-involved shooting, or is the victim of a crime, ensure a Uniform Incident Report is completed by another officer.
- C. When there is a Serious Use of Force, the responding supervisor shall:
1. Immediately respond to the scene to classify the use of force according to the highest level of force used during the incident based upon the Department's classification system, consistent with SOP Use of Force: Definitions;
 2. Issue a direct order that the officer(s) on scene are not to speak about the use of force (admonishments);
 - a. If this happens by radio transmission while the supervisor is en route to the call, the supervisor will reissue the admonishment once they arrive on scene.
 3. Turn on their On-Body Recording Device (OBRD) upon arriving on scene and record their investigation on their OBRD in accordance with the On-Scene Supervisor Investigation Form;
 4. Immediately identify involved and witness sworn and non-sworn personnel, the individual, upon whom force was used, and community member witnesses;
 - a. The investigating supervisor shall admonish all witness and involved officers, using the Employee Admonishment Concerning Use of Force form.
 - b. After reviewing sufficient On-Body Recording Device (OBRD) evidence, the investigating supervisor may release any witness officer after confirming they were not involved and were admonished, unless it is deemed necessary by the investigating supervisor that they stay on-scene as part of Internal Affairs Force Division's (IAFD) on-scene investigation.
 - c. The investigating supervisor will provide the signed admonishment(s) to the responding IAFD detective/investigator.
 5. Visually inspect Department personnel and the individual for injuries and request medical attention if anyone is injured or complains of injury;
 6. Ensure Crime Scene Specialists (CSS) personnel are contacted to process the scene in accordance with SOP Use of Crime Scene Specialists (CSS) Unit;



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7. Physically separate involved and witness Department personnel, when feasible;
 - a. The investigating supervisor who witnessed force is exempt from separation in order to conduct an on-scene investigation to properly classify the force.
 - b. The investigating supervisor shall not ask any leading questions or questions that may suggest legal or procedural justifications for an employee's conduct.
 - c. Supervisors shall not engage in conversation about their perception(s) of the use of force while conducting their investigation.
8. Make a reasonable effort to identify all community member witnesses and speak with them to the extent necessary to determine the use of force classification. Ask if the witness(es) can remain on the scene to speak with the investigators when they arrive;
 - a. If a community member witness needs to leave the scene, obtain their contact information for a follow-up investigation.
 - b. The responding supervisor may obtain a verbal statement if the witness is willing to do so.
 - c. Department personnel shall not detain a witness solely for the purpose of conducting administrative investigations.
9. Ensure all evidence is identified, collected, processed, and preserved;
10. Review sufficient on-scene OBRD footage in order to classify the correct level of force;
 - a. Once the investigating supervisor has reviewed evidence to appropriately classify the use of force, and after determining who should remain on-scene, the investigating supervisor shall ensure IAFD is notified and dispatched to the scene to conduct the follow-up investigation.
11. Collect and approve Use of Force Written Narrative for Involved and Witness Officers forms from involved and witness Department personnel by the end of the shift;
 - a. If the investigating supervisor is a witness to the use of force, the supervisor shall also complete a use of force written narrative and have another supervisor approve their report prior to the end of shift.
12. Fill out and sign the Supervisor On-Scene Investigation Checklist and Form and email it to the responding IAFD investigator/detective;
13. If the officer has a physical injury preventing them from completing a Uniform Incident Report, is in an officer-involved shooting, or is the victim of a crime, ensure a Uniform Incident Report is completed by another officer.



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- A. When there is a show of force, the supervisor shall:
1. Ensure the officer's narrative includes the elements detailed in accordance with SOP Use of Force: Reporting by Department Personnel;
 2. Review relevant On Body Recording Device (OBRD) footage; and
 - a. If the show of force is not reasonable, the reviewing supervisor shall submit an Internal Affairs request, in accordance with SOP Use of Force: Intermediate Weapon Systems.
 3. Review of show of force reports shall be completed in accordance with SOP Reports.

6 2-57-7 Supervisor On-Scene Responsibilities for Classifying Force During a Tactical Activation

- A. For any use of force by tactical units, related to a tactical activation, the tactical incident commander shall:
1. Request on-call IAFD to respond to the scene;
 2. Provide a completed On-Scene Accountability form and Munition Tracking form to the IAFD investigator. These forms are submitted in lieu of the Supervisor On-Scene Investigative Checklist and On-Scene Supervisor Investigation forms;
 3. Review and approve all Use of Force Written Narrative for Involved and Witness Officers forms and ensure they are submitted to the IAFD investigator by the end of the shift; and
 4. Provide a copy of the After Action Report to the IAFD investigator for any Use of Force or Serious Use of Force within thirty (30) calendar days.
- B. For any use of force conducted by non-tactical units, the involved officer's supervisor shall assume all classifications and review responsibilities.

6 2-57-8 Use of Force Investigations by IAFD

A. General Requirements

1. An IAFD Detective/Investigator shall respond to the scene to conduct administrative investigations of:
 - a. Serious Uses of Force;
 - b. Tactical Activations that resulted in a Use of Force or Serious Use of Force; and
 - c. Use of Force when there is apparent criminal misconduct.



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2. IAFD personnel shall objectively and thoroughly review or investigate use of force and serious use of force incidents in order to reach a finding, supported by a preponderance of the evidence, concerning whether Department personnel used the minimum amount of force necessary that is objectively reasonable and based on the totality of the circumstances to bring about a lawful objective.

B. Procedures for Use of Force Reviews by IAFD

1. The review of Use of Force shall include:

- a. All written use of force narratives and/or statements provided by Department personnel and/or community member witness(s);
- b. All related Uniform Incident Reports and Supplemental Reports;
- c. All OBRD, as required;
- d. A list of evidence that was gathered, including sufficient identifying and contact information of community member witness(s) to the use of force;
- e. The reviewer shall document if there were no witnesses to the use of force;
- f. The reviewer shall explain why contact information was not documented in cases where there were witnesses to the use of force and contact information was left undocumented;
- g. All available identifying information for anyone who refuses to provide a statement;
- h. The names of Department personnel who witnessed the use of force;
- i. Photographs of the involved employee(s), the individual, and the scene;
- j. If an ECW was utilized, the device log and audit record;
- k. A copy of the Computer-Aided Dispatch (CAD) printouts;
- l. The reviewer's evaluation of the use of force based on their analysis of the evidence gathered, including whether the employee's actions complied with Department policy;
- m. An analysis of the incident for tactical and training implications, including the use of de-escalation techniques, in accordance with SOP Use of Force: De-escalation;
- n. This shall be included as part of the IA database web application entry;
- o. An Internal Affairs Request (IAR) submitted to the Internal Affairs Professional Standards (IAPS) Division anytime a potential policy violation is identified; and
- p. All other relevant documentation.

2. IAFD Detective/Investigator Follow-up Responsibilities

- a. The IAFD Detective/Investigator shall:
 - i. Conduct interviews with involved sworn, witness sworn, and/or professional staff when necessary, in accordance with the current Collective Bargaining Agreement (CBA);
 - ii. Conduct interviews in use of force cases, unless the existing evidence, without interviews, is sufficient for a rigorous, full, and fair investigation;



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- iii. Conduct interviews on all uses of force cases in which a subject of an investigation letter is sent;
 - iv. Conduct follow-up interviews as necessary to make a determination regarding whether the use of force was within policy;
 - v. Record all interviews with involved and witness Department personnel, the individual, and community member witness;
 - vi. Ensure all use of force reports identify all Department personnel who were involved in the incident, witnessed the incident, or were on-scene when the incident occurred;
 - vii. Review all use of force reports to ensure that these statements include all required information;
 - viii. Review all relevant evidence, including circumstantial, direct, and physical evidence, as appropriate, and make credibility determinations;
 - ix. Make all reasonable efforts to resolve material inconsistencies between the employee, individual, and witness statements, and all objective evidence; and
 - x. Make all reasonable efforts to resolve inconsistencies between the level of force described by the employee and any injuries to Department personnel or individuals.
3. At the conclusion of each use of force investigation, the IAFD Detective/Investigator shall prepare an investigative report, and 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 Department employee's conduct based on the IAFD Detective/Investigator's independent review of the facts and circumstances of the incident;
 - b. Documentation of all evidence that was gathered, including names, phone numbers, and addresses of witnesses to the use of force incident, and all underlying use of force reports;
 - i. In situations in which there are no known witnesses, the IAFD Detective/Investigator shall specifically state this fact in the report.
 - ii. 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 IAFD Detective/Investigator shall state the reasons why such information was not recorded in the report.
 - iii. The IAFD Detective/Investigator shall include all available identifying information for anyone who refuses to provide a statement in the report.
 - c. The names of all Department personnel who witnessed the use of force incident;
 - d. The IAFD Detective/Investigator's narrative evaluating the use of force, based on the evidence gathered, including a determination of whether the employee's actions complied with federal and state laws and Department policy;
 - e. 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;



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- f. If the Department employee was an officer who used a weapon, documentation indicating whether or not the officer's certification and training for the weapon were current at the time of the incident; and
- g. The complete disciplinary history of the Department personnel that were involved in the use of force incident.

4. Use of Force Review IAFD Supervisor Responsibilities

- a. The IAFD Supervisor shall assess the IA database web application entry to ensure that it is complete and that the findings are supported by a preponderance of the evidence.
- b. The IAFD Supervisor shall be responsible for watching OBRD footage that captures the use of force and all bookmarked portions of the footage.
- c. The IAFD Supervisor shall accurately complete the appropriate form for their level of review, including a citation to evidence as required.
- d. The IAFD Supervisor shall open an IAR on all deficient reviews in accordance with SOP Complaints Involving Department Personnel.
 - i. The IAFD Supervisor shall document the deficient reviews in the reviewer's performance documents in accordance with SOP Performance Evaluations.
 - ii. The reviewer who conducts two (2) or more deficient force reviews in a twelve (12) month rolling calendar period shall receive corrective and/or disciplinary action in accordance with SOP Discipline System, and may also be subject to additional training, demotion, and/or removal from their supervisory position.
- e. When a policy violation is discovered during a use of force review, the IAFD Supervisor shall ensure that an IAR is completed by the reviewer identifying the policy violation, in accordance with SOP Complaints Involving Department Personnel.
- f. The IAFD Supervisor shall suspend a use of force review, with notice to the affected officer, and immediately notify IAFD and the Superintendent of Police Reform upon the discovery that the employee's use of force is apparently criminal in nature.
 - i. Upon this notification, IAFD shall immediately initiate an administrative investigation and make a referral to the Multi-Agency Task Force (MATF) to initiate a criminal investigation.
- g. After a review is completed and approved, the IAFD Supervisor shall mark the review as complete in the IA database web application entry.

N/A

C. Procedures for Serious Use of Force Investigations by IAFD

1. IAFD Detective/Investigator on-scene responsibilities for a Serious Use of Force

- a. The IAFD Detective/Investigator shall:
 - i. Respond to the scene within one (1) hour after being called by the on-call IAFD supervisor;
 - ii. Consult with the on-scene supervisor to identify all involved and witness sworn personnel and ensure that all Department personnel involved in the



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- use of force incident have been examined for injuries and provided necessary medical attention;
- iii. Conduct an on-scene interview with the individual involved in the use of force and ask the individual involved in the use of force incident if they sustained any injuries and whether they require medical attention;
 - 1. If medical attention is needed, ensure that it is provided.
 - iv. Review sufficient evidence to ensure that the use of force was classified correctly in accordance with the Department's classification system;
 - 1. If IAFD reclassifies the incident as a use of force, IAFD will maintain case responsibility.
 - v. Ensure that a CSS has been called to the scene;
 - vi. Ensure that all evidence is collected to establish material facts related to the use of force, including but not limited to:
 - 1. Audio and video recordings, photographs, and other documentation of injuries or the absence of injuries.
 - vii. In the event of a complaint of injury following a use of force or allegation of force, ensure that the CSS has photographed the reported injury;
 - viii. Canvass for community member witnesses and video surveillance;
 - ix. Interview any on-scene community member witness(s) as soon as possible;
 - 1. Encourage witnesses to stay on scene to be interviewed by IAFD Detective(s).
 - 2. If the witness cannot stay on scene, obtain their contact information and, when feasible, obtain a written or recorded statement.
 - 3. If any witness does not want to cooperate and provide any information, a description of the witness shall be documented.
 - x. If not already provided by the on-scene supervisor, provide a written admonishment to Department personnel involved in or witness to the use of force incident that they are not to speak about the force incident until all interviews are completed, and collect signed written admonishments;
 - xi. Ensure that all involved and witness sworn personnel complete their Use of Force Written Narrative for Involved and Witness Officers form by the end of shift; and
 - xii. Complete an initial use of force IA database web application entry and submit it through the chain of command to the Office of Police Reform as soon as possible and no later than twenty-four (24) hours after the use of force incident.

2. IAFD Detective/Investigator Follow-up Responsibilities

- a. The IAFD Detective/Investigator shall:
 - i. Conduct interviews with involved sworn, witness sworn, and/or professional staff when necessary, in accordance with the current Collective Bargaining Agreement (CBA);
 - 1. The IAFD Detective/Investigator shall not be required to interview perimeter Department personnel who only heard a use of force, such as a noise flash diversionary device (NFDD), 40-millimeter impact launcher, gunshot, or Police Service Dog (PSD) deployment, unless the



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- investigation shows that their knowledge is relevant to the investigation or may resolve a material discrepancy.
- ii. Conduct follow-up interviews as necessary to make a determination regarding whether the use of force was within policy;
 - iii. Record all interviews with involved and witness Department personnel, the individual, and community member witness;
 - iv. Ensure all use of force reports identify all Department personnel who were involved in the incident, witnessed the incident, or were on-scene when the incident occurred;
 - v. Review all use of force reports to ensure that these statements include all required information;
 - vi. Review all relevant evidence, including circumstantial, direct, and physical evidence, as appropriate, and make credibility determinations; and
 - vii. Make all reasonable efforts to resolve material inconsistencies between the employee, individual, and witness statements, and all objective evidence. Make all reasonable efforts to resolve inconsistencies between the level of force described by the employee and any injuries to Department personnel or individuals.
4. At the conclusion of each serious use of force investigation, the IAFD Detective/Investigator shall prepare an investigative report, and 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 Department employee's conduct based on the IAFD Detective/Investigator's independent review of the facts and circumstances of the incident;
 - b. Documentation of all evidence that was gathered, including names, phone numbers, and addresses of witnesses to the use of force incident, and all underlying use of force reports;
 - i. In situations in which there are no known witnesses, the IAFD Detective/Investigator shall specifically state this fact in the report.
 - ii. 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 IAFD Detective/Investigator shall state the reasons why such information was not recorded in the report.
 - iii. The IAFD Detective/Investigator shall include all available identifying information for anyone who refuses to provide a statement in the report.
 - c. The names of all Department personnel who witnessed the use of force incident;
 - d. The IAFD Detective/Investigator's narrative evaluating the use of force, based on the evidence gathered, including a determination of whether the employee's actions complied with federal and state laws and Department policy;
 - e. 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;



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- f. If the Department employee was an officer who used a weapon, documentation indicating whether or not the officer's certification and training for the weapon were current at the time of the incident; and
- g. The complete disciplinary history of the Department personnel that were involved in the use of force incident.

5. The IAFD Detective/Investigator shall complete Use of Force and Serious Use of Force administrative investigations within timelines in accordance with the CBA.

- a. Any request for an extension to this time limit must be approved by the Superintendent of Police Reform.

D. Procedures for Other Force Investigations by IAFD

1. Tactical Activations

- 5
- a. When an incident has been categorized as a tactical activation, the Incident Commander (IC) shall contact IAFD personnel when the force has been classified as a Use of Force or Serious Use of Force.

2. Apparent Criminal Misconduct

- 5
- a. The IAFD Detective/Investigator shall immediately notify the Chief of Police, IAFD, and the affected officer upon the discovery that the Department employee's use of force is apparently criminal in nature.
 - i. Upon this notification, IAFD shall immediately initiate an administrative investigation and make a referral to the MATF to initiate a criminal investigation related to force.

- N/A
- b. The criminal investigation shall remain separate from and independent of the administrative investigation into the use of force, in accordance with SOP Multi-Agency Task Force.

- c. IAFD and MATF investigations shall proceed in parallel. The IAFD Detective/Investigator shall conduct administrative investigations into uses of force indicating apparent criminal conduct by an employee, with notice to the affected employee.

- d. During an MATF call-out, the IAFD Detective/Investigator shall:

- i. Conduct the Serious Use of Force administrative investigation;
 - ii. Not interfere with the MATF investigation; and

- 1. Absent extraordinary circumstances, IAFD personnel shall wait for the MATF to contact and conduct interviews, if any, with involved and witness Department personnel before contacting those personnel.

- N/A
- a. If MATF cannot conduct their interviews within seven (7) calendar days after the date of the incident, IAFD personnel may proceed with interviewing involved and witness Department personnel.

- 2. IAFD personnel shall wait for the MATF to contact and conduct interviews, if any, with community member witnesses before contacting



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those witnesses, as long as this does not prevent IAFD personnel from meeting investigative timelines.

- a. IAFD personnel shall attempt to follow up with all community member witnesses after consulting with the MATF regarding their investigation.
- iii. Attend the administrative briefing provided by MATF.
- e. To ensure criminal and administrative investigations remain separate, the Department's Violent Crimes Section may support the IAFD or the MATF in the investigation of any Use of Force or Serious Use of Force, including critical firearm discharges, in-custody deaths, or police-initiated actions in which a death or serious physical injury occurs.
- f. Where the Department refers a use of force incident to the appropriate prosecuting authority for potential criminal prosecution, the IAFD shall delay any compelled interview of the target employee(s) pending consultation with the prosecuting authority. No other part of the administrative investigation shall be held in abeyance unless specifically authorized by the Superintendent of the Office of Police Reform, and after consultation with the prosecuting authority.
- g. When a Use of Force or Serious Use of Force investigation indicates apparent criminal conduct by an officer unrelated to the use of force, the IAFD Detective/Investigator shall:
 - i. Immediately notify their chain of command, who will then notify the Superintendent of the Office of Police Reform and the Chief of Police; and
 - ii. Refer the incident to the appropriate specialized investigative unit for investigation.
 1. The criminal investigator shall have no involvement in the administrative investigation into the use of force.

E. Use of Force Investigation Review by IAFD Chain of Command

1. Upon completing the IAFD investigation report, the IAFD Detective/Investigator shall forward the report through their chain of command to the IAFD Commander through the IA database web application.
2. The IAFD Deputy Commander shall review the report to ensure that it is complete and, for administrative investigations, the findings are based upon the preponderance of the evidence.
3. The IAFD Deputy Commander/Commander shall require additional investigation when it appears there is additional relevant evidence that may assist in resolving inconsistencies or improve the reliability or credibility of the findings.
4. For administrative investigations, where the findings of the IAFD investigation are not supported by a preponderance of the evidence, the IAFD commanding officer shall document the reasons for this determination and shall include this documentation in their command review or as an addendum to the original investigative report.



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N/A

5. The IAFD commanding officer shall take appropriate action to address any inadequately supported determination and any investigative deficiencies that led to it.
6. The IAFD commanding officer shall be responsible for the accuracy and completeness of investigation reports prepared by IAFD.
7. Where an IAFD Detective/Investigator conducts two (2) or more deficient force investigations, the IAFD commanding officer shall ensure that they receive the appropriate corrective and/or disciplinary action, consistent with SOP Discipline System. Repeated deficient force investigations shall be cause for removal from IAFD when the IAFD Detective/Investigator has been provided additional training and has conducted another deficient force investigation. The IAFD commanding officer shall document the deficient review in the IAFD Detective/Investigator's performance documents, in accordance with SOP Performance Evaluations.
8. When the IAFD commanding officer determines that the force investigation is complete and the findings are supported by a preponderance of the evidence, they shall forward the investigation report to the Force Review Board (FRB) and file it within the internal affairs database within the Police Reform Bureau.

2-57-9 IAFD Review of Low-Level Control

A. Procedures for a review of Low-Level Control by IAFD

1. The review of Low-Level Control shall include:
 - a. The Uniformed Incident Report/Supplemental Report provided by the involved officer, which shall include the following:
 - i. The reason for the initial police presence;
 - ii. The lawful objective for detention and/or seizure;
 - iii. A specific description of the facts that led to the Low-Level Control, including the behavior of the individual;
 - iv. The individual's level of resistance;
 - v. A description of each Low-Level Control used and justification for each; and
 - vi. A description of any superficial wounds as a result of the Low-Level Control.
 - b. The OBRD of the involved officer and any OBRD that is required to verify or refute the Low-Level Control classification;
 - c. A list of additional evidence that was gathered to ensure proper classification, if required;
 - d. An IAR submitted anytime a potential policy violation is identified; and
 - e. If the Low-Level Control is determined to be a Use of Force or Serious Use of Force, IAFD will investigate the incident in accordance with SOP 2-57-8.
2. Low-Level Control Review IAFD Supervisor Responsibilities



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- a. The IAFD Supervisor shall assess the IA database web application entry to ensure that it is complete and that the review is supported by a preponderance of the evidence.
- b. If a policy violation is discovered during a use of force review, the IAFD Supervisor shall ensure that an IAR is completed by the reviewer identifying the policy violation in accordance with SOP Complaints Involving Department Personnel.
- c. If criminal misconduct is identified, the IAFD Supervisor shall suspend the review, with notice to the affected officer, and immediately notify IAFD and the Superintendent of Police Reform.
 - i. Upon this notification, IAFD shall immediately initiate an administrative investigation and make a referral to the Multi-Agency Task Force (MATF) to initiate a criminal investigation.
- d. After a review is completed and approved, the IAFD Supervisor shall mark the review as complete in the IA database web application entry.

6 2-57-10 Supervisory Investigative Responsibilities for Non-Force Incidents

A. Allegations of use of force that are classified as Non-Force/Low-Level Control/Low Level Control with superficial injuries

1. The responding supervisor shall:

- a. Ensure that the allegation and description of the incident is documented in the involved officer's Uniform Incident Report and "Low-Level Control" is marked within the report;
- b. Write a Supplemental report documenting the on-scene investigation that led to the classification of Non-Force/Low-Level Control; and
- c. Ensure a Crime Scene Specialist (CSS) be dispatched to photograph any superficial wounds and complete a Uniform Incident Report in accordance with SOP Crime Scene Specialists Unit.

B. Accidental Discharge: Less-Than-Lethal Weapon, No Person Hit

1. The Responding Supervisor shall:

- a. Complete the Supervisor On-Scene Investigation Checklist and Form and upload it to the IA database web application;
- b. Create a "Non-Force" IA database web application entry and attach all evidence;
- c. Ensure the less-than-lethal weapon that was used is marked as an "AD" in the "Categories" section of the IA database web application; and
- d. Route the "Non-Force" IA database web application entry to the Lieutenant within three (3) working days of the incident.

2. A Lieutenant shall:



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- a. Review the attached Responding Field Supervisor On-Scene Investigative Checklist, Supervisor On-Scene Investigation Checklist, and attached evidence in the "Non-Force" IA database web application entry;
- b. Add comments within the IA database web application identifying any potential tactical, equipment, training, supervision, and/or policy issues; and
- c. Route the "Non-Force" IA database web application entry to the Commander within three (3) working days.

3. A Commander shall:

- a. Review the attached Responding Field Supervisor On-Scene Investigative Checklist, Supervisor On-Scene Investigation Checklist, and attached evidence in the "Non-Force" IA database web application entry;
- b. Add comments within the IA database web application identifying any potential tactical, equipment, training, supervision, and/or policy issues that were missed;
- c. Identify and address any deficiencies; and
- d. Close the investigation by pressing "Investigation Complete" within the IA database web application within 3 working days.

C. Accidental Discharge: Less-Than-Lethal Weapon, Person Hit

1. The Responding Supervisor shall:

- a. Immediately respond to the scene;
- b. Turn on their On-Body Recording Device (OBRD) upon arriving on scene and record their investigation on their OBRD in accordance with the On-Scene Supervisor Investigation Form;
- c. Ensure Crime Scene Specialists (CSS) personnel are contacted to process the scene in accordance with SOP Use of Crime Scene Specialists (CSS) Unit;
- d. Conduct an on-scene interview and visually inspect the individual for injuries and request medical attention;
- e. Conduct a canvass for community member witnesses and surveillance video;
- f. Collect and approve the Use of Force Written Narrative for Involved and Witness Officers form from involved and witness Department personnel by the end of the shift;
- g. Fill out and sign the Supervisor On-Scene Investigation Checklist and Form to document their on-scene investigation and classification;
- h. If the injury to the individual is equivalent to a serious injury, contact the on-call IAFD Supervisor; and
 - i. An IAFD Investigator will be dispatched to the scene within the hour
- i. If there is no injury or the injury is not equivalent to a serious injury, send the on-scene investigation of the Accidental Discharge to IAFD via the IA Database Web Application:
 - i. Complete an initial "Non-Force" IA database web application entry, ensuring "less than lethal munition- someone struck" is marked in the categories



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section, and submit it to the Office of Police Reform via "IA Force Group" by end of shift.

- ii. Upload the following to the IA Database Web Application Entry:
 1. Supervisor On-Scene Investigative Checklist and Form.
 2. Written Civilian Witness Statements.
 3. OBRD link of the supervisor on scene investigation, the canvass, and Accidental Discharge when available.

D. Accidental Discharge: Firearm

1. The Responding Supervisor shall:
 - a. Complete the Supervisor On-Scene Investigation Checklist and Form;
 - b. Contact the on-call IAFD Supervisor;
 - i. An IAFD Investigator will be dispatched to the scene within the hour.
 - c. Collect and approve all Use of Force Written Narrative for Involved and Witness Officers forms from sworn personnel; and
 - d. Email the Supervisor On-Scene Investigation Checklist and Form to the responding IAFD Detective/Investigator by the end of shift.

E. Lethal Force on an Animal

1. The Responding Supervisor shall:
 - a. Ensure that the officer completes a Uniform Incident Report;
 - b. Write a supplemental report if the supervisor authorized the destruction of the animal;
 - c. Contact a CSS to collect evidence;
 - d. Contact IAPS Division; and
 - e. Contact the City Animal Welfare Department.

6 2-57-11 Responsibilities of the Office of Police Reform

5 A. Where a force investigation indicates any apparent criminal conduct by an officer, the IAFD Com04mander shall notify the Superintendent of the Office of Police Reform through the chain of command, who shall then notify the Chief of Police. The Chief of Police or their designee shall ensure that the investigation is assigned to the appropriate specialized investigative unit.

1. Where appropriate to ensure the fact and appearance of impartiality, and with the authorization of the Office of Police Reform and the Chief of Police, the Chief of Police or their designee may refer a use of force indicating apparent criminal conduct by an employee to the MATF for criminal investigation.
2. The specialized unit shall consult with the Bernalillo County District Attorney's Office or the United States Attorney's Office, as appropriate.



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3. If the MATF completes a criminal investigation into a use of force with reason to believe that criminal conduct has occurred, the Chief of Police or their designee shall instruct for the investigation to be forwarded to the appropriate prosecuting authority. If the MATF or the Criminal Investigations Division (CID) investigation indicates any apparent criminal conduct by an employee or reveals evidence of criminal conduct by an employee, the Chief of Police or their designee shall instruct MATF or CID to forward the investigation to the appropriate prosecuting authority(s).
 4. The Department need not delay the imposition of discipline until the outcome of the criminal investigation.
 5. The Office of Police Reform shall document the assignment or reassignment in writing and notify the IAFD commanding officer.
 6. IAFD shall track all case reassignments.
- B. After an administrative force investigation, where a use of force is found to violate policy, the case shall be forwarded to the Professional Integrity Division to ensure appropriate discipline and/or corrective action is taken.
- C. In use of force investigations where the incident indicates equipment, policy, supervision, tactics, and/or training concerns, the Office of Police Reform shall ensure that necessary training is delivered and the equipment, policy, supervision, tactics, and/or training concerns are resolved.

CITY OF ALBUQUERQUE

Albuquerque Police Department



Cecily A. Barker, Chief of Police



May 21, 2026

DEPARTMENT SPECIAL ORDER – SO 26-53

TO: ALL CONCERNED PERSONNEL

SUBJECT: AMENDMENT TO SOP 2-52 USE OF FORCE (UOF): GENERAL, 2-53 UOF: DEFINITIONS, 2-54 UOF: INTERMEDIATE WEAPON SYSTEMS

The purpose of this Special Order is to resolve inconsistencies with the following intersecting policies.

Effective immediately, this Special Order amends the UOF SOPs 2-52 UOF: General, 2-53 UOF: Definitions, and 2-54 UOF: Intermediate Weapon Systems by amending subsection j of 2-52-5.C.1, by amending subsection 1 of 2-53-3.D in its entirety, by amending subsection 2 of 2-54-4.B, and also by amending the sanction assigned to 2-54-4.B.2 as follows:

400 Roma NW

6 2-52-5 Use of Force Guidelines

Albuquerque

4-6 C. Prohibited Uses of Force

New Mexico 87102

1. Department personnel shall not:

- j. Intentionally target an individual's head, neck, throat, chest, or groin with any impact weapon, except where deadly force would be permitted;
or

www.cabq.gov

N/A 2-53-3 Definitions

D. Deadly Force

- 1. Any use of force that is reasonably likely to cause death or serious physical injury and includes, but is not limited to:
 - a. Discharging a firearm at an individual, whether intentionally or accidentally;
 - b. Any neck hold as defined in this SOP;

- c. Intentionally striking vital areas of the body, including the head, neck, throat, with a baton, flashlight, radio, weapon, stock/handle, improvised impact weapon, or hard object;
- d. Intentionally striking an individual's head against a hard, fixed object, such as a roadway, floor, wall, or steel/iron bars;
- e. Intentionally targeting an individual's head, neck, or throat, chest, or groin with any impact weapon;
- f. Intentionally kneeling or kicking an individual's head, neck, or throat while the individual is in a prone or supine position;
- g. Deliberately striking an individual with a motor vehicle;
- h. Using the Pursuit Intervention Technique (PIT) over thirty-five (35) mph, in accordance with SOP Pursuit Intervention Technique;
- i. Using a tire deflation device on all two-wheeled or three-wheeled motor vehicles, see SOP Use of Tire Deflation Devices; or
- j. Using a PIT on all two-wheeled or three-wheeled motor vehicles, see SOP Pursuit Intervention Technique;

2-54-4 Intermediate Weapon System General Requirements

6

B. Intermediate Weapon System Use Guidelines

4-6

- 2. Sworn personnel shall not intentionally target the head, neck, throat, chest, or groin with any impact weapon, except where deadly force would be permitted;

This Special Order shall expire when these amendments have been incorporated into the published versions of 2-52, 2-53, and 2-54.

Any questions regarding this Special Order should be directed to Internal Affairs Investigations Division Commander Scott Norris at snorris@cabq.gov.

BY ORDER OF:



CECILY A. BARKER
Chief of Police

CAB: sn