



City of Albuquerque

Civilian Police Oversight Agency



Diane McDermott
Executive Director

To: Scott Norris, Commander IAFD

From: Diane McDermott, Executive Director

Subject: CPOA Report on Serious Use of Force APD Case # 24-0054454

Incident Summary:

On July 6, 2024, officers responded to a reported family dispute or domestic violence. A woman caller provided an address and said she did not feel safe. The operator heard her arguing with Mr. G. Officers arrived, spoke with Mr. G, who said he was arguing with his girlfriend, who had left on foot. The girlfriend returned as officers were talking to Mr. G. They checked the residence, then detained Mr. G in handcuffs without incident. One officer investigated the domestic violence charges, and upon its conclusion, the other officer advised Mr. G he was under arrest. He became noncompliant, resisting arrest and preventing his placement in the vehicle. Officers retrieved the Passive Restraint System (PRS), and despite attempts to apply it, Mr. G continued resisting, requiring officers to take him to the ground. Using empty-hand techniques and PRS, officers controlled him on loose gravel, causing abrasions. Rescue personnel assessed his injuries, and he was transported to the hospital for medical clearance before being booked at the Metropolitan Detention Center.

Case Review:

Computer-Aided Dispatch Reports
APD Field Reports
IAFD Reports
IAFD Investigation
On-Body Recording Device Videos
APD policies regarding force
CSS Photos
CPOA Director's attendance at the Force Review Board Briefing

Use of Force Types and Involved Officers:

- UOF1, Level 3 Officer #1 Empty Hand control (Injury handcuffed)
- UOF2, Level 3 Officer #2 Empty Hand control (Injury handcuffed)
- UOF3, Level 3, Officer #3 Empty Hand control (Injury handcuffed)
- UOF4, Level 1, Officer #1 Empty Hand takedown
- UOF5, Level 1, Officer #2 Empty Hand takedown
- UOF6, Level 1, Officer #3 Empty Hand takedown

Policy Consideration and Outcome:

The applicable policy for the uses of force is:

2-52-5-C-3: Authorization of Force (authorization of force takedown)

Department personnel shall use leg sweeps or the Department's Passive Restraint System (PRS) only:
a. To prevent imminent bodily harm to the officer, individual, or to another person(s); b. To overcome active resistance; or c. Where it is objectively reasonable and necessary to overcome passive resistance.

2-53-3-X-2 Passive Resistance

2. Passive Resistance: Non-compliance with officer commands that is nonviolent and does not pose a threat to the officer or the community. Bracing, tensing, linking arms, or verbally signaling an intention to avoid or prevent being taken into custody constitute passive resistance.

2-53-3-W-1: Levels of Force (Level 1)

1. Level 1 Use of Force: 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.

2-53-3-W-2: Levels of Force (Level 2)

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.

2-53-3-W-3-h (Level 3)

3. Level 3 Use of Force: 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.

Level 3 use of force includes:

h. Any Level 2 use of force against a handcuffed individual;

Y. Low-Level Control Tactic

1. A physical interaction used to move or guide an individual that does not cause pain, is not reasonably likely to cause any pain or injury, and does not cause a complaint of injury, including:

a. Escort techniques, incidental touching, use of control holds, or handcuffing an individual or person with no or passive resistance (e.g., tensing of arm muscles or turning or pulling away that does not escalate to a reportable use of force), which does not cause pain and is not reasonably likely to cause pain or injury;

Officers had lawful objective to take Mr. G into custody. He was charged with domestic violence for assaulting his girlfriend. The force used was minimal, reasonable, and necessary, as Mr. G was non-compliant with the vehicle. However, CPOA's review of the lead-up to the use of force appears to show a lack of de-escalation on the part of the officers. The application of PRS appeared questionable, as Mr. G's non-compliance led to a quick application rather than de-escalation prior to its use.

The uses of force were found to be within APD policy by IAFD.

Findings:

The CPOA and CPOAB agreed with APD's determination to find the uses of force within policy.

Additional Policy Considerations:

IAFD identified a training issue in which officers attempted to apply PRS while Mr. G was standing. The academy trains officers to apply PRS only when subjects are face down on the ground. The issue was handled appropriately.

Another issue raised by a Sergeant was concerning the use of de-escalation and active listening by one of the officers. The officer did not utilize de-escalation and kept repeating to Mr. G, “How am I hurting you?” on a loop. The officer disregarded him when Mr. G told the officer he is 100% disabled.

No additional recommendations were proposed.

The Civilian Police Oversight Advisory Board reviewed this case at its May 7, 2025 meeting. The Board’s discussion can be found in the May minutes here: cabq.gov/cpoa

