

# CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

Thursday, December 11, 2025, at 5:00 PM  
Vincent E. Griego Chambers

**Zander Bolyanatz**, Board Chair  
**Aaron Calderon**, Board Vice-Chair  
**Eduardo Budanauro**, Board Member  
**Rowan Wymark**, Board Member  
**Diane McDermott**, Executive Director, CPOA  
**Ali Abbasi**, Deputy Director, CPOA

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## **Members Present:**

Zander Bolyanatz, Chair  
Aaron Calderon, Vice Chair  
Eduardo Budanauro, Board Member  
Rowan Wymark, Board Member

## **Members Absent:**

## **Others Present In-Person:**

Diane McDermott, CPOA Executive Director  
Ali Abbasi, CPOA Deputy Director  
Gabe Remer, CPOA Policy Analyst  
Katrina Sigala, CPOA Executive Assistant  
Valerie Barela, CPOA Senior Administrative Assistant  
Marteessa Billy, CPC Office Assistant  
Robert Kidd, Independent Counsel  
Lindsey Rosebrough, City Managing Attorney  
Chris Sylvan, Neighborhood Liaison, City Council Services  
Harold Medina, APD Chief of Police  
Mike Hernandez, APD Chief of Staff  
Ryan Nelson, APD IAPS Commander  
Scott Norris, APD IAFD Commander  
Sean Waite, Commander APD Police Reform  
Sean Higdon, APD Academy Lieutenant  
Jeffery Bustamante, ACS Community Outreach Manager

## **Others Present via Zoom:**

Former Judge Sharon Walton, Monitor of Police Training  
Dr. Omotayo (Ty) Olubiyi, Contract Compliance Officer

## **MINUTES**

- I. Welcome, Call to Order and Roll Call.** Chair Bolyanatz called the regular meeting of the Civilian Police Oversight Advisory Board to order at approximately 5:00 p.m., and a roll call of members present was taken. Zander Bolyanatz, Eduardo Budanauro, Aaron Calderon, and Rowan Wymark were present.
- II. Pledge of Allegiance.** Chair Bolyanatz led the Pledge of Allegiance
  - a. Approval of the Agenda.** A motion was made by Chair Bolyanatz to approve the agenda as written. Vice Chair Calderon seconded the motion. The motion was carried by a unanimous vote.

**For: Bolyanatz, Budanauro, Calderon, Wymark**

**III. Review and Approval of Minutes.** For more information about minutes from prior Civilian Police Oversight Advisory Board meetings, please visit our website here:  
<https://www.cabq.gov/cpoa/police-oversight-board/police-oversight-board-agenda-meeting-minutes>

**a. November 13, 2025**

1. Each board member was provided a website link to review the draft minutes from the Civilian Police Oversight Advisory Board's regular meeting on November 13, 2025.
2. **Motion.** A motion was made by Chair Bolyanatz to approve the minutes as written. Vice Chair Calderon seconded the motion. The motion was carried by a unanimous vote.

**For: Bolyanatz, Budanauro, Calderon, Wymark**

**IV. Reports from City Departments:**

**a. APD**

**1. Chief of Police – Harold Medina**

- i. Chief Medina provided a verbal update on APD's successes related to the DOJ, crime reduction, and recruiting efforts. Notable highlights included a 32-34 percent drop in homicides, a 42-44 percent decrease in auto thefts, and a record number of arrests. He also highlighted the development of the Duke City Stat Board, which holds Commanders accountable for current crime trends through their Deputy Chiefs for crime statistics. He also acknowledged City Councilors who have helped promote the community policing incentive to keep officers in the same area commands and to develop detective training, and concluded with the challenges faced by the unhoused community and officers' empathy toward them. In response to Board questions, Chief Medina supported a dashboard for each area command, homicide clearance rate drivers, and a working relationship with the Bernalillo County Sheriff.

**2. Internal Affairs Professional Standards (IAPS)– Commander Ryan Nelson**

- i. A document titled "*Albuquerque Police Department Internal Affairs Professional Standards (IAPS) Division Monthly Report, November 2025*" was distributed electronically to CPOA Board members. (See attached IAPS Report)

- ii. Commander Nelson reported on the total number of cases open and completed, pending, average days to complete, and the top SOPs with sustained findings. He explained the development of the Enhanced Supervisory Intervention (ESI) for minor policy violations and outlined the documentation process, noting that ESI information will be reported.
- iii. Chair Bolyanatz requested data from the area command cases, noting that the data by area command and percentages can be used for trend analysis.

**3. Internal Affairs Force Division (IAFD)– Commander Scott Norris**

- i. A document titled *Albuquerque Police Department Monthly Use of Force Report, November 2025*, was distributed to CPOA Board members electronically. (See attached *IAFD Report*)
- ii. Commander Norris verbally reported the number of the highest area commands for use-of-force, and the demographics of individuals involved in force incidents. He noted that the Use of Force is down; however, the show-of-force distinctions are not the contributing factor.

**b. ACS- Jefferey Bustamante, Deputy Director**

- 1. Jeffrey Bustamante stated he provided ACS October & November 2025 reports to the CPOA Executive Director and verbally reported on calls for service trends and outreach efforts. He noted that the ACS community holiday party is on December 19, 2025, and that the winter transportation program services are in use. (See attached *October and November ACS reports*)

**c. City Attorney- Lindsey Rosebrough, Managing Attorney**

- 1. Lindsey Rosebrough verbally briefed the Board on a case pending before the NM Supreme Court related to inventory searches, noting that the case is up on appeal and that the City of Albuquerque intends to file an Amicus Brief on why the change in Case Law had a significant impact on the City of Albuquerque and the Albuquerque Police Department (APD).

- d. **City Council-** *Chris Sylvan, Council Services*
  - 1. Chris Sylvan verbally reported that during the last City Council meeting of the year, CPOA OC-25-55, the CPOA Semi-Annual Report will be heard at that meeting, noting the report was well-drafted.
- e. **Community Policing Council (CPC)-** *Kelly Mensah, Community Engagement Manager*
  - 1. Marteessa Billy presented on behalf of Kelly Mensah. She verbally reported on CPC events. (*See attached CPC report*)
- f. **Mayor's Office-** *Doug Small, Director of Public Affairs*
  - 1. No one from the Mayor's office was present.
- g. **CPOA-** *Diane McDermott, Executive Director*
  - 1. Diane McDermott reported on complaint intakes, case assignments, and commendations received by the Civilian Police Oversight Agency (CPOA) in November 2025. She asked the Board to share their preferred dates for APD Drone Training and submit any related questions. She acknowledged staff who worked on the 2026 Semi-Annual Report and provided staffing updates. Ms. McDermott updated the Board on CPOA presentations to APD Cadets and to Citizens Police Academy participants. She mentioned the Policy and Procedure Review Subcommittee's plans to review the Use of Force Policy Suite, noting that other Board members may attend but not participate in any Subcommittee decisions. She concluded by announcing Commander Ingram's retirement.

- V. **Public Comment** [Public comment is limited to three minutes unless extended by the Chairperson]
  - a. None.

- VI. **Serious Use of Force Case(s):** The CPOA's findings in each Serious Use of Force case listed are located at: <https://www.cabq.gov/cpoa/case-outcomes/serious-use-of-force>
  - a. APD Case #24-0098959 – *Eduardo Budanauro*
    - 1. Member Budanauro gave a verbal overview of Serious Use of Force (SUOF) Case #24-0098959.
    - 2. Ali Abbasi verbally reported his review and findings of OIS Case #24-0098959.
    - 3. Scott Norris noted conduct issues with the officer and failures related to the retention of the individual, citing a mandatory training referral for the officer.

4. Chair Bolyanatz facilitated feedback from Board members, and the Board had no policy recommendations for OIS Case 24-0098959.
5. **Motion.** Chair Bolyanatz made a motion that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Affairs Force Division Investigation for APD Case #24-0098959. The motion was seconded by Member Budanauro. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

- b. APD Case #24-0101133 – *Rowan Wymark*
  1. Member Wymark gave a verbal overview and summary of Serious Use of Force (SUOF) APD Case #24-0101133.
  2. Ali Abbasi verbally reported on his review and findings of SUOF APD Case #24-0101133.
  3. Scott Norris had nothing additional to report.
  4. Chair Bolyanatz facilitated Board member feedback on the SUOF Case #24-0101133.
  5. **Motion.** A motion was made by Chair Bolyanatz that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Affairs Force Division Investigation for APD Case #24-0101133. The motion was seconded by Member Wymark. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

**VII. Officer-Involved Shooting Case(s):** The CPOA's findings in each Officer-Involved Shooting case listed are located at: <https://www.cabq.gov/cpoa/case-outcomes/officer-involved-shootings>

- a. APD Case # 25-0007261 – *Zander Bolyanatz*
  1. Chair Bolyanatz gave a verbal overview of Officer-Involved Shooting (OIS) Case #25-0007261.
  2. Ali Abbasi provided his review and findings of OIS Case #25-0007261.
  3. Scott Norris had nothing additional to report.
  4. Chair Bolyanatz facilitated feedback from Board members for OIS Case #24-0007261.

5. **Motion.** Chair Bolyanatz made a motion that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Affairs Force Division Investigation for APD Case #25-0007261. The motion was seconded by member Budanauro. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

**VIII. In-Custody Death Case:** The CPOA's findings in each Serious Use of Force case listed are located at: <https://www.cabq.gov/cpoa/case-outcomes/in-custody-death-finding-letters>

- a. APD Case #25-0006106 – *Aaron Calderon*
  1. Vice Chair Calderon gave a verbal overview and summary of In Custody Death Case #25-0006106.
  2. Ali Abbasi provided his review and findings of the In-Custody Death Case #25-0006106.
  3. Ryan Nelson had nothing additional to report.
  4. Chair Bolyanatz facilitated Board member feedback on In Custody Death APD Case #25-0006106.
  5. **Motion.** A motion was made by Chair Bolyanatz that the Civilian Police Oversight Advisory Board affirms and upholds the findings of APD Internal Affairs Professional Standard Division Investigation for APD Case #25-0006106. The motion was seconded by Vice Chair Calderon. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

**\*\*\*A dinner break began at 6:34 p.m., and the meeting resumed at approximately 7:09 p.m.\*\*\***

**IX. Report from CPOAB Subcommittee(s):**

- a. **Policy and Procedure Review Subcommittee – Aaron Calderon**
  1. Meeting was held on December 4, 2025, at 3 p.m.
  2. Report from Subcommittee
  3. Next meeting, Friday, January 2, 2026, at 3 p.m.
    - i. Chair of the Policy and Procedure Review Subcommittee, Aaron Calderon, gave a verbal report and noted the next subcommittee meeting will be held on December 4, 2025, at 3 p.m.

**X. Discussion and Possible Action:**

- a. **CPOAB Chair Participation in CPOA Monthly Meeting with City Council Staff**
  1. Diane McDermott provided protocols regarding individual Board members engaging in meeting(s) outside of official Board meetings.

2. Chris Sylvan noted that CPOA and CCO have recurring monthly calendar invites, and those invites should be shared with the Board member(s) by the CPOA.
3. **Motion.** A motion was made by Chair Bolyanatz that the Civilian Police Oversight Advisory Board Chair or designee can participate in the CPOA monthly meetings, City Council Staff, as deemed appropriate by the CPOA Executive Director. Member Wymark seconded the motion. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

**b. APD Policy**

**1. Recommendations**

**A. SOP 1-64 (Formerly 4-12 and 6-9) K-9 Unit**

- i. Gabe Remer reported that he submitted considerations related to the policies pertaining to inconsistencies between SOP 1-64 and SOP 2-23 Use of k-9 Unit, noting that SOP 2-23 will be up for review soon and not expecting a response for the consideration of inconsistencies at this time.
- ii. Gabe Remer provided recommendations for SOP 1-64-5B-2-f-v, noting it was a substantial change involving muzzled K-9s. *(See attached Policy and Procedure Review Subcommittee Report Board meeting)*
- iii. **Motion.** A motion was made by Chair Bolyanatz that policy recommendation for SOP 1-64 formally 4-12, and SOP 6-9 that the Board direct the CPOA to submit on their behalf the recommendation to add misdemeanor crimes involving violence, threat of violence, or a credible ongoing risk, to the policy under 1-64-5-B-2-f-v. Member Budanauro seconded the motion. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

**2. No Recommendation(s):**

**A. SOP 1-2 Social Media**

- i. There were no policy recommendations for SOP 1-2.

**B. SOP 1-22 Automated License Plate Reader Program**

- i. There were no policy recommendations for SOP 1-22.
  - C. SOP 1-60 Interagency Task Force Operations
    - i. There were no policy recommendations for SOP 1-60.
  - D. SOP 1-71 Operations Review Section
    - i. There were no policy recommendations for SOP 1-71.
  - E. SOP 2-11 Use of Tire Deflation Device
    - i. There were no policy recommendations for SOP 2-11.
  - F. SOP 2-16 Reports
    - i. There were no policy recommendations for SOP 2-16.
  - G. SOP 2-22 (Formerly 2-34) Juvenile Delinquency
    - i. There were no policy recommendations for SOP 2-22.
  - H. SOP 2-101 Department-Vehicle Grappler Device
    - i. There were no policy recommendations for SOP 2-101.
  - I. SOP 2-109 Investigative Services Division (ISD) Tracker Program
    - i. There were no policy recommendations for SOP 2-109.
3. **APD Response to Policy Recommendation(s):** [Standing Item]
- A. Gabe Remer reported to the Board on the responses he received from APD for SOP 2-83 and SOP 2-86, noting APD did not concur with the recommendations, and that APD is working with City Legal related to the practice of PSA's removing license plates. (*See attached Policy and Procedure Review Subcommittee Report Board meeting*)

**XI. Other Business**

- a. None.

**XII. Adjournment.**

- a. **Motion.** A motion was made by Chair Bolyanatz to adjourn the meeting. The motion was seconded by Vice Chair Calderon. The motion was carried by a unanimous vote.

**For: 4 – Bolyanatz, Budanauro, Calderon, Wymark**

- b. The meeting was adjourned at approximately 7:55 p.m.



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD  
PUBLIC COMMENT  
SIGN-IN SHEET

Thursday, December 11, 2025

NAME (PLEASE PRINT)

|           |           |
|-----------|-----------|
| 1. _____  | 11. _____ |
| 2. _____  | 12. _____ |
| 3. _____  | 13. _____ |
| 4. _____  | 14. _____ |
| 5. _____  | 15. _____ |
| 6. _____  | 16. _____ |
| 7. _____  | 17. _____ |
| 8. _____  | 18. _____ |
| 9. _____  | 19. _____ |
| 10. _____ | 20. _____ |



**ALBUQUERQUE POLICE DEPARTMENT**  
**INTERNAL AFFAIRS PROFESSIONAL STANDARDS (IAPS) DIVISION**  
**MONTHLY REPORT**  
**November 2025**

**INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION  
STATISTICAL DATA FOR THE MONTH OF  
November 2025**

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Internal Affairs Professional Standards (IAPS) is responsible for receiving and investigating allegations of misconduct made against the Albuquerque Police Department's employees. The IAPS Division ensures a thorough, impartial, and prompt investigation of allegations to implement transparent fact finding processes and take corrective actions against the employees if investigative findings are sustained. IAPS investigate cases according to SOP 1-62: Internal Affairs Professional Standards (IAPS) Division. For more information on APD's Standard Operating Procedures, see: <http://public.powerdms.com/COA>.

The purpose of this monthly report is to provide the City Administration, APD Executive Staff, the City Council, the Civilian Police Oversight Agency Board and the residents of Albuquerque with the outcomes pertaining to IAPS Investigations. This report provides details on the Total Investigations Opened and Completed, Open and Completed by Area Commands, Total Pending cases and the Average Time Taken (in Days) for case completion during the month. It provides data on cases with Sustained findings along with discipline imposed. Lastly, it includes information pertaining to the SOPs that were reviewed in completed investigations during the month. *Please note: this report excludes the misconduct cases that originate from force investigations, given that these are investigated by Internal Affairs Force Division (IAFD).*

**Total Cases Opened**

**24**

Investigations opened by  
Internal Affairs Professional Standards  
(includes cases investigated by Area Commands)

**Total Cases Completed**

**18**

Investigations completed by  
Internal Affairs Professional Standards  
(includes cases investigated by Area Commands)

**Cases Opened**

[By Area Commands]

**9**

Investigations opened by  
Internal Affairs Professional Standards and  
referred to the Area Commands

**Cases Completed**

[By Area Commands]

**4**

Investigations completed by  
the Area Commands

**Pending Cases**

**60**

Investigations pending completion

**Average Days to Completion**

**78**

Average days to completion for  
investigations completed during  
the month

## Completed Cases with Sustained Findings

Total Sustained Cases: 10  
56% of all completed investigations had sustained findings



### Discipline Imposed for Allegations with Sustained Finding

Each row represents one sustained allegation and one officer may have multiple allegations with discipline

| Files    | Directives and SOPs                                    | Discipline Imposed  |
|----------|--------------------------------------------------------|---------------------|
| I2025... | 2.80. Arrests, Arrest Warrants, and Booking Procedures | Suspension          |
|          | 1.1. Personnel Code of Conduct                         | Suspension          |
| I2025... | 2.80. Arrests, Arrest Warrants, and Booking Procedures | Suspension          |
| I2025... | 1.1. Personnel Code of Conduct                         | Suspension          |
| I2025... | 1.78. Police Service Aide (PSA) Program                | Letter of Reprimand |
| I2025... | 2.76. Court                                            | Suspension          |
| I2025... | 1.1. Personnel Code of Conduct                         | Letter of Reprimand |
| I2025... | 2.76. Court                                            | Letter of Reprimand |
| I2025... | 2.76. Court                                            | Suspension          |
| I2025... | 1.1. Personnel Code of Conduct                         | Verbal Reprimand    |
| I2025... | 2.10. Emergency Communications Center (ECC) Division   | Verbal Reprimand    |



### Standard Operating Procedures Reviewed in Completed Investigations

| Directives and SOPs                                    | Count |
|--------------------------------------------------------|-------|
| 1.1. Personnel Code of Conduct                         | 10    |
| 2.76. Court                                            | 4     |
| 2.8. Use of on-Body Recording Devices                  | 2     |
| 2.54. Use of Force: Intermediate Weapon Systems        | 1     |
| 3.14. Supervision                                      | 1     |
| 3.30. Line Inspection Process                          | 1     |
| 1.78. Police Service Aide (PSA) Program                | 1     |
| 2.10. Emergency Communications Center (ECC) Division   | 1     |
| 2.78. Domestic Violence                                | 1     |
| 2.80. Arrests, Arrest Warrants, and Booking Procedures | 2     |

### TOP 5 Standard Operating Procedures with Sustained Findings

| Directives and SOPs            | Count |
|--------------------------------|-------|
| 1.1. Personnel Code of Conduct | 4     |
| 2.76. Court                    | 3     |

### Directive Details for Sustained SOP 1-1 Personnel Code of Conduct Allegations

| Directive    | Count    |
|--------------|----------|
| 1.1.4.A.2.b  | 1        |
| 1.1.4.A.2.d  | 1        |
| 1.1.5.D.1    | 1        |
| 1.1.5.D.3.a  | 1        |
| <b>Total</b> | <b>4</b> |

# **Albuquerque Police Department Monthly Use of Force Report November 2025**



**Prepared by:**

**Data Analytics Unit  
December 4, 2025**

Note: This report presents preliminary information from departmental data. All figures in this report are subject to change as additional information becomes available.



## Total Use of Force Events - November 2025

This report provides a monthly overview of use of force events involving Albuquerque Police Department (APD) personnel. APD is committed to using force to achieve lawful objectives in instances where use of force is objectively reasonable, necessary, and minimal, given the totality of circumstances (see SOP 2-52: Use of Force – General). When force is not consistent with these standards of conduct (SOP 2-52: Use of Force- General), APD takes corrective actions which may include discipline.

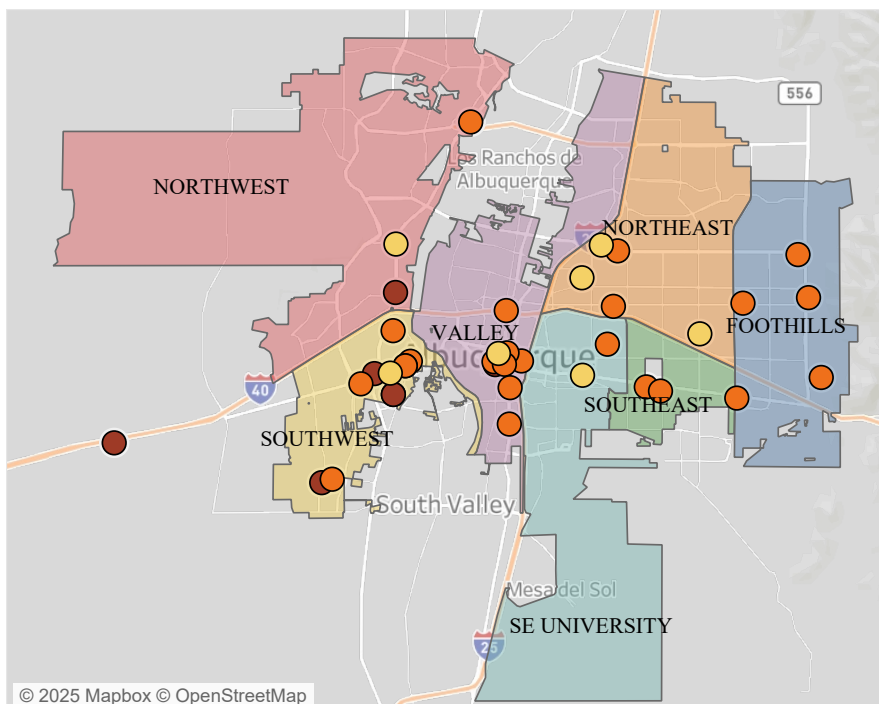
APD's jurisdiction includes the City of Albuquerque which is divided into six Area Commands. In the map below, Southeast Area Command is split into "SE University" and "Southeast". University Area Command is combined with Southeast Area Command in this report until updates to department databases are complete.

Force is categorized into three levels based on APD policy. For more information on APD's Standard Operating Procedures, see: <https://public.powerdms.com/COA>. As of September 20, 2025, APD amended its use of force SOPs to specify that a show of force is not considered a use of force. Shows of force will be tracked as part of uniform incident reports and supervisors will review the incidents to ensure it was reasonable, necessary, and minimal in the circumstances. Shows of force after this date will be reported separate from uses of force.

### Total Use of Force Cases by Area Command and Level of Force

|             | Force Level |         |         | Grand Total |
|-------------|-------------|---------|---------|-------------|
|             | Level 1     | Level 2 | Level 3 |             |
| Foothills   | 0           | 5       | 0       | 5           |
| Northeast   | 3           | 2       | 0       | 5           |
| Northwest   | 1           | 1       | 1       | 3           |
| Southeast   | 0           | 2       | 0       | 2           |
| Southwest   | 1           | 5       | 3       | 9           |
| University  | 1           | 1       | 0       | 2           |
| Valley      | 1           | 7       | 1       | 9           |
| Out of Area | 0           | 0       | 1       | 1           |
| Grand Total | 7           | 23      | 6       | 36          |

### Locations of Use of Force Cases



Force Level  
Level 1  
Level 2  
Level 3

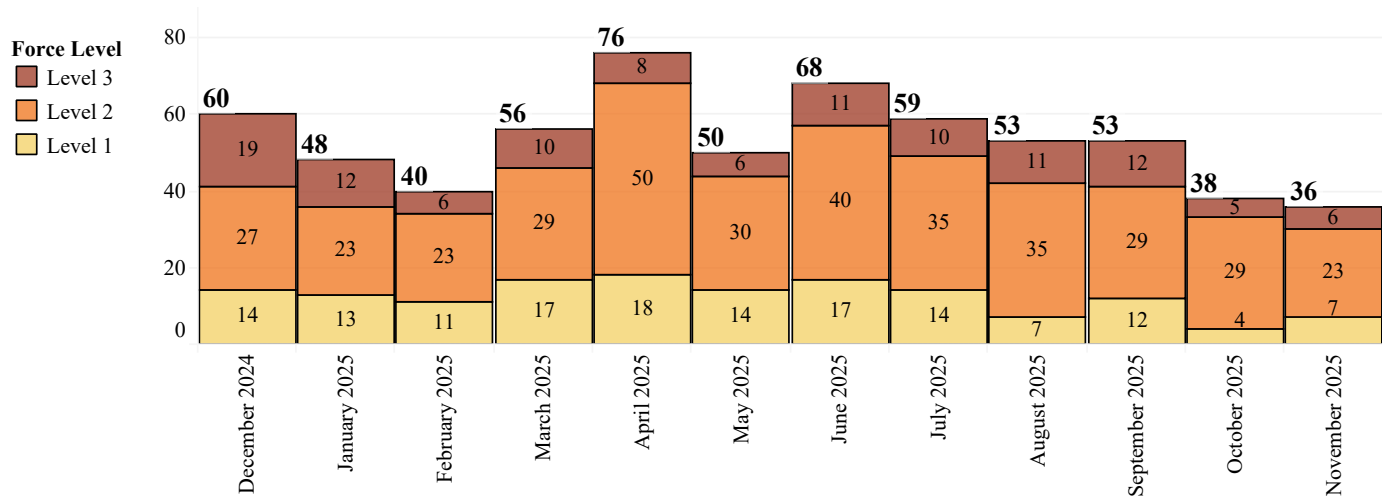
Note: Most force investigations in this report are open investigations since it reflects the previous month of data. As such, figures in this report are preliminary and subject to change as use of force investigations progress.



## Use of Force Totals by Month - Past 12 Months

APD tracks use of force data over time to examine trends in use of force. For annual trends, see APD's Annual Use of Force Reports. This page reports monthly totals of all use of force for APD.

**Total Uses of Force by Month and Level of Force**



**Total Uses of Force by Month and Area Command**

|             |         | December 2024 | January 2025 | February 2025 | March 2025 | April 2025 | May 2025 | June 2025 | July 2025 | August 2025 | September 2025 | October 2025 | November 2025 | Grand Total |
|-------------|---------|---------------|--------------|---------------|------------|------------|----------|-----------|-----------|-------------|----------------|--------------|---------------|-------------|
| Foothills   | Level 1 | 0             | 3            | 1             | 4          | 2          | 3        | 0         | 4         | 1           | 3              | 0            | 0             | 21          |
|             | Level 2 | 1             | 0            | 5             | 4          | 3          | 2        | 6         | 5         | 3           | 0              | 1            | 5             | 35          |
|             | Level 3 | 3             | 1            | 2             | 1          | 1          | 0        | 1         | 0         | 2           | 2              | 0            | 0             | 13          |
| Northeast   | Level 1 | 4             | 4            | 3             | 2          | 2          | 3        | 1         | 1         | 2           | 1              | 0            | 3             | 26          |
|             | Level 2 | 2             | 4            | 6             | 8          | 10         | 6        | 4         | 10        | 6           | 6              | 3            | 2             | 67          |
|             | Level 3 | 8             | 1            | 3             | 1          | 2          | 0        | 2         | 2         | 2           | 0              | 1            | 0             | 22          |
| Northwest   | Level 1 | 2             | 0            | 0             | 1          | 1          | 0        | 2         | 0         | 0           | 2              | 0            | 1             | 9           |
|             | Level 2 | 3             | 0            | 4             | 3          | 1          | 2        | 0         | 1         | 2           | 1              | 2            | 1             | 20          |
|             | Level 3 | 1             | 0            | 0             | 1          | 1          | 0        | 1         | 1         | 0           | 0              | 0            | 1             | 6           |
| Southeast   | Level 1 | 1             | 0            | 2             | 5          | 4          | 4        | 6         | 5         | 0           | 1              | 3            | 0             | 31          |
|             | Level 2 | 8             | 8            | 3             | 7          | 17         | 6        | 13        | 8         | 12          | 10             | 12           | 2             | 106         |
|             | Level 3 | 2             | 2            | 0             | 2          | 2          | 2        | 1         | 0         | 2           | 4              | 1            | 0             | 18          |
| Southwest   | Level 1 | 1             | 1            | 2             | 0          | 1          | 2        | 2         | 2         | 1           | 0              | 0            | 1             | 13          |
|             | Level 2 | 4             | 3            | 2             | 3          | 5          | 4        | 4         | 6         | 3           | 3              | 3            | 5             | 45          |
|             | Level 3 | 3             | 1            | 1             | 2          | 0          | 0        | 1         | 4         | 1           | 2              | 1            | 3             | 19          |
| University  | Level 1 | 2             | 1            | 0             | 2          | 2          | 0        | 2         | 1         | 1           | 1              | 0            | 1             | 13          |
|             | Level 2 | 4             | 4            | 0             | 0          | 3          | 2        | 7         | 4         | 3           | 6              | 3            | 1             | 37          |
|             | Level 3 | 2             | 1            | 0             | 1          | 0          | 1        | 1         | 2         | 1           | 2              | 0            | 0             | 11          |
| Valley      | Level 1 | 4             | 4            | 2             | 2          | 7          | 2        | 4         | 1         | 2           | 4              | 1            | 1             | 34          |
|             | Level 2 | 6             | 4            | 3             | 4          | 9          | 7        | 6         | 3         | 5           | 4              | 4            | 7             | 62          |
|             | Level 3 | 1             | 5            | 0             | 3          | 2          | 3        | 4         | 1         | 3           | 4              | 1            | 1             | 28          |
| Out of Area | Level 1 | 0             | 0            | 1             | 1          | 0          | 0        | 0         | 0         | 0           | 0              | 0            | 0             | 2           |
|             | Level 2 | 0             | 0            | 0             | 0          | 2          | 1        | 0         | 0         | 1           | 0              | 1            | 0             | 5           |
|             | Level 3 | 0             | 1            | 0             | 0          | 0          | 0        | 0         | 0         | 0           | 0              | 1            | 1             | 3           |
| Grand Total |         | 60            | 48           | 40            | 56         | 76         | 50       | 68        | 59        | 53          | 53             | 38           | 36            | 637         |



## Use of Force Benchmarked Against Calls For Service and Arrests - November 2025

Officers are required to only use force when necessary to achieve a lawful objective. When officers have more contacts with individuals, it is likely that there will be more uses of force. To control for factors that may contribute to higher or lower uses of force in a given month, this page shows the number of uses of force relative to the number of calls for service and the number of arrests made. For a detailed discussion of the method used on this page, see APD's 2024 Annual Use of Force Report. **Total force counts on this page may be higher than the previous page if a case involves more than one use of force in different Area Commands.**

### Calls for Service

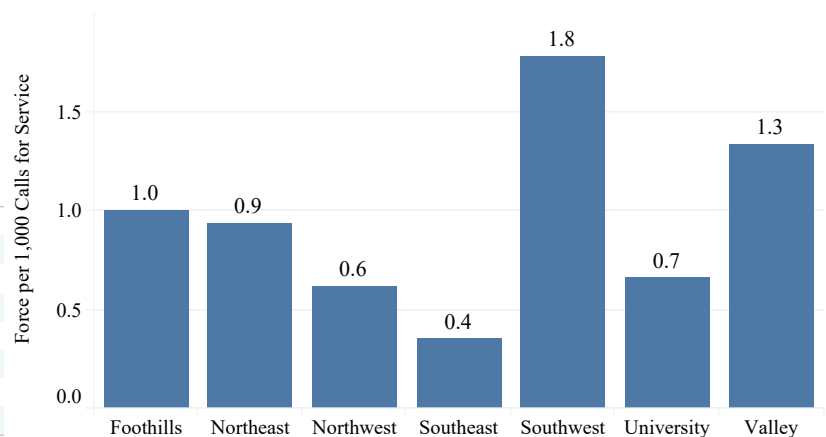
#### Total Calls for Service for Area Commands

Excludes calls for service where contact with an individual was unlikely, see Annual Use of Force report for full methodology.

#### CAD Calls by Area Command, November 2025

| Area Command | Total Force Cases | Total CAD Calls | Force per 1,000 Calls |
|--------------|-------------------|-----------------|-----------------------|
| Foothills    | 5                 | 4,975           | 1.0                   |
| Northeast    | 5                 | 5,344           | 0.9                   |
| Northwest    | 3                 | 4,849           | 0.6                   |
| Southeast    | 2                 | 5,631           | 0.4                   |
| Southwest    | 9                 | 5,055           | 1.8                   |
| University   | 2                 | 3,035           | 0.7                   |
| Valley       | 9                 | 6,736           | 1.3                   |
| Out of Area  | 1                 |                 |                       |

#### Force Rate per 1,000 Calls For Service



### Custodial Arrests

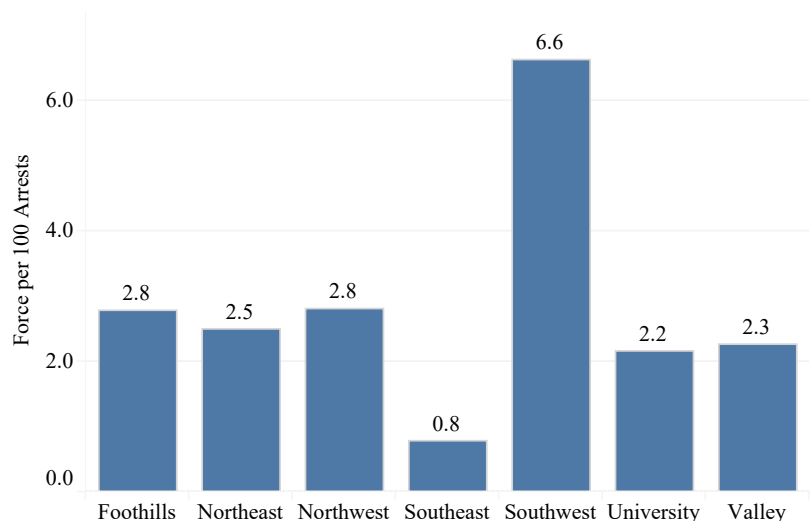
#### Total Custodial Arrests for Area Commands

Arrests include custodial arrests only and exclude summonses and citations.

#### Force per Arrest by Area Command, November 2025

| Area Command | Total Force Cases | Total Arrests | Force Per 100 Arrests |
|--------------|-------------------|---------------|-----------------------|
| Foothills    | 5                 | 181           | 2.8                   |
| Northeast    | 5                 | 200           | 2.5                   |
| Northwest    | 3                 | 107           | 2.8                   |
| Southeast    | 2                 | 256           | 0.8                   |
| Southwest    | 9                 | 136           | 6.6                   |
| University   | 2                 | 93            | 2.2                   |
| Valley       | 9                 | 400           | 2.3                   |
| Out of Area  | 1                 | 18            | 5.6                   |
| Unknown      | 0                 | 26            | 0.0                   |

#### Force Rate per 100 Custodial Arrests

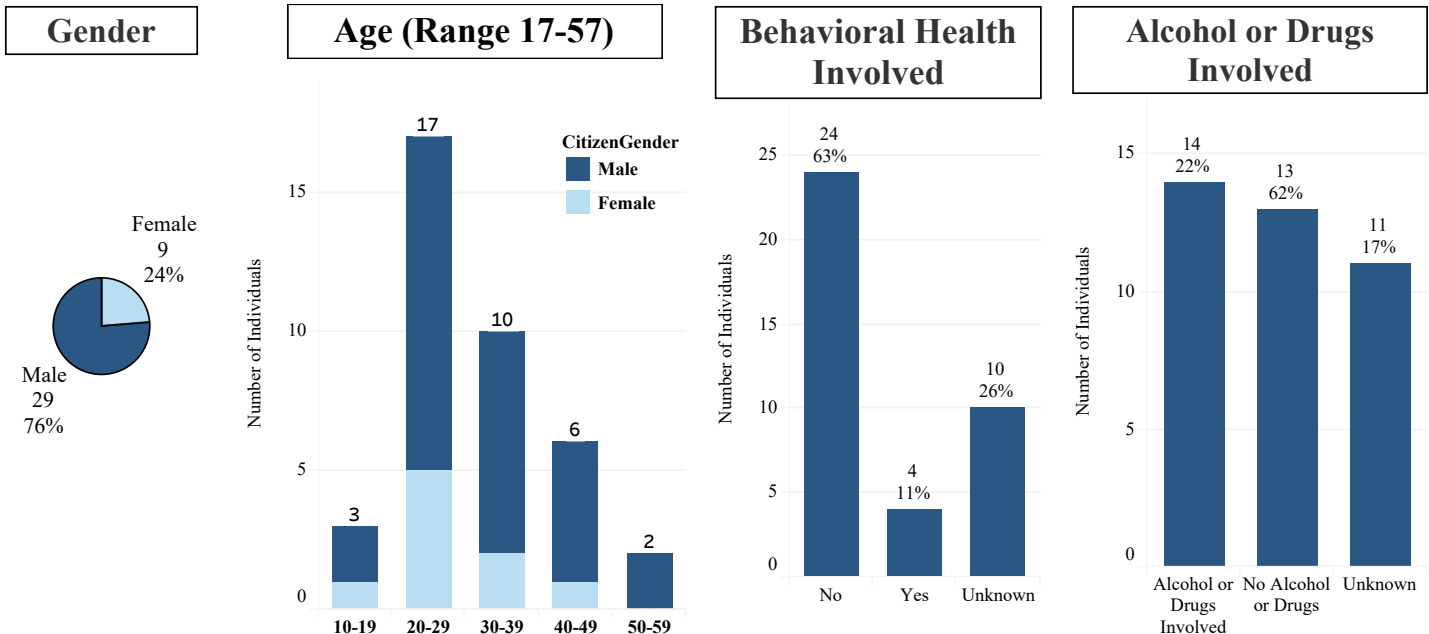




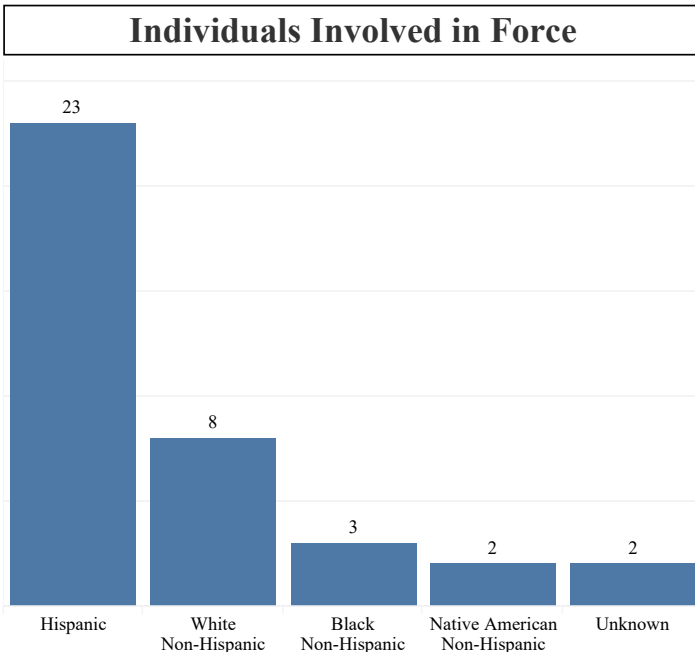
## Demographics of Individuals Involved in Force - November 2025

APD records information about individuals involved in use of force incidents. Citizen information is based on what the individual reported or, if not reported by the individual, on the investigators observations on scene and through review of body-worn camera video. Information may change as investigations progress.

Note: Totals on different characteristics may differ due to missing values being excluded.



### Race and Ethnicity



### Force Rate per 100 Custodial Arrests, November 2025

| Race/Ethnicity                      | Total Force | Total Arrests | Force Rate per 100 Arrests |
|-------------------------------------|-------------|---------------|----------------------------|
| Hispanic                            | 23          | 575           | 4.0                        |
| White Non-Hispanic                  | 8           | 465           | 1.7                        |
| Black Non-Hispanic                  | 3           | 120           | 2.5                        |
| Native American Non-Hispanic        | 2           | 161           | 1.2                        |
| Asian Pacific Islander Non-Hispanic | 0           | 5             | 0.0                        |
| Unknown                             | 2           | 91            | 2.2                        |

Note: Table shows the number of people involved in force interactions. One person may be counted more than once if they are involved in multiple uses of force.



## Final Call Types and Types of Force Used - November 2025

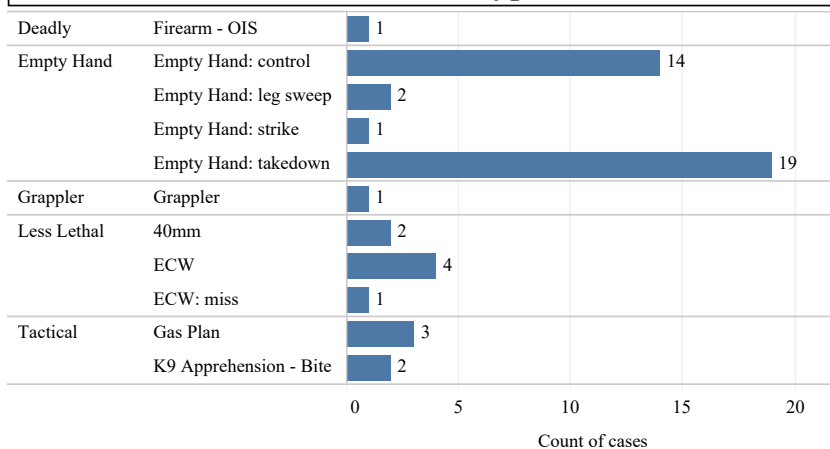
Officers are dispatched to calls for service and the original and final type of call for service are tracked. The table on the right shows the final call types for all calls involving force during the month.

Below, the total number of cases is shown that included the type of force. In any single force case, multiple officers are usually involved and multiple types of force can be used. The bars on the graph will sum to a number greater than the total force cases due to multiple types of force being used in one case and the case being represented in multiple bars.

### Final Call Types Associated with Force Events

|                                 |           |
|---------------------------------|-----------|
| Aggravated Assault/Battery      | 2         |
| Disturbance                     | 3         |
| Family Dispute                  | 4         |
| Fight In Progress               | 1         |
| Narcotics                       | 1         |
| Shoplifting                     | 1         |
| Stolen Vehicle Found            | 1         |
| Suicide                         | 1         |
| Suspicious Person(s)/Vehicle(s) | 10        |
| SWAT                            | 3         |
| Traffic Accident No Injuries    | 1         |
| Traffic Stop                    | 1         |
| Unknown                         | 1         |
| Wanted Person                   | 6         |
| <b>Grand Total</b>              | <b>36</b> |

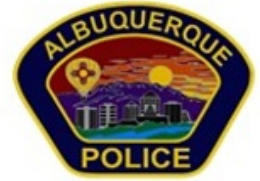
### Total Force Cases Where Each Type of Force Was Used



## Cases Where Shows of Force Are The Only Method Applied by Month

As of September 20, 2025, shows of force (i.e. pointing a firearm, ECW, or 40mm launcher) at a person are no longer uses of force according to APD policy. Due to this subset of cases no longer being counted in force totals, cases where there is a show of force only are included below to for improved comparison of force cases over time.

| Type of Show of Force | January 2025 | February 2025 | March 2025 | April 2025 | May 2025 | June 2025 | July 2025 | August 2025 | September 2025 | October 2025 | November 2025 |
|-----------------------|--------------|---------------|------------|------------|----------|-----------|-----------|-------------|----------------|--------------|---------------|
| 40mm                  |              | 1             |            | 1          | 1        | 1         |           |             | 1              | 1            | 3             |
| ECW                   | 1            | 3             | 2          |            | 3        | 2         | 2         | 2           | 3              | 5            | 7             |
| ECW,Firearm           |              |               |            |            |          |           |           |             |                |              | 2             |
| Handgun or Rifle      | 3            | 3             | 3          | 1          | 5        | 4         | 4         | 2           | 2              | 10           | 13            |
| <b>Grand Total</b>    | <b>4</b>     | <b>6</b>      | <b>4</b>   | <b>2</b>   | <b>7</b> | <b>6</b>  | <b>6</b>  | <b>3</b>    | <b>6</b>       | <b>16</b>    | <b>25</b>     |



## Completed Force Investigations - November 2025

APD has two processes for force investigations based on the level of force. Level 1 force is investigated by the Level 1 force investigation unit. The Level 1 unit is required to complete investigations within 24 days (if all extensions are requested and approved).

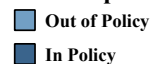
Level 2 and Level 3 force are investigated by the Internal Affairs Force Division (IAFD). IAFD also investigates any Level 1 force where a Lieutenant or above was involved or Level 1 force if another person at the same event had a higher level of force used. These investigations must be completed within 90-days. All force investigations are investigated to determine whether the actions of the officer(s) involved were consistent with department policy. **IAFD had a Level 2 and a Level 3 investigation both with an approved 120-day extension.**

| Level 1 Unit                   |                            | IAFD (Level 2 and Level 3)     |                            |
|--------------------------------|----------------------------|--------------------------------|----------------------------|
| Total Completed Investigations |                            | Total Completed Investigations |                            |
| 6                              |                            | 43                             |                            |
| Average Days to Completion     |                            | Average Days to Completion     |                            |
| 14.3                           |                            | 82.1                           |                            |
| Minimum Days to Completion     | Maximum Days to Completion | Minimum Days to Completion     | Maximum Days to Completion |
| 8                              | 22                         | 75                             | 117                        |

### All Force Cases

APD strives to only use force that is objectively reasonable, necessary to achieve lawful objectives, and proportional to the resistance from the individual involved, and minimal based on the totality of the circumstances. APD uses a preponderance of evidence standard to determine whether the force met policy requirements. After investigation, force is deemed in policy when every force technique is used correctly and was found to be reasonable, necessary, proportional, and minimal as defined in SOP 2-52: Use of Force - General. If any officer's force techniques used were determined to be out of policy, the entire force case or interaction is considered to be out of policy.

#### Case Disposition



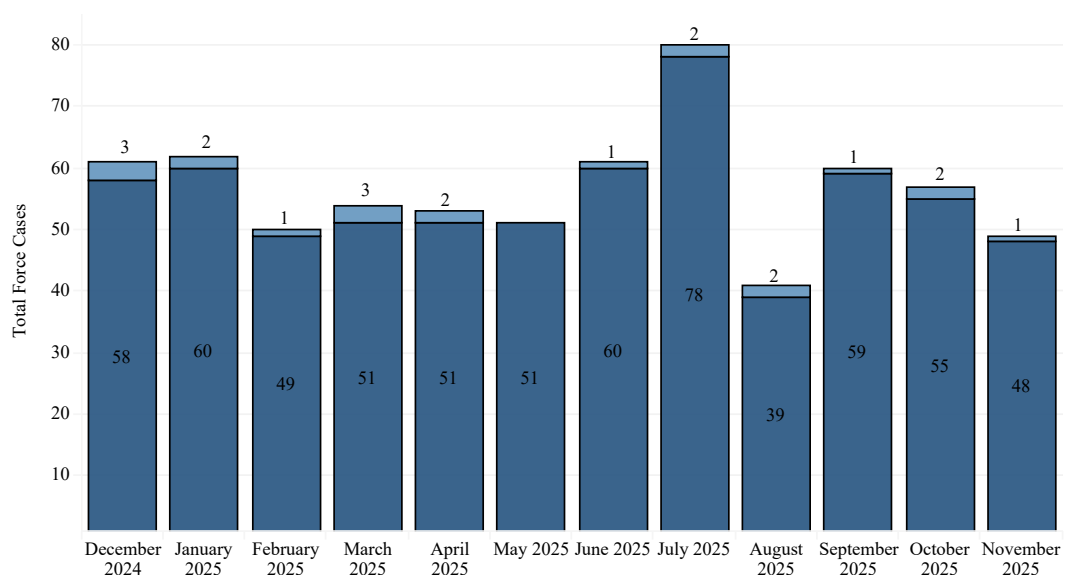
Dispositions of Force Investigations Completed in November 2025

|                    | Total Force Cases |
|--------------------|-------------------|
| In Policy          | 48                |
| Out of Policy      | 1                 |
| <b>Grand Total</b> | <b>49</b>         |

Out of Policy Force Cases by Area Command

|                    |          |
|--------------------|----------|
| Southeast          | 1        |
| <b>Grand Total</b> | <b>1</b> |

### Policy Outcomes Prior 12 Months





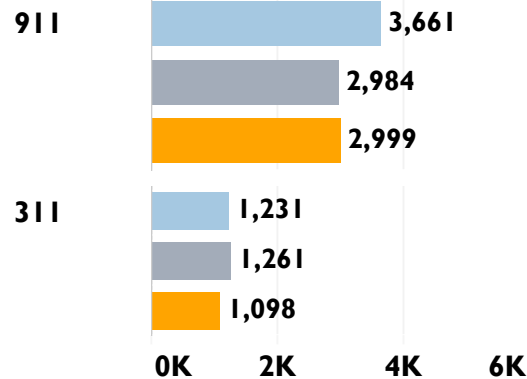
# ALBUQUERQUE COMMUNITY SAFETY



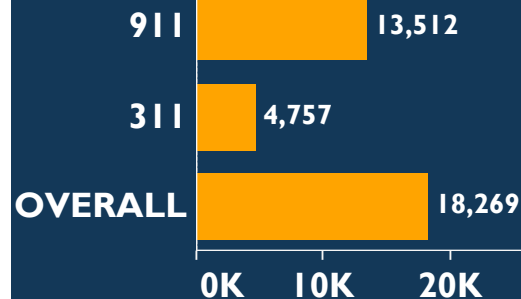
## MONTHLY INFORMATIONAL REPORT

October 2025

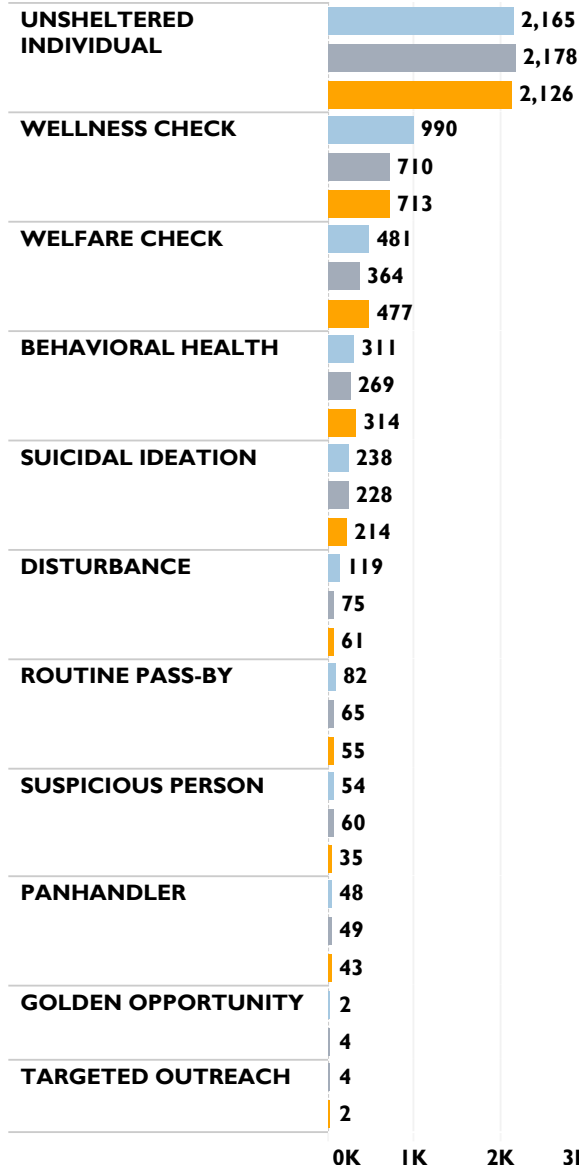
### CFS BY REFERRAL SOURCE



#### FYTD Total:



### CFS BY CALL TYPE



### MONTHLY STATS

327

TRANSPORTS TO  
SERVICE PROVIDERS

3,228

PEOPLE ASSISTED

174

MOBILE CRISIS TEAM  
RESPONSES

### Diversion from APD

|              | Calls  | Man Hours |
|--------------|--------|-----------|
| October 2025 | 2,795  | 2,115     |
| FYTD         | 12,511 | 9,642     |



# ALBUQUERQUE COMMUNITY SAFETY



## MONTHLY INFORMATIONAL REPORT

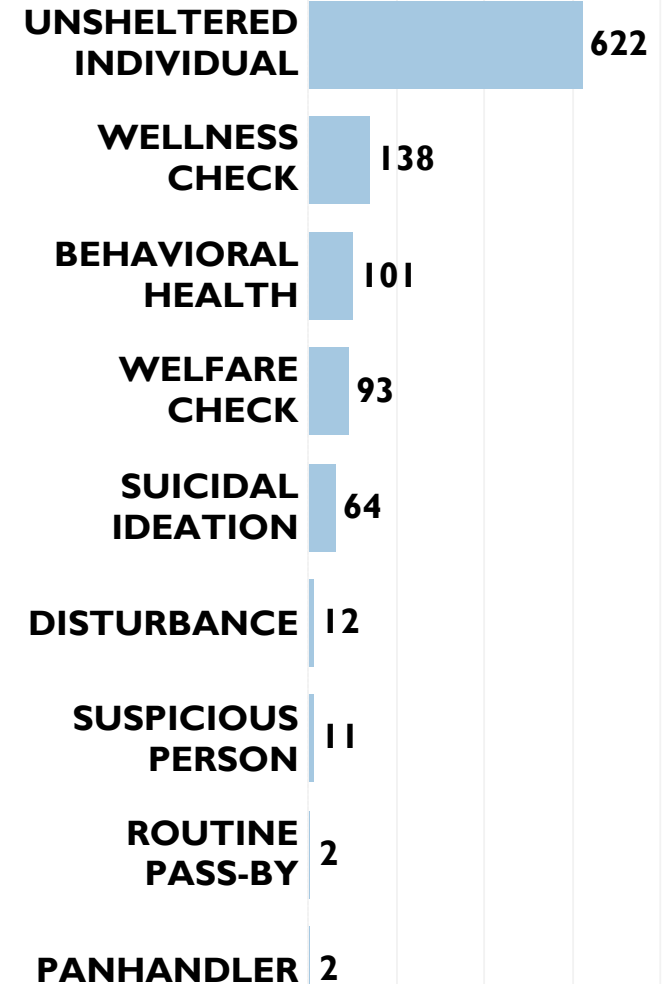
October 2025

### GRAVEYARD SHIFT REPORT

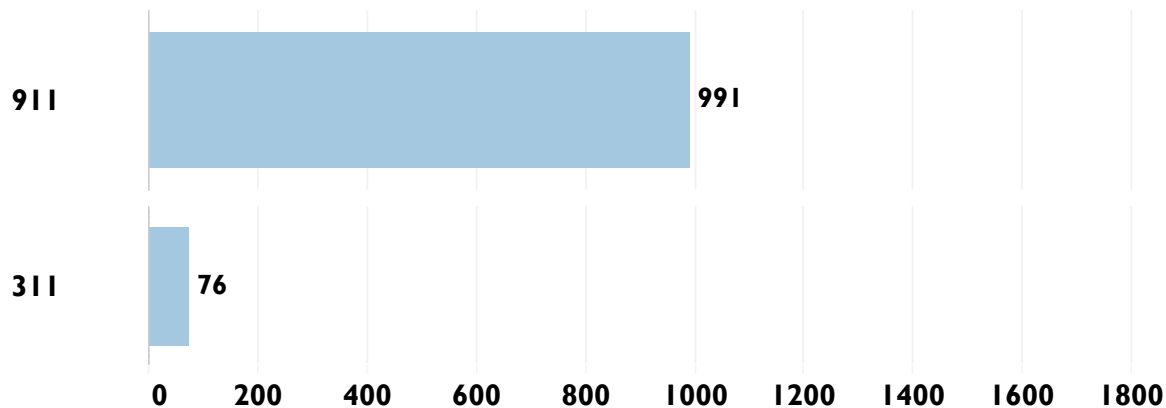
ACS now operates 24/7.  
A graveyard response is between 8pm and 7am.



#### CFS BY CALL TYPE



#### CALLS RECEIVED BY REFERRAL SOURCE

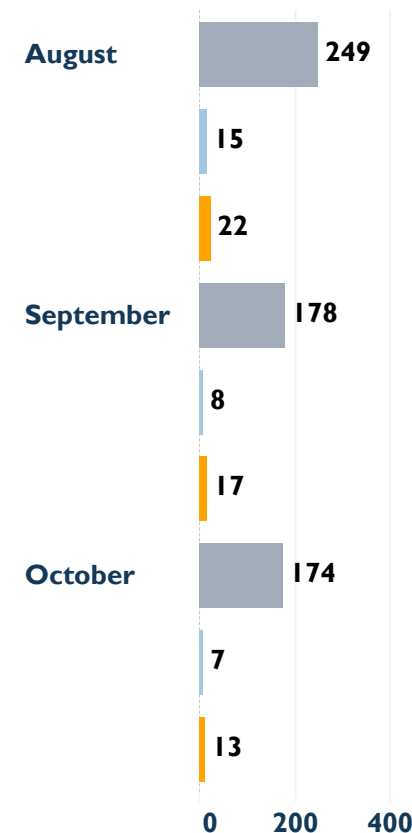


## BHR RESPONSE TIMES

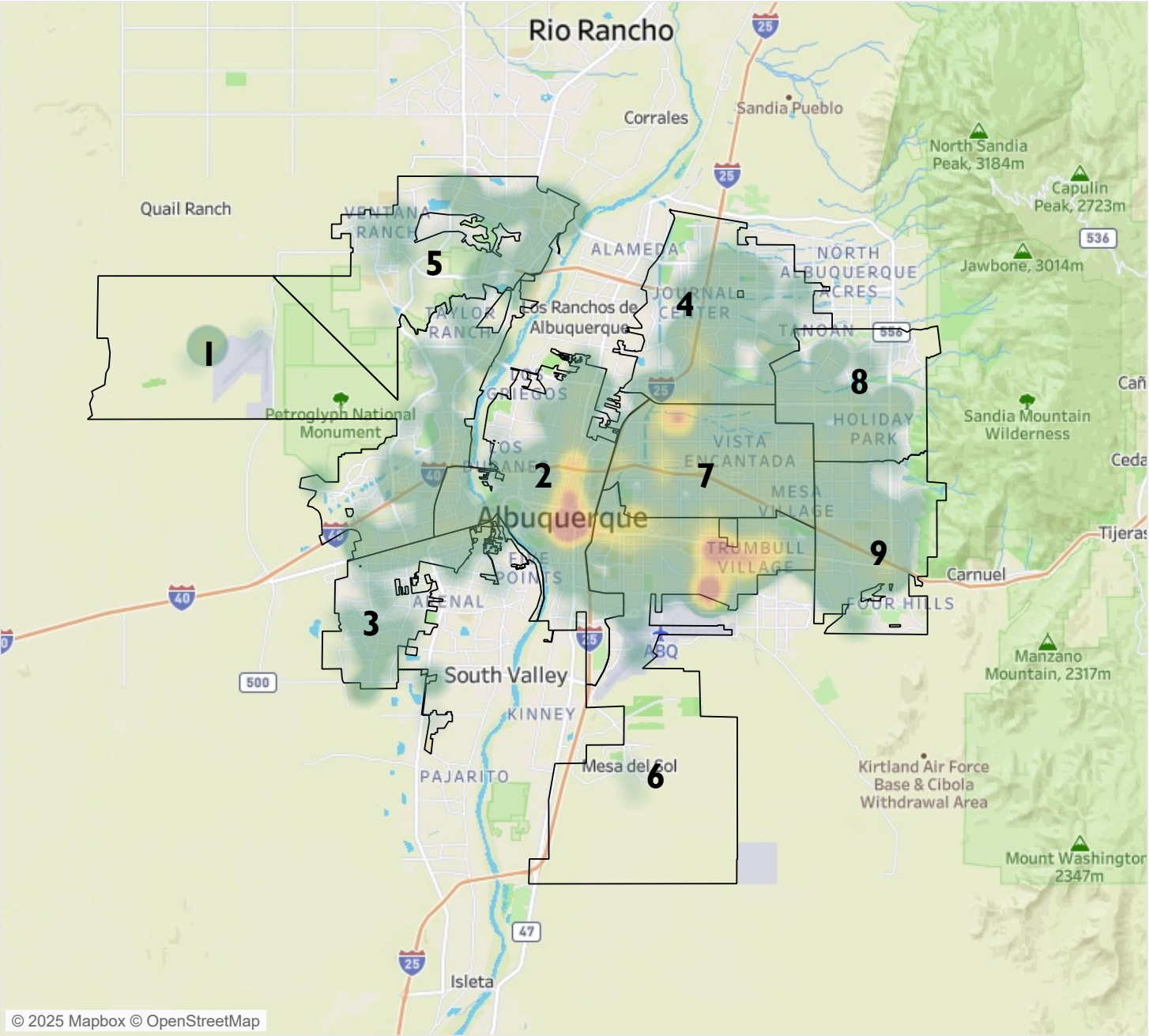
|            |                                              | AUG      | SEP      | OCT      | FYTD     |
|------------|----------------------------------------------|----------|----------|----------|----------|
| Priority 1 | Entry to Dispatch (in the queue)             | 00:03:26 | 00:25:17 | 00:25:48 | 00:25:29 |
|            | Dispatch to On-Scene (travel time)           |          | 00:19:33 | 00:17:38 | 00:18:35 |
|            | On-scene to Clear (time on the call)         |          | 00:56:17 | 00:50:50 | 00:53:35 |
|            | Create to Clear (total time to address call) | 00:14:22 | 01:42:10 | 01:35:01 | 01:38:19 |
| Priority 2 | Entry to Dispatch (in the queue)             | 00:45:32 | 00:34:24 | 00:52:36 | 00:45:21 |
|            | Dispatch to On-Scene (travel time)           | 00:18:43 | 00:18:01 | 00:19:06 | 00:18:40 |
|            | On-scene to Clear (time on the call)         | 00:28:53 | 00:26:19 | 00:29:22 | 00:28:20 |
|            | Create to Clear (total time to address call) | 01:32:35 | 01:21:23 | 01:43:04 | 01:33:05 |
| Priority 3 | Entry to Dispatch (in the queue)             | 03:12:59 | 01:30:48 | 02:12:15 | 02:34:56 |
|            | Dispatch to On-Scene (travel time)           | 00:29:21 | 00:22:27 | 00:29:39 | 00:27:09 |
|            | On-scene to Clear (time on the call)         | 00:18:56 | 00:24:25 | 00:22:26 | 00:20:41 |
|            | Create to Clear (total time to address call) | 04:04:48 | 02:21:23 | 03:06:01 | 03:26:09 |
| Priority 4 | Entry to Dispatch (in the queue)             | 07:46:50 | 02:45:55 | 03:27:34 | 05:47:19 |
|            | Dispatch to On-Scene (travel time)           | 00:37:40 | 00:25:25 | 00:27:57 | 00:33:17 |
|            | On-scene to Clear (time on the call)         | 00:12:45 | 00:13:25 | 00:15:06 | 00:13:29 |
|            | Create to Clear (total time to address call) | 08:39:08 | 03:25:21 | 04:10:12 | 06:33:50 |
| Priority 5 | Entry to Dispatch (in the queue)             | 10:43:37 | 05:38:20 | 06:19:47 | 06:41:30 |
|            | Dispatch to On-Scene (travel time)           | 00:32:47 | 00:23:47 | 00:27:19 | 00:25:05 |
|            | On-scene to Clear (time on the call)         | 00:09:25 | 00:20:46 | 00:11:53 | 00:17:28 |
|            | Create to Clear (total time to address call) | 11:28:11 | 06:05:53 | 06:55:15 | 07:06:45 |
| Priority 9 | Entry to Dispatch (in the queue)             | 17:56:05 | 13:30:47 | 18:10:16 | 15:27:26 |
|            | Dispatch to On-Scene (travel time)           | 00:25:14 | 00:21:44 | 01:03:19 | 00:34:23 |
|            | On-scene to Clear (time on the call)         | 00:08:58 | 00:08:30 | 00:08:16 | 00:08:34 |
|            | Create to Clear (total time to address call) | 18:33:56 | 14:11:24 | 19:24:53 | 16:18:43 |

## MCT

■ Calls  
■ Certificates for Evaluation  
■ Transports



ACS CALLS FOR SERVICE BY COUNCIL DISTRICT



| Council District     |     |
|----------------------|-----|
| County               | 20  |
| 1-Louie Sanchez      | 161 |
| 2-Joaquín Baca       | 618 |
| 3-Klarissa Peña      | 85  |
| 4-Brook Bassan       | 214 |
| 5-Dan Lewis          | 93  |
| 6-Nichole Rogers     | 762 |
| 7-Tammy L Fiebelkorn | 522 |
| 8-Dan Champine       | 146 |
| 9-Renée Grout        | 180 |



# ALBUQUERQUE COMMUNITY SAFETY



## MONTHLY INFORMATIONAL REPORT

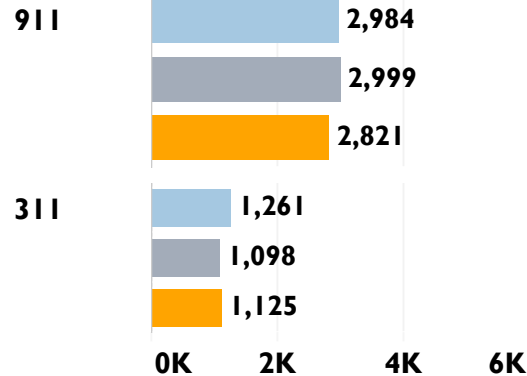
November 2025

### CFS BY REFERRAL SOURCE

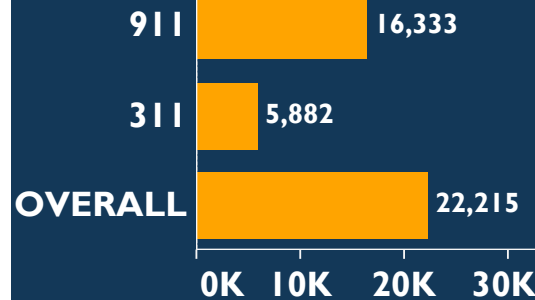
SEPTEMBER

OCTOBER

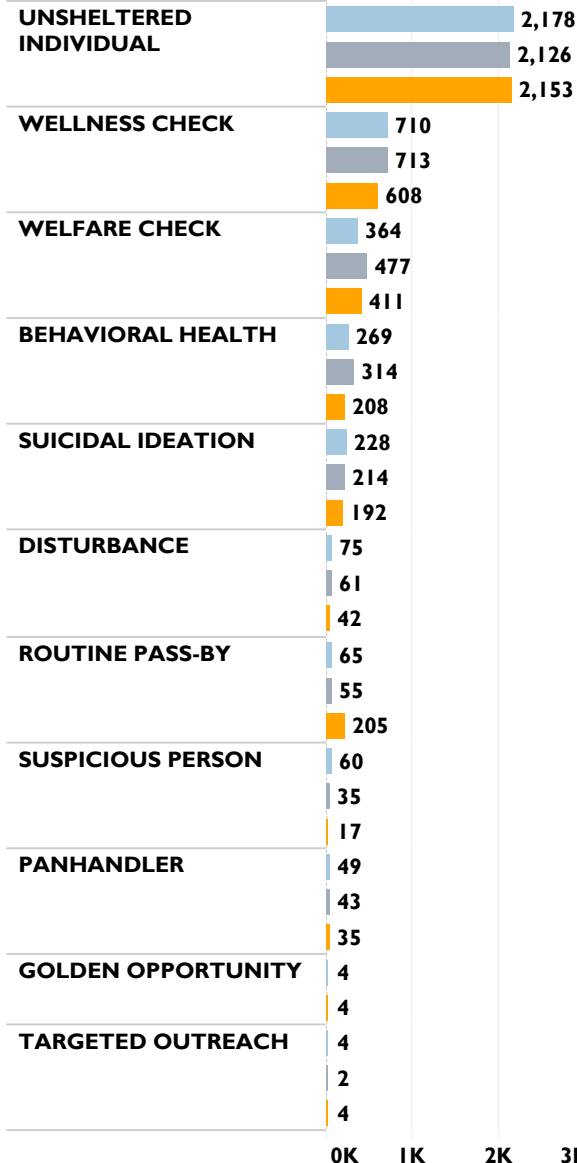
NOVEMBER



### FYTD Total:



### CFS BY CALL TYPE



### MONTHLY STATS

384

TRANSPORTS TO  
SERVICE PROVIDERS

4,264

PEOPLE ASSISTED

213

MOBILE CRISIS TEAM  
RESPONSES

### Diversion from APD

|               | Calls  | Man Hours |
|---------------|--------|-----------|
| November 2025 | 2,576  | 2,006     |
| FYTD          | 15,087 | 11,649    |

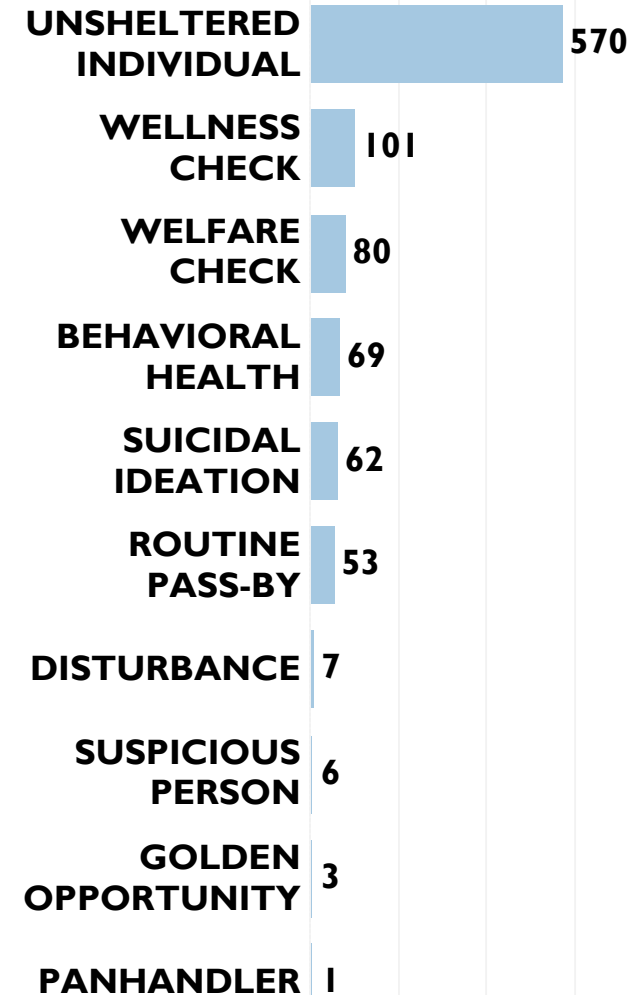


### GRAVEYARD SHIFT REPORT

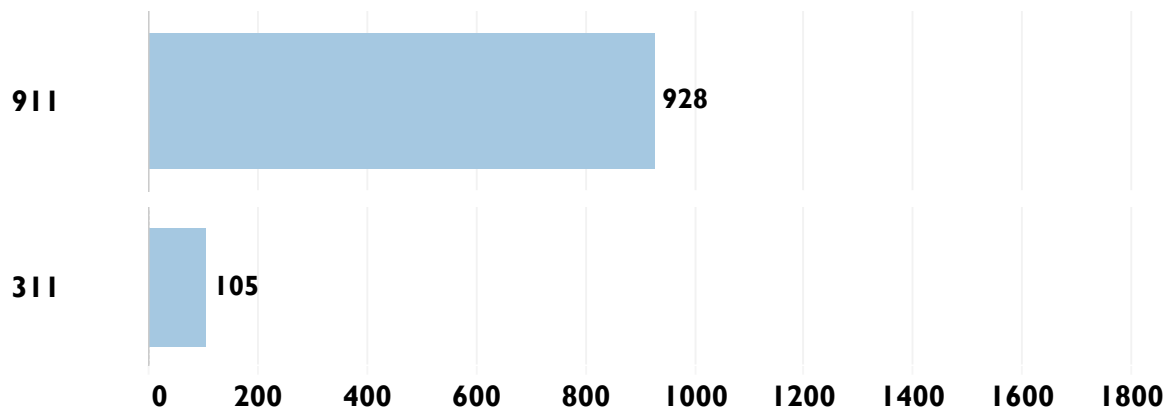
ACS now operates 24/7.  
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#### CFS BY CALL TYPE



#### CALLS RECEIVED BY REFERRAL SOURCE

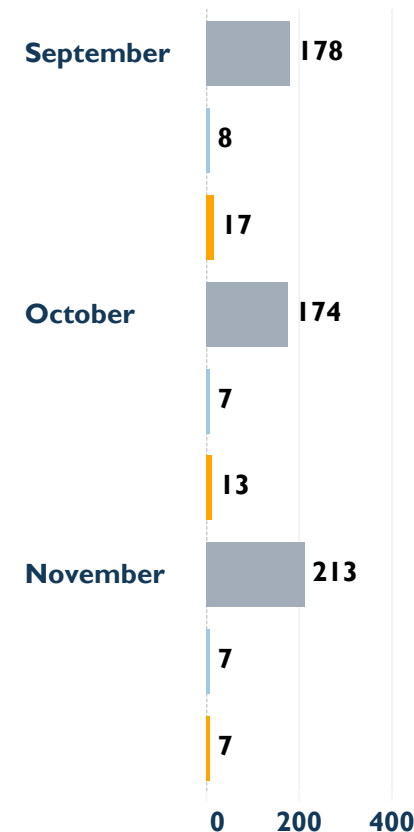


### BHR RESPONSE TIMES

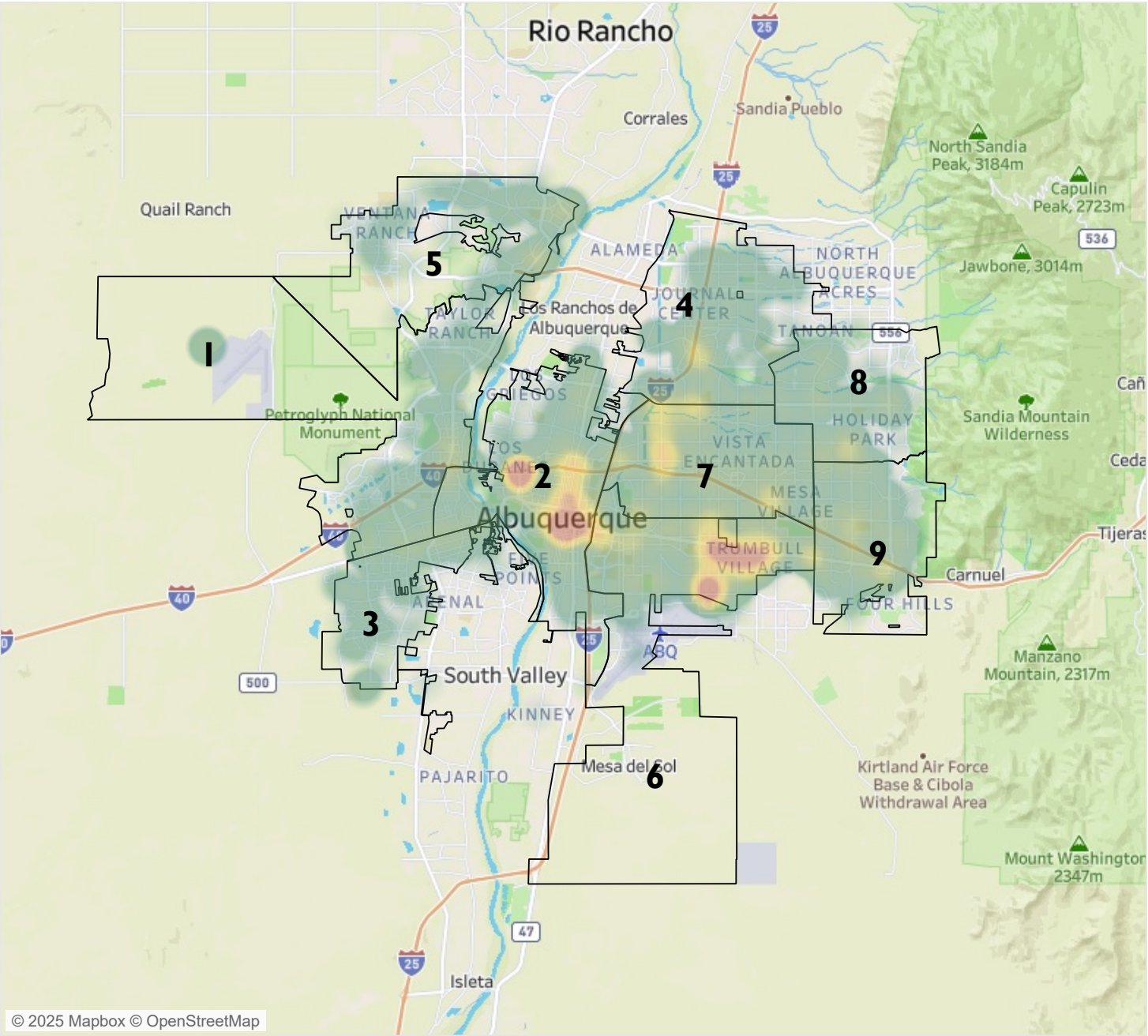
|            |                                              | SEP      | OCT      | NOV      | FYTD     |
|------------|----------------------------------------------|----------|----------|----------|----------|
| Priority 1 | Entry to Dispatch (in the queue)             | 00:25:17 | 00:25:48 | 00:24:23 | 00:25:07 |
|            | Dispatch to On-Scene (travel time)           | 00:19:33 | 00:17:38 | 00:18:48 | 00:18:39 |
|            | On-scene to Clear (time on the call)         | 00:56:17 | 00:50:50 | 01:01:21 | 00:56:06 |
|            | Create to Clear (total time to address call) | 01:42:10 | 01:35:01 | 01:44:54 | 01:40:28 |
| Priority 2 | Entry to Dispatch (in the queue)             | 00:34:24 | 00:52:36 | 00:33:40 | 00:44:03 |
|            | Dispatch to On-Scene (travel time)           | 00:18:01 | 00:19:06 | 00:19:29 | 00:18:46 |
|            | On-scene to Clear (time on the call)         | 00:26:19 | 00:29:22 | 00:26:41 | 00:28:09 |
|            | Create to Clear (total time to address call) | 01:21:23 | 01:43:04 | 01:22:05 | 01:31:54 |
| Priority 3 | Entry to Dispatch (in the queue)             | 01:30:48 | 02:12:15 | 01:16:47 | 02:24:39 |
|            | Dispatch to On-Scene (travel time)           | 00:22:27 | 00:29:39 | 00:26:53 | 00:27:07 |
|            | On-scene to Clear (time on the call)         | 00:24:25 | 00:22:26 | 00:27:10 | 00:21:32 |
|            | Create to Clear (total time to address call) | 02:21:23 | 03:06:01 | 02:12:27 | 03:16:23 |
| Priority 4 | Entry to Dispatch (in the queue)             | 02:45:55 | 03:27:34 | 02:00:10 | 05:16:02 |
|            | Dispatch to On-Scene (travel time)           | 00:25:25 | 00:27:57 | 00:27:01 | 00:32:26 |
|            | On-scene to Clear (time on the call)         | 00:13:25 | 00:15:06 | 00:18:31 | 00:14:11 |
|            | Create to Clear (total time to address call) | 03:25:21 | 04:10:12 | 02:47:23 | 06:02:30 |
| Priority 5 | Entry to Dispatch (in the queue)             | 05:38:20 | 06:19:47 | 02:55:34 | 05:43:03 |
|            | Dispatch to On-Scene (travel time)           | 00:23:47 | 00:27:19 | 00:27:04 | 00:25:36 |
|            | On-scene to Clear (time on the call)         | 00:20:46 | 00:11:53 | 00:21:22 | 00:18:37 |
|            | Create to Clear (total time to address call) | 06:05:53 | 06:55:15 | 03:03:00 | 05:54:21 |
| Priority 9 | Entry to Dispatch (in the queue)             | 13:30:47 | 18:10:16 | 09:59:40 | 13:42:26 |
|            | Dispatch to On-Scene (travel time)           | 00:21:44 | 01:03:19 | 00:44:10 | 00:37:32 |
|            | On-scene to Clear (time on the call)         | 00:08:30 | 00:08:16 | 00:10:13 | 00:09:06 |
|            | Create to Clear (total time to address call) | 14:11:24 | 19:24:53 | 10:56:34 | 14:35:26 |

### MCT

■ Calls  
■ Certificates for Evaluation  
■ Transports



ACS CALLS FOR SERVICE BY COUNCIL DISTRICT



| Council District     |     |
|----------------------|-----|
| County               | 24  |
| 1-Louie Sanchez      | 163 |
| 2-Joaquín Baca       | 654 |
| 3-Klarissa Peña      | 70  |
| 4-Brook Bassan       | 184 |
| 5-Dan Lewis          | 68  |
| 6-Nichole Rogers     | 740 |
| 7-Tammy L Fiebelkorn | 413 |
| 8-Dan Champine       | 95  |
| 9-Renée Grout        | 175 |



# City of Albuquerque

## Civilian Police Oversight Agency



## Policy and Procedure Review Subcommittee Report Board Meeting

12/04/2025

12/11/2025

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### Policy Recommendations

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#### 1-64 (Formerly 4-12 and 6-9) K-9 Unit

It is the policy of the Albuquerque Police Department (Department) to use a PSD to assist in locating and apprehending specific individuals who are suspected of committing a crime, protect the K-9 Unit Handler, and conduct article searches.

- Written recommendations/questions submitted via email post-PPRB, noting potential inconsistencies between this policy and SOP 2-23 “Use of K-9 Unit.”
- Additionally, there was a notable revision during PPRB:
  - 1-64-5-B-2-f-v
    - Used to say: “Deploy the PSDs in the following circumstances: ... v. To locate individuals suspected of committing a misdemeanor crime when the K-9 Unit Sergeant approves a search *with a muzzled PSD*.”
    - Now: “Deploy the PSDs in the following circumstances: ...v. To locate individuals suspected of committing a misdemeanor crime when the K-9 Unit Sergeant approves a search *based on the totality of circumstances*.”
      - In PPRB, APD stated the muzzle makes the K-9 less effective and puts the animal at greater risk because it is unable to defend itself.
    - Discussion/Recommendation: Should the new language come with limitations and/or examples?
      - Add “reasonably believed to be armed..” as in the section above (iv)
      - Add “misdemeanor crime involving violence, threatened violence, or a credible ongoing risk..”
      - Remove this specific directive? Do they need this general “locate” directive?
      - Take the word “suspected” out.

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### No Policy Recommendations

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#### 1-2 Social Media

It is the policy of the Department to support each Department employee’s First Amendment rights while protecting the Department’s ability to function in a manner that preserves the community’s trust.

#### 1-22 Automated License Plate Reader Program

It is the policy of the Department to use ALPR technology to identify individuals who use vehicles in the commission of a crime, as well as to use ALPR technology to support investigations surrounding crimes involving vehicles. To ensure the privacy of community members, the use of ALPR technologies is restricted to valid law enforcement purposes only.

## **1-60 Interagency Task Force Operations**

It is the policy of the Albuquerque Police Department (Department) to participate in combined federal, state, and local law enforcement efforts to enhance public safety and to address the needs of the community.

## **1-71 Operations Review Section**

It is the policy of the Department's Operations Review Section to identify, facilitate, coordinate, and oversee the efficiency of Department operations.

## **2-11 Use of Tire Deflation Devices**

It is the policy of the Albuquerque Police Department (Department) to establish procedures and use considerations, roles, and responsibilities for the safe use of tire deflation devices. Tire deflation devices must be used in accordance with the manufacturer's instructions, Department training, Department policy, and/or the directions of supervisory personnel.

## **2-16 Reports**

The purpose of this policy is to provide guidance for Albuquerque Police Department (Department) personnel on which calls for service require a report and to describe how records are maintained and released.

- Written recommendations submitted post-PPRB by CPOA, no response received yet. The recommendations focused on the timeliness of reports and explanations for extensions or delays, as these are frequent issues in CPOA investigations into untimely reports.
  - (1) 2-16-5-C-1-a (p. 6): Add a sentence at the end of this directive - "The reason the employee was unable to complete the report by the end of their shift shall be documented in the report."
  - (2) 2-16-5-C-1 (pg. 6): Add a new section "c" under 1. -  
"c. All delays or exceptions to these timelines must be documented in Mark43 by adding a "Comment" under the "Report Status & Comments" section, which includes the name of the authorizing supervisor, the date of the request and authorization, and a brief explanation."
  - (3) 2-16-5-A-1 (p. 3): Add "timeliness" to supervisory review criteria - "Review reports for grammar, timeliness, and elements of the crime, and ensure the narrative supports each event card and listed charges when applicable; and..."

## **2-22 (Formerly 2-34) Juvenile Delinquency**

It is the policy of the Department to endorse and support programs designed to prevent and control delinquent acts while compassionately handling children suspected or alleged to have committed delinquent acts as required by the New Mexico Children's Code. The Department recognizes the importance of working with juvenile justice partners to provide for the cooperation and coordination of investigation, intervention, and disposition of cases, to minimize interagency conflicts, and to enhance the coordinated response. All Department personnel have a responsibility to participate and support the Department's operations in complying with the New Mexico Children's Code.

- Written post-PPRB recommendation by CPOA. APD agreed.
  - Section 2-22-4-C-1-b-iii (p. 4): Clarify the phrase "shall make every reasonable attempt not to detain or transport a juvenile and an adult when both are in custody." The language could be edited by replacing the "and" with "with" to say: "Sworn personnel shall make every reasonable attempt not to detain or transport a juvenile and an adult together when both are in custody."
  - APD Response: Concur. Revised "and" to "with."

## 2-101 Department-Vehicle Grapppler Device

It is the policy of the Department to establish procedures, use considerations, roles, and responsibilities for the safe use of the Grapppler device.

## 2-109 Investigative Services Division (ISD) Tracker Program

It is the policy of the Department to maintain, establish, and ensure the professional and legal administration of the ISD Tracker Program. Furthermore, it is the policy of the Department to ensure that the ISD Tracker Program and its community partnerships are entirely voluntary. Department personnel who deploy the ISD Electronic StakeOut (ESO) tracker will ensure that the relationship with the community partner is not detrimental to the goals of the ISD Tracker Program. Finally, this policy is intended to address the liability concerns of possible damage caused by the use and deployment of the ISD Tracker Program by ensuring community partners sign the Hold Harmless Agreement.

## APD Responses to Policy Recommendations

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**2-83 Hospital Procedures and Rules** – Two recommendations. Both recommendations were clarified after the initial APD response was received. APD's final response is presented below.

**(1) Recommendation:** Add language guiding officer conduct when an in-custody individual uses the restroom in a hospital/medical facility. Without a specific directive in this area, officers have no clear expectations to follow, and CPOA investigators do not have a particular SOP provision to reference when reviewing complaints arising from these situations.

Sample language for 2-83-5-D-2-i: Add a new subsection "i." under 2-83-5-D-2:

“2. Sworn personnel shall not leave an in-custody individual unattended at a hospital or medical facility.

a. When feasible, sworn personnel shall maintain line-of-sight supervision of the in-custody individual.

i. When an in-custody individual requires a restroom break at a hospital or medical facility, sworn personnel shall remain at the restroom doorway, maintain access to line-of-sight supervision, and may look away from the in-custody individual when they are unclothed, unless there is an articulable safety or security concern to justify consistently observing the in-custody individual.”

- **APD Response:** Does not concur

Individuals who are in police custody do not have the same expectation of privacy as members of the general public, particularly when it comes to officer safety, escape prevention, and the prevention of self-harm or harm to others. Courts have consistently held that maintaining continuous observation of individuals in custody is a legitimate and necessary practice when justified by security concerns.

When a prisoner is admitted to a hospital, officers are still responsible for ensuring the safety of the individual, hospital staff, and the public. This includes maintaining visual observation while the individual receives medical care or uses the restroom. Hospital rooms and restrooms used in these situations are not treated as private spaces in the same way they are for non-custodial patients, because the officer's legal duty to maintain custody and prevent escape does not stop while medical care is being provided.

The fact that an in-custody individual may be unclothed does not outweigh the safety and security requirements that justify observation. Officers do not maintain visual contact for personal reasons; they do so because:

1. Escape Prevention: Restrooms and hospital rooms present opportunities to flee, barricade, access unsecured equipment, or create weapons from medical or room materials. Visual observation reduces those risks.
2. Suicide and Self-Harm Prevention: Hospital settings provide access to cords, sharps, and medical items that could be used for self-harm. Continuous observation allows immediate intervention.
3. Officer and Public Safety: The officer must ensure that the individual cannot harm staff, other patients, or attempt to take a weapon or equipment.
4. Continuity of Custody: Courts have ruled that reasonable security practices, including observation, are lawful and expected when a person is under arrest. The reduced expectation of privacy applies even in medical settings when safety concerns are present.

Additionally, departments instruct officers to maintain professionalism, avert gaze when feasible, and only observe what is reasonably necessary to ensure safety. The purpose is not to invade privacy, but to fulfill a non-discretionary legal duty.

For these reasons, while officers make every effort to preserve the dignity of the individual, the need to maintain visual observation—regardless of clothing status—is a lawful, necessary, and reasonable safety measure that outweighs any expectation of privacy for an in-custody person in a hospital environment. The current wording in the SOP (When feasible, sworn personnel shall maintain line-of-sight supervision of the in-custody individual) is intentional in its broadness.

- o CPOA Comment: CPOA Investigators can rely on “line-of-sight supervision of the in-custody individual” language and the general professionalism standards in SOP 1-1 when reviewing complaints in this context. However, this recommendation was intended to benefit APD by reducing the subjectivity involved in determining whether an officer’s conduct was “professional.”

**(2) Recommendation** Add a new subsection to 2-83-4-D Hospital Guard Duty Assignments, recommend a system/process to make the name of the in-custody individual searchable in the CAD system allowing their location and who has them to be easier to discover. The CPOA/CPOAB defers to whichever system or practice works best for APD to establish a searchable chain of custody for individuals under guard duty.

Sample Language for 2-83-4-D, adding a “6.”:

“6. Whoever is responsible for guard duty shall add the name of the in-custody individual as a “Subject” in “Person Details” of the CAD.”

APD Response: Does not concur.

In response to the tracking of prisoners who are transported to the hospital. This is already an administrative duty that is coordinated between the department hospital guard duty coordinator and dispatch supervisors. While the official arrest report may not include specific information about the transport to a hospital, this specific information for guard duty assignments that have been created are sent to every dispatch supervisor in an email by the hospital guard duty coordinator.

This email contains the following information.

1. The date and time that PTC will be fully covering or assisting with coverage on a guard duty assignment.
2. Prisoner information to include name, DOB, charges.
3. Injuries requiring the prisoner to be hospitalized.
4. Hospital location to include which specific hospital and room number.

- CPOA Comment: The situation that led to this recommendation included inaccurate information in an incident report. This is not what the complainant was concerned with in this context, but in future situations, the CPOA may need to investigate the officers' reporting rather than viewing it as a potential dispatch/communications issue, even when that is not the alleged issue in the complaint. This recommendation was made to benefit APD by providing a more effective means of tracking and retrieving an in-custody individual's location, reducing the potential for APD to share inaccurate information, and limiting investigations that may result in officers being held accountable for inaccurate or untimely reporting.

## **2-86 Auto Theft and Motor Vehicle Theft-Related Investigations**

**Recommendation**: Add a new subsection to 2-86-4-D "Recovering Stolen License Plates" as "3." 2-86-4-D-3. PSAs taking license plates off vehicles raises concerns about PSA safety.

Recommendation: "3. Police Service Aides (PSAs) shall not recover a license plate that has been reported stolen. PSAs shall immediately notify or request sworn Department personnel to respond and take appropriate action."

- APD Response: Does Not Concur

The existing language within the Auto Theft Standard Operating Procedure (SOP) regarding Public Service Aide (PSA) involvement should be retained without modification, as the potential risks associated with removing stolen license plates are commensurate with the hazards inherent in their existing responsibilities. According to PSA SOP 1-78, PSAs already possess the authority to issue citations, which is an enforcement action that places them in potentially confrontational situations. Additionally, policy section 1-78-6G authorizes their dispatch as primary responders to calls involving non-responsive or sleeping individuals (due to presumed intoxication or medical issues), creating a strong likelihood of encountering combative or aggressive persons. Since the PSA SOP already provides clear instructions for handling elements of criminal activity and disorderly conduct in these scenarios, any concern regarding the scope of PSA duties, including the removal of stolen license plates, should be formally addressed and adjudicated within the PSA SOP, rather than the Auto Theft SOP.

- In Nonconcurrency Memos, CPC-66-25 (9/25) and CPC-62-25 (8/25), APD stated that "the practice of PSA's removing license plates is being corrected departmentally."
  - The CPOA reached out for an update on this comment, and APD stated they are working with city legal to get the correction drafted with the appropriate language, and it will be sent out soon. The deputy chiefs are aware of the issue and are working with the chief of staff on it. As soon as something is drafted, we will be provided a copy.



## **1-64 K-9 UNIT**

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

#### **A. Related SOP(s)**

- 1-92 Special Weapons and Tactics (SWAT) (Formerly Specialized Tactical Units) (Formerly 6-8)
- 2-3 Firearms and Ammunition Authorization (Formerly 2-22)
- 2-8 Use of On-Body Recording Devices (Formerly 1-39)
- 2-52 Use of Force: General (Formerly 3-45)
- 3-33 Performance Evaluation and Management System (Formerly 3-20 and 3-49)

#### **B. Form(s)**

K-9 Kennel Inspection Form

#### **C. Other Resource(s)**

None

#### **D. Active Special Order(s)**

SO 25-07 Amendment to SOP 1-64 K-9 Unit

#### **E. Rescinded Special Order(s)**

None

### **1-64-1 Purpose**

The purpose of this policy is to provide procedures for the proper use of Police Service Dogs (PSD) in locating and apprehending specific individuals who are suspected of committing a crime, protecting the K-9 Unit Handler, and conducting article searches.

### **1-64-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to use a PSD to assist in locating and apprehending specific individuals who are suspected of committing a crime, protect the K-9 Unit Handler, and conduct article searches.

### **N/A 1-64-3 Definitions**

#### **A. Accidental Bite**

Any occurrence when the PSD bites an unintended person. An accidental bite is not considered for the purposes of calculating the bite ratio of a K-9 Handler.



**B. Bite**

A skin puncture or tear caused by the teeth of a PSD.

**C. Bite Ratios**

The calculation of the number of deployments in which a PSD bite occurs divided by the total number of deployments for a given period.

**D. Deployment**

Any incident, except an on-lead article search, where a PSD is brought to a scene and is used to locate or apprehend an individual suspected of committing a crime, whether or not a suspect is located or apprehended.

**E. Directed Bite**

When a K-9 Handler directs a PSD to bite a visually identified individual.

**F. Injury Apprehension**

Any apprehension of an individual during which a bite occurs.

**G. K-9 Handler**

Sworn personnel certified as a K-9 Handler and assigned to a particular PSD who deploys with that PSD and is responsible for the PSD's care twenty-four (24) hours a day, seven (7) days a week.

**H. Non-Injury Apprehension**

Any occasion when a PSD is deployed and plays a clear and well-documented role in apprehending an individual suspected of committing a crime, such as the PSD locating or apprehending the individual, the individual submitting to arrest as a result of K-9 announcements, the individual submitting to arrest after hearing the PSD bark, or the individual stating that the PSD influenced their decision to submit to arrest.

**I. Police Service Dog (PSD)**

A dog assigned to a K-9 Handler after meeting the selection standards and certification requirements as established by the Department's Tactical Section K-9 Unit.

**J. PSD-Caused Injury**

Any injury that is not a bite but is caused by a PSD. This includes knocking an



individual down, scratching, and/or causing abrasions.

K. Search

Deployment of a PSD into a commercial or residential search area or structure to look for a specific individual suspected of committing a crime, or is used to ensure that the area or structure is clear of any individuals who may be hiding or attempting to evade capture from sworn personnel.

**6 1-64-4 Training**

A. Training

1. The K-9 Unit Sergeant shall coordinate and document proper training for each K-9 Handler and PSD.
2. K-9 Unit personnel shall conduct weekly training in accordance with the guidelines, training practices, and safety measures of the Department-approved trainer and/or K-9 Unit Sergeant.
3. The Tactical Division Commander shall contract with a professional PSD trainer regarding the selection and training of Department PSDs.
  - a. The K-9 Unit's professional PSD trainer will guide K-9 Unit personnel to their highest ability level.
  - b. The professional PSD trainer will evaluate each PSD to identify any performance concerns.
  - c. The professional PSD trainer will make any training and performance recommendations to the K-9 Unit Sergeant.
  - d. The Tactical Section Commander shall determine the job duties of the contract professional trainer.
4. K-9 Handlers shall follow the training directives from the Department PSD trainer and the K-9 Unit Sergeant.
5. All K-9 Handlers shall ensure their PSDs comply with the training standards set forth in this policy and the standards recommended by the professional PSD trainer.
  - a. If, for any reason, a PSD does not meet the standards set forth by K-9 Unit personnel, the K-9 Handler shall immediately notify the K-9 Unit Sergeant.
  - b. The K-9 Unit Sergeant, Department PSD trainer, and the professional PSD trainer shall evaluate any deficiencies to determine if the PSD shall remain in service while the deficiency is being corrected or if the PSD shall be removed from service until the deficiency is corrected.

B. Certifications



1. All K-9 Handlers shall be certified through a professional trainer. All teams will also complete a secondary certification process.

**5 1-64-5 Rules and Responsibilities**

**A. General Responsibilities**

1. A K-9 Handler shall:

**N/A**

- a. Wear the Department-approved fatigue uniform as the normal duty uniform in accordance with SOP Uniforms;
- b. Be responsible for the actions of their PSDs, both on and off-lead, at all times;
- c. Ensure the PSD has proper ventilation for the given weather conditions and that the Department-issued vehicle is properly secured when the K-9 Handler leaves their Department-issued police vehicle while the PSD is inside;
- d. Before giving the PSD a break, make sure there are no community members in the immediate area;
  - i. If community members are in the immediate area, the K-9 Handler shall keep the PSD on lead during the break.
- e. Work a ten (10) hour shift; and
  - i. The Tactical Section Commander shall determine hours and days off.
  - ii. K-9 Handlers shall be on-call and available for duty at all times unless supervisor-approved leave is granted or during sick leave.
- f. When an individual sustains a PSD bite, immediately contact an Emergency Communications Center (ECC) Dispatcher to request an Emergency Medical Services (EMS) response.
  - i. If the EMS determines that additional medical attention is required, they will transport the individual to a medical facility for treatment.

**7**

2. A K-9 Handler shall not:

- a. Deploy the PSD for crowd control;
- b. Discipline their PSDs in view of the public; and
- c. Act cruelly towards the PSDs.

3. The K-9 Unit Sergeant shall manage requests for PSD demonstrations or exhibitions.

**B. Use and Deployment of a PSD as a Use of Force Option**

1. The use of the PSD as a use of force option ranges from the simple presence of the PSD to a less lethal force option.
2. The K-9 Handler shall:

**N/A**

- a. When required to use force, ensure the use of force is objectively reasonable



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**N/A**

given the facts and circumstances confronting the K-9 Handler and in accordance with SOP Use of Force: General;

**N/A**

- b. Use only the minimum amount of force that is objectively reasonable, based on the totality of the circumstances confronting the K-9 Handler to achieve a lawful objective in accordance with SOP Use of Force: General;
- c. Consider the reasonableness of other use of force options before deploying the PSD, based upon the totality of the circumstances in accordance with SOP Use of Force: General;
- d. Have the discretion of deploying the PSD with or without a muzzle and/or on or off-lead;
- e. Before deploying the PSD, evaluate the following factors, taking into consideration the safety of community members, Department personnel, and the individual:
  - i. The severity of the crime(s) at issue;
  - ii. Whether the individual being sought or being apprehended poses an imminent threat to the safety of sworn personnel or others;
  - iii. Whether the individual is actively resisting arrest or attempting to evade arrest by flight; and
  - iv. All other factors that must be considered according to SOP Use of Force: General.
- f. Deploy the PSDs in the following circumstances:
  - i. To apprehend individuals suspected of committing a felony crime;
  - ii. To apprehend individuals who pose an imminent threat to the safety of sworn personnel and/or others;
  - iii. To conduct searches for individuals suspected of committing a felony crime when they have concealed themselves from law enforcement or are actively fleeing;
  - iv. To conduct building searches to locate an individual suspected of committing a felony crime, or an individual suspected of committing a misdemeanor crime and who is concealing themselves and is reasonably believed to be armed; and
  - v. To locate individuals suspected of committing a misdemeanor crime when the K-9 Unit Sergeant approves a search based on the totality of circumstances.
- g. Not deploy the PSD:
  - i. To assist in a civil disturbance or crowd control;
  - ii. To affect the arrest of a known highly intoxicated, feeble, or otherwise incapacitated or disabled person(s) who obviously cannot escape, resist, or become an immediate threat to sworn personnel or others;
  - iii. Against an individual known by sworn personnel to be pregnant, less than fourteen (14) years old, or over seventy (70) years old unless sworn personnel can articulate exceptional circumstances justifying the deployment;
  - iv. To apprehend individuals experiencing a known behavioral health crisis who have not committed a felony crime;
  - v. To apprehend known suicidal individuals who have not committed a felony crime;

**N/A**



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- vi. To search commercial buildings or schools without clear signs of unauthorized entry, or when no Reporting Party (RP) is present or contacted to establish elements of a crime; and
- vii. Merely because it is an available use of force option.

3. Verbal Warnings

- a. When a K-9 Handler uses a PSD to locate an individual, the K-9 Handler shall give three (3) loud and clear verbal warnings before releasing the PSD.
- b. The verbal warning shall give notice to the individual that the K-9 Handler will release a PSD and that the PSD will probably bite the suspect.
- c. If the K-9 Handler has reason to believe the individual is Spanish-speaking, they shall also make reasonable attempts to provide the verbal warning in Spanish.
- d. A K-9 Handler is not required to give a verbal warning before a PSD deployment if a difficult or dangerous situation develops so quickly that the K-9 Handler has no reasonable time or opportunity to give verbal warnings.
- e. If the K-9 Unit Handler determines that issuing verbal warnings presents an articulable threat to the safety of sworn personnel on the search team, they shall thoroughly document the facts in their Uniform Incident Report and the Computer-Aided Dispatch (CAD) system entry.

N/A

C. Reporting and Investigation

- 1. K-9 Unit personnel shall report any bite or PSD-caused injury to an individual or officer to the K-9 Unit Sergeant once the scene is secure and it is safe to do so.
- 2. The K-9 Unit Sergeant shall conduct a K-9 apprehension review and provide necessary information to the Internal Affairs Force Division (IAFD) for consideration in their investigation of the incident.
  - a. A PSD bite is considered a use of force and shall be investigated by an on scene supervisor and IAFD personnel.
  - b. An accidental bite shall not be considered a use of force.
    - i. The K-9 Unit Sergeant shall conduct the investigation of an accidental bite.

D. Special Weapons and Tactics (SWAT) Unit Assistance

N/A

- 1. K-9 Unit personnel are also considered SWAT Unit personnel. As such, they shall be expected to abide by SOP Special Weapons and Tactics (SWAT).

N/A

- 2. K-9 Unit personnel shall be held to all SWAT Team standards, in accordance with SOP Special Weapons and Tactics (SWAT) (Formerly Specialized Tactical Units). Failure to comply with these standards may result in the officer's removal from the K-9 Unit.

- 3. K-9 Handlers are subject to SWAT Unit call-outs.



**6**

**E. Call-Outs**

1. K-9 Handlers shall be on-call and are subject to call-outs on a twenty-four (24) hour, three-hundred and sixty-five (365) day basis, unless granted supervisor-approved leave or sick leave.
  - a. The K-9 Unit Sergeant shall issue an on-call schedule every other month. The on-call schedule identifies the primary and secondary on-call teams.
  - b. The K-9 Unit Sergeant shall only modify the on-call schedule to accommodate unforeseen schedule changes and overtime issues.
  - c. The K-9 Unit Sergeant shall send the Tactical Division Commander a copy of the K-9 Unit on-call schedule.
2. The ECC Supervisor shall call the primary K-9 Handler when a Sergeant or higher-ranking officer requests assistance from K-9 Unit personnel.
  - a. The K-9 Unit Sergeant or designee shall review and, if appropriate, approve all requests for mutual aid from outside agencies and any other special requests.
  - b. When a K-9 Handler is deployed for mutual aid requests, they shall follow Department policies, procedures, and guidelines for using the PSD and use of force, not those of the non-Department agency.
  - c. The K-9 Unit Sergeant or designee shall be contacted regarding requests from supervisors of specialized units and requests from any non-Department agency.

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**F. Scheduled Leave**

1. The K-9 Unit Supervisor shall determine K-9 Unit personnel's hours of assignment, vacation, and days off based on the needs for service and support.
2. K-9 Unit personnel vacations shall be contingent upon the needs of the Department and the Tactical Section.
3. Before going on vacation or extended leave, the K-9 Handler shall explain to the K-9 Unit Sergeant how the PSD will be fed and safely cared for while the K-9 Handler is on vacation.
  - a. A PSD shall be housed at a Department-approved PSD boarding facility or with another K-9 Handler.

**7**

**G. Equipment**

1. K-9 Unit personnel shall maintain all equipment issued to them by the K-9 Unit.
  - a. K-9 Unit personnel shall report equipment that requires repair or replacement to the K-9 Unit Sergeant as soon as practicable.



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2. K-9 Handlers who have been issued Specialized weapons shall;

N/A

- a. Carry them at all times; and
- b. Be qualified in their use in accordance with SWAT Unit requirements as set forth in SOP Special Weapons and Tactics (SWAT) and SOP Firearms and Ammunition Authorization.

**6 1-64-6 Analysis**

**A. Annual Policy Review**

1. The Tactical Section supervisors shall conduct an annual meeting every January to analyze occurrences and issues of the previous year.
  - a. During the annual meeting, the topics to be discussed shall include, but are not limited to, policies, procedures, legal developments, training updates, operational evaluations, Force Review Board (FRB) recommendations, and after-action reviews.
  - b. During the annual meeting, if it is determined that changes are required, those changes shall be implemented no fewer than ninety (90) days from the review date.

**B. Annual Retention Review**

1. All K-9 Unit personnel shall be subject to an annual review to ensure they are meeting the delineated criteria for their positions.
2. The annual review shall be comprised of three (3) evaluations.
  - a. The chain of command shall review the K-9 Unit personnel's Employee Work Plan.
  - b. The chain of command shall conduct a file review of the team member.
  - c. The Department's Behavioral Sciences Section personnel shall meet with the team members.
  - d. If any negative issues arise during the annual review, the affected team members shall be subject to retraining, progressive discipline, and/or removal from the K-9 Unit.

**C. Records**

1. K-9 Unit personnel shall track and record performance measures of both the K-9 Handler and the PSD. In addition, deployments shall be specifically tracked and archived within other specialized units, as noted below.
  - a. All K-9 deployments shall be recorded and archived within the Tactical Division and the IAPS Division.
  - b. PSD medical records shall be recorded and archived with the contracted K-9



Unit veterinarian.

- c. Monthly in-service training and certifications shall be recorded and archived with the contracted professional trainer.
  - i. Copies of in-service training and certifications shall also be archived by the K-9 Sergeant.
- d. K-9 Handlers shall archive all PSD training, and copies of deployment reports resulting in bites and certifications presented to the K-9 Handler and/or PSD.

**5 1-64-7 Maintenance and Retirement of PSDs**

**A. Maintenance**

- 1. K-9 Handlers shall reserve the last hour and fifteen minutes of a ten (10) hour shift for PSD and equipment upkeep.
  - a. This time applies to every work shift, training day, and/or all types of leave. These guidelines assume that the PSD's assigned K-9 Handler is caring for the PSD, not another K-9 Handler or boarder.
  - b. The total allotted time for this maintenance shall not exceed five (5) hours in a pay period week or forty-three (43) minutes per day in a seven (7) day period.
  - c. This time shall be allotted for the daily upkeep of the PSD and shall include the handler's regular days off.
  - d. This time may also be used for picking up dog food and routine visits to the veterinarian.
  - e. No compensation beyond the time allowed shall be authorized unless approved in advance by the K-9 Unit Sergeant.
- 2. The K-9 Unit Sergeant and the contracted veterinarian shall instruct K-9 Handlers on the proper methods for maintaining PSD health.
- 3. Twice a year, the contracted veterinarian will examine all PSDs to ensure their state of health and to give them their annual shots.
  - a. If the PSD shows signs of illness, the K-9 Handler shall call the contracted veterinarian or take the PSD to the contracted veterinarian as soon as practicable.
  - b. If the PSD is injured, the PSD shall be treated as soon as possible, either by the contracted veterinarian or the Emergency Animal Clinic. In either case, the K-9 Unit Sergeant shall be notified immediately.

**B. Retirement**

- 1. A PSD shall be retired based on the PSD's health, ability to perform, and age. The decision to retire a PSD shall be made after consultation with the Unit Trainer, the professional trainer, and the K-9 Unit Sergeant.
  - a. The K-9 Unit Sergeant shall have the final decision on a PSD's retirement.



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2. PSDs may be medically retired on the recommendation of the Department's contracted veterinarian.
3. A retired PSD shall be released to the K-9 Handler to whom it was assigned.
  - a. If the K-9 Handler does not wish to take ownership of the retired PSD, the K-9 Sergeant shall be responsible for finding it a suitable home.
  - b. The person who takes ownership of the retired PSD will be required to sign a waiver provided by the Office of the Albuquerque City Attorney. The waiver will relinquish the ownership and liability for the PSD, including any costs for its upkeep.

REDLINED



## **1-64 K-9 UNIT**

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

#### **A. Related SOP(s)**

- 1-92 Special Weapons and Tactics (SWAT) (Formerly Specialized Tactical Units) (Formerly 6-8)
- 2-3 Firearms and Ammunition Authorization (Formerly 2-22)
- 2-8 Use of On-Body Recording Devices (Formerly 1-39)
- 2-52 Use of Force: General (Formerly 3-45)
- 3-33 Performance Evaluation and Management System (Formerly 3-20 and 3-49)

#### **B. Form(s)**

K-9 Kennel Inspection Form

#### **C. Other Resource(s)**

None

#### **D. Active Special Order(s)**

SO 25-07 Amendment to SOP 1-64 K-9 Unit

#### **D.E. Rescinded Special Order(s)**

None

### **1-64-1 Purpose**

The purpose of this policy is to provide procedures for the proper use of Police Service Dogs (PSD) in locating and apprehending specific individuals who are suspected of committing a crime, protecting the K-9 Unit Handler, and conducting article searches.

### **1-64-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to use a PSD to assist in locating and apprehending specific individuals who are suspected of committing a crime, protect the K-9 Unit Handler, and conduct article searches.

### **N/A 1-64-3 Definitions**

#### **A. Accidental Bite**

Any occurrence when the PSD bites an unintended person. An accidental bite is not considered for the purposes of calculating the bite ratio of a K-9 Handler.



**B. Bite**

A skin puncture or tear caused by the teeth of a PSD.

**C. Bite Ratios**

The calculation of the number of deployments in which a PSD bite occurs divided by the total number of deployments for a given period.

**D. Deployment**

Any incident, except an on-lead article search, where a PSD is brought to a scene and is used to locate or apprehend an individual suspected of committing a crime, whether or not a suspect is located or apprehended.

**E. Directed Bite**

When a K-9 Handler directs a PSD to bite a visually identified individual.

**F. Injury Apprehension**

Any apprehension of an individual during which a bite occurs.

**G. K-9 Handler**

Sworn personnel certified as a K-9 Handler and assigned to a particular PSD who deploys with that PSD and is responsible for the PSD's care twenty-four (24) hours a day, seven (7) days a week ~~care~~.

**H. Non-Injury Apprehension**

Any occasion when a PSD is deployed and plays a clear and well-documented role in apprehending an individual suspected of committing a crime, such as the PSD locating or apprehending the individual, the individual submitting to arrest as a result of K-9 announcements, the individual submitting to arrest after hearing the PSD bark, or the individual stating that the PSD influenced their decision to submit to arrest.

**I. Police Service Dog (PSD)**

A dog assigned to a K-9 Handler after meeting the selection standards and certification requirements as established by the Department's Tactical Section K-9 Unit.



J. PSD-Caused Injury

Any injury that is not a bite but is caused by a PSD. This includes knocking an individual down, scratching, and/or causing abrasions.

K. Search

Deployment of a PSD into a commercial or residential search area or structure to look for a specific individual suspected of committing a crime, or is used to ensure that the area or structure is clear of any individuals who may be hiding or attempting to evade capture from sworn personnel.

**6 1-64-4 Training**

A. Training

1. The K-9 Unit Sergeant shall coordinate and document proper training for each K-9 Handler and PSD.
2. K-9 Unit personnel shall conduct weekly training in accordance with the guidelines, training practices, and safety measures of the Department-approved trainer and/or K-9 Unit Sergeant.
3. The Tactical Division Commander shall contract with a professional PSD trainer regarding the selection and training of Department PSDs.
  - a. The K-9 Unit's professional PSD trainer will guide K-9 Unit personnel to their highest ability level.
  - b. The professional PSD trainer will evaluate each PSD to identify any performance concerns.
  - c. The professional PSD trainer will make any training and performance recommendations to the K-9 Unit Sergeant.
  - d. The Tactical Section Commander shall determine the job duties of the contract professional trainer.
4. K-9 Handlers shall follow the training directives from the Department PSD trainer and the K-9 Unit Sergeant.
5. All K-9 Handlers shall ensure their PSDs comply with the training standards set forth in this policy and the standards recommended by the professional PSD trainer.
  - a. If, for any reason, a PSD does not meet the standards set forth by K-9 Unit personnel, the K-9 Handler shall immediately notify the K-9 Unit Sergeant.
  - b. The K-9 Unit Sergeant, Department PSD trainer, and the professional PSD trainer shall evaluate any deficiencies to determine if the PSD shall remain in service while the deficiency is being corrected or if the PSD shall be removed



from service until the deficiency is corrected.

**B. Certifications**

1. All K-9 Handlers shall be certified through a professional trainer. All teams will also complete a secondary certification process.

**5 1-64-5 Rules and Responsibilities**

**A. General Responsibilities**

**1. A K-9 Handler shall:**

**N/A**

- a. Wear the Department-approved fatigue uniform as the normal duty uniform in accordance with SOP Uniforms;
- b. Be responsible for the actions of their PSDs, both on and off-lead, at all times;
- c. Ensure the PSD has proper ventilation for the given weather conditions and that the Department-issued vehicle is properly secured when the K-9 Handler leaves their Department-issued police vehicle while the PSD is inside;
- d. Before giving the PSD a break, make sure there are no community members in the immediate area;
  - i. If community members are in the immediate area, the K-9 Handler shall keep the PSD on lead during the break.
- e. Work a ten (10) hour shift; and
  - i. The Tactical Section Commander shall determine hours and days off.
  - ii. K-9 Handlers shall be on-call and available for duty at all times unless supervisor-approved leave is granted or during sick leave.
- f. When an individual sustains a PSD bite, immediately contact an Emergency Communications Center (ECC) Dispatcher to request an Emergency Medical Services (EMS) response.
  - i. If the EMS determines that additional medical attention is required, they will transport the individual to a medical facility for treatment.

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**2. A K-9 Handler shall not:**

- a. Deploy the PSD for crowd control;
- b. Discipline their PSDs in view of the public; and
- c. Act cruelly towards the PSDs.

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**3. The K-9 Unit Sergeant shall manage requests for PSD demonstrations or exhibitions.**

**B. Use and Deployment of a PSD as a Use of Force Option**

1. The use of the PSD as a use of force option ranges from the simple presence of the PSD to a less lethal force option.



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2. The K-9 Handler shall:

N/A

N/A

N/A

N/A

- a. When required to use force, ensure the use of force is objectively reasonable given the facts and circumstances confronting the K-9 Handler and in accordance with SOP Use of Force: General;
- b. Use only the minimum amount of force that is objectively reasonable, based on the totality of the circumstances confronting the K-9 Handler to achieve a lawful objective in accordance with SOP Use of Force: General;
- c. Consider the reasonableness of other use of force options before deploying the PSD, based upon the totality of the circumstances in accordance with SOP Use of Force: General;
- d. Have the discretion of deploying the PSD with or without a muzzle and/or on or off-lead;
- e. Before deploying the PSD, evaluate the following factors, taking into consideration the safety of community members, Department personnel, and the individual:
  - i. The severity of the crime(s) at issue;
  - ii. Whether the individual being sought or being apprehended poses an imminent threat to the safety of sworn personnel or others;
  - iii. Whether the individual is actively resisting arrest or attempting to evade arrest by flight; and
  - iv. All other factors that must be considered according to SOP Use of Force: General.
- f. Deploy the PSDs in the following circumstances:
  - i. To apprehend individuals suspected of committing a felony crime;
  - ii. To apprehend individuals who pose an imminent threat to the safety of sworn personnel and/or others;
  - iii. To conduct searches for individuals suspected of committing a felony crime when they have concealed themselves from law enforcement or are actively fleeing;
  - iv. To conduct building searches to locate an individual suspected of committing a felony crime, or an individual suspected of committing a misdemeanor crime and who is concealing themselves and is reasonably believed to be armed; and
  - v. To locate individuals suspected of committing a misdemeanor crime when the K-9 Unit Sergeant approves a search based on the totality of circumstances with a muzzled PSD.
- g. Not deploy the PSD:
  - i. To assist in a civil disturbance or crowd control;
  - ii. To affect the arrest of a known highly intoxicated, feeble, or otherwise incapacitated or disabled person(s) who obviously cannot escape, resist, or become an immediate threat to sworn personnel or others;
  - iii. Against an individual known by sworn personnel to be pregnant, less than fourteen (14) years old, or over seventy (70) years old unless sworn personnel can articulate exceptional circumstances justifying the deployment;
  - iv. To apprehend individuals experiencing a known behavioral health crisis who



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- have not committed a felony crime;
- v. To apprehend known suicidal individuals who have not committed a felony crime;
- vi. To search commercial buildings or schools without clear signs of unauthorized entry, or when no Reporting Party (RP) is present or contacted to establish elements of a crime; and
- vii. Merely because it is an available use of force option.

3. Verbal Warnings

- a. When a K-9 Handler uses a PSD to locate an individual, the K-9 Handler shall give three (3) loud and clear verbal warnings before releasing the PSD.
- b. The verbal warning shall give notice to the individual that the K-9 Handler will release a PSD and that the PSD will probably bite the suspect.
- c. If the K-9 Handler has reason to believe the individual is Spanish-speaking, they shall also make reasonable attempts to provide the verbal warning in Spanish.
- d. A K-9 Handler is not required to give a verbal warning before a PSD deployment if a difficult or dangerous situation develops so quickly that the K-9 Handler has no reasonable time or opportunity to give verbal warnings.
- e. If the K-9 Unit Handler determines that issuing verbal warnings presents an articulable threat to the safety of sworn personnel on the search team, they shall thoroughly document the facts in their Uniform Incident Report and the Computer-Aided Dispatch (CAD) system entry.

N/A

C. Reporting and Investigation

- 1. K-9 Unit personnel shall report any bite or PSD-caused injury to an individual or officer to the K-9 Unit Sergeant once the scene is secure and it is safe to do so.
- 2. The K-9 Unit Sergeant shall conduct a K-9 apprehension review ~~respond to the scene, conduct an initial post-apprehension deployment investigation, and provide necessary information to the Internal Affairs Force Division (IAFD) for consideration in their investigation of the incident.~~
  - a. A PSD bite is considered a use of force and shall be investigated by an on scene supervisor and ~~the K-9 Unit Sergeant and~~ IAFD personnel.
  - b. An accidental bite shall not be considered a use of force.
    - i. The K-9 Unit Sergeant shall conduct the investigation of an accidental bite.

D. Special Weapons and Tactics (SWAT) Unit Assistance

N/A

- 1. K-9 Unit personnel are also considered SWAT Unit personnel. As such, they shall be expected to abide by SOP Special Weapons and Tactics (SWAT).

N/A

- 2. K-9 Unit personnel shall be held to all SWAT Team standards, in accordance with SOP Special Weapons and Tactics (SWAT) (Formerly Specialized Tactical Units).



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Failure to comply with these standards may result in the officer's removal from the K-9 Unit.

3. K-9 Handlers are subject to SWAT Unit call-outs.

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**E. Call-Outs**

1. K-9 Handlers shall be on-call and are subject to call-outs on a twenty-four (24) hour, three-hundred and sixty-five (365) day basis, unless granted supervisor-approved leave or sick leave.
  - a. The K-9 Unit Sergeant shall issue an on-call schedule every other month. The on-call schedule identifies the primary and secondary on-call teams.
  - b. The K-9 Unit Sergeant shall only modify the on-call schedule to accommodate unforeseen schedule changes and overtime issues.
  - c. The K-9 Unit Sergeant shall send the Tactical Division Commander a copy of the K-9 Unit on-call schedule.
2. The ECC Supervisor shall call the primary K-9 Handler when a Sergeant or higher-ranking officer requests assistance from K-9 Unit personnel.
  - a. The K-9 Unit Sergeant or designee shall review and, if appropriate, approve all requests for mutual aid from outside agencies and any other special requests.
  - b. When a K-9 Handler is deployed for mutual aid requests, they shall follow Department policies, procedures, and guidelines for using the PSD and use of force, not those of the non-Department agency.
  - c. The K-9 Unit Sergeant or designee shall be contacted regarding requests from supervisors of specialized units and requests from any non-Department agency.

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**F. Scheduled Leave**

1. The K-9 Unit Supervisor shall determine K-9 Unit personnel's hours of assignment, vacation, and days off based on the needs for service and support.
2. K-9 Unit personnel vacations shall be contingent upon the needs of the Department and the Tactical Section.
3. Before going on vacation or extended leave, the K-9 Handler shall explain to the K-9 Unit Sergeant how the PSD will be fed and safely cared for while the K-9 Handler is on vacation.
  - a. A PSD shall be housed at a Department-approved PSD boarding facility, or with another K-9 Handler.

a.

**7**

**G. Equipment**



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1. K-9 Unit personnel shall maintain all equipment issued to them by the K-9 Unit.
  - a. K-9 Unit personnel shall report equipment that requires repair or replacement to the K-9 Unit Sergeant as soon as practicable.
2. K-9 Handlers who have been issued Specialized weapons shall;
  - a. Carry them at all times; and
  - b. Be qualified in their use in accordance with SWAT Unit requirements as set forth in SOP Special Weapons and Tactics (SWAT) and SOP Firearms and Ammunition Authorization.

**N/A**

**6 1-64-6 Analysis**

**A. ~~Bite Ratios~~**

- ~~1. K 9 Handlers shall track and calculate bite ratios on a monthly basis.~~
  - ~~a. K 9 Unit personnel shall provide monthly reports to the Internal Affairs Professional Standards (IAPS) Division documenting activity and bite ratios.~~
  - ~~b. K 9 Unit personnel shall forward monthly reports to the K 9 Unit Sergeant for review and aggregation into the K 9 Unit's monthly and annual reports.~~
- ~~2. The K 9 Unit Sergeant shall review monthly reports to ensure accuracy.~~
- ~~3. The K 9 Unit Sergeant shall review each K 9 Handler's bite ratio by considering the activity of the previous six months.~~
  - ~~a. If any K 9 Handler's bite ratio exceeds twenty percent (20%) for the preceding six (6) month period, it shall be included as an indicator in the Performance Evaluation and Management System (PEMS) for that K 9 Handler and shall be reviewed by that K 9 Handler's supervisor.~~
  - ~~b. If the entire K 9 Unit's bite ratio exceeds that threshold, a meeting with the Division Commander, Tactical Section Lieutenant, and K 9 Sergeant shall occur. They shall determine why the twenty percent (20%) threshold was exceeded and shall document the review.~~

**B. A Annual Policy Review**

1. The Tactical Section supervisors shall conduct an annual meeting every January to analyze occurrences and issues of the previous year.
  - a. During the annual meeting, the topics to be discussed shall include, but are not limited to, policies, procedures, legal developments, training updates, operational evaluations, Force Review Board (FRB) recommendations, and after-action reviews.
  - b. During the annual meeting, if it is determined that changes are required, those changes shall be implemented no fewer than ninety (90) days from the review date.



C.B. Annual Retention Review

1. All K-9 Unit personnel shall be subject to an annual review to ensure they are meeting the delineated criteria for their positions.
2. The annual review shall be comprised of three (3) evaluations.
  - a. The chain of command shall review the K-9 Unit personnel's Employee Work Plan.
  - b. The chain of command shall conduct a file review of the team member.
  - c. The Department's Behavioral Sciences Section personnel shall meet with the team members.
  - d. If any negative issues arise during the annual review, the affected team members shall be subject to retraining, progressive discipline, and/or removal from the K-9 Unit.

D.C. Records

1. K-9 Unit personnel shall track and record performance measures of both the K-9 Handler and the PSD. In addition, deployments shall be specifically tracked and archived within other specialized units, as noted below.
  - a. All K-9 deployments shall be recorded and archived within the Tactical Division and the IAPS Division.
  - b. PSD medical records shall be recorded and archived with the contracted K-9 Unit veterinarian.
  - c. Monthly in-service training and certifications shall be recorded and archived with the contracted professional trainer.
    - i. Copies of in-service training and certifications shall also be archived by the K-9 Sergeant.
  - d. K-9 Handlers shall archive all PSD training, and copies of deployment reports resulting in bites and certifications presented to the K-9 Handler and/or PSD.
  - e. ~~All K-9 deployments resulting in a bite apprehension shall be presented to the FRB and may be analyzed to identify potential needs for revision to training, policy, equipment, tactics, and supervision.~~
  - i. ~~Accidental bites shall not be presented to the FRB.~~

**5 1-64-7 Maintenance and Retirement of PSDs**

**A. Maintenance**

1. K-9 Handlers shall reserve the last hour and fifteen minutes of a ten (10) hour shift for PSD and equipment upkeep.
  - a. This time applies to every work shift, training day, and/or all types of leave. These guidelines assume that the PSD's assigned K-9 Handler is caring for the PSD, not another K-9 Handler or boarder.



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- b. The total allotted time for this maintenance shall not exceed five (5) hours in a pay period week or forty-three (43) minutes per day in a seven (7) day period.
  - c. This time shall be allotted for the daily upkeep of the PSD and shall include the handler's regular days off.
  - d. This time may also be used for picking up dog food and routine visits to the veterinarian.
  - e. No compensation beyond the time allowed shall be authorized unless approved in advance by the K-9 Unit Sergeant.
2. The K-9 Unit Sergeant and the contracted veterinarian shall instruct K-9 Handlers on the proper methods for maintaining PSD health.
3. Twice a year, the contracted veterinarian will examine all PSDs to ensure their state of health and to give them their annual shots.
  - a. If the PSD shows signs of illness, the K-9 Handler shall call the contracted veterinarian or take the PSD to the contracted veterinarian as soon as practicable.
  - b. If the PSD is injured, the PSD shall be treated as soon as possible, either by the contracted veterinarian or the Emergency Animal Clinic. In either case, the K-9 Unit Sergeant shall be notified immediately.

**B. Retirement**

1. A PSD shall be retired based on the PSD's health, ability to perform, and age. The decision to retire a PSD shall be made after consultation with the Unit Trainer, the professional trainer, and the K-9 Unit Sergeant.
  - a. The K-9 Unit Sergeant shall have the final decision on a PSD's retirement.
2. PSDs may be medically retired on the recommendation of the Department's contracted veterinarian.
3. A retired PSD shall be released to the K-9 Handler to whom it was assigned.
  - a. If the K-9 Handler does not wish to take ownership of the retired PSD, the K-9 Sergeant shall be responsible for finding it a suitable home.
  - b. The person who takes ownership of the retired PSD will be required to sign a waiver provided by the Office of the Albuquerque City Attorney. The waiver will relinquish the ownership and liability for the PSD, including any costs for its upkeep.



## **1-2 SOCIAL MEDIA**

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

#### **A. Related SOP(s)**

- 1-1 Personnel Code of Conduct (Formerly 1-04 and 1-4)
- 2-9 Use of Computer Systems (Formerly 1-37)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

Albuquerque, N.M., Administrative Instruction No. 1-19 Social Media Policy  
NMSA 1978, §§ 10-7E-1 to 10-7E-26 Public Employee Bargaining Act

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **1-2-1 Purpose**

The purpose of this policy is to outline Albuquerque Police Department (Department) employee rights and responsibilities as they pertain to social media. Additionally, it is intended to protect the Department from content or speech that would impair its efficiency or community trust. This policy guides Department personnel as they post content and speech on social media.

### **1-2-2 Policy**

It is the policy of the Department to support each Department employee's First Amendment rights while protecting the Department's ability to function in a manner that preserves the community's trust.

### **N/A 1-2-3 Definitions**

#### **A. Concerted Activity**

The right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their choosing, and to engage in other concerted activities for collective bargaining or other mutual aid or protection, as well



as the right to refrain from any or all such activities (Refer to the Public Employee Bargaining Act).

**B. Pornography**

Printed or visual material containing the explicit description or display of sexual organs or activity intended to stimulate erotic rather than aesthetic or emotional feelings.

**C. Protected Classes**

A group of people who are legally protected from discrimination due to a shared characteristic. In this section, protected classes are race, color, national origin, religion, sex, gender, age, citizenship status, sexual orientation, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical and mental disability, and serious medical condition.

**D. Public Domain**

Inventions and creative works that are not protected by intellectual property rights and are therefore available for anyone.

**E. Social Media**

A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social network sites, microblogging sites, photo, and video sharing sites, wikis, blogs, and news site comment boards.

**F. Substantive Speech**

Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication. A "like" or response to a post is considered substantive speech. Clicking on a like button suggests that the user concurs, supports, or agrees with the speech. Similar responses, such as upvoting, downvoting, or using an emoji, are speech in favor of or against a post.

**6**

**1-2-4 Rules and Responsibilities**

**A. Permitted Social Media Use**

1. Department personnel may speak out on issues of public concern when acting as a private person. Department personnel are encouraged to include a disclaimer when feasible, if they are commenting on City business in their personal capacity, and state that the comments represent their own opinions and do not represent those of the City.



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2. If social media use can be associated or identified as relating to the Department or its personnel, that use shall conform to the Department's mission statement, as well as the Department's values and code of conduct. Individual Department personnel shall be responsible for assessing potential social media content to ensure that it contributes to the values of the Department and neither could nor tend to cause harm or disruption to the mission and function of the Department. For any questions regarding the suitability of social media content, Department personnel shall contact their chain of command, and the Public Information Officer (PIO), in writing, and await a written response prior to any social media posts.
3. It is not possible to list every possible permitted use; therefore, Department personnel shall contact their chain of command, as well as the PIO, in writing, when they have questions about speech that may violate this Standard Operating Procedure (SOP). Examples of permissible social media uses include, but are not limited to:
  - a. Concerted activity;
  - b. Politics, unless otherwise prohibited;
  - c. Social issues, unless otherwise prohibited;
  - d. Personal issues, unless otherwise prohibited;
  - e. Viewing legal content, adult or otherwise; or
  - f. Linking to and or re-posting content unless otherwise prohibited.
4. Department personnel are permitted to administer a Department-authorized website (Refer to SOP Use of Computer Systems, SOP Personnel Code of Conduct, and City of Albuquerque Administrative Instruction Number 2-25 Social Media Policy regarding restrictions on using social media during work hours or using Department-issued equipment for social media).
5. Department personnel are permitted to upload, display, and/or distribute on social media photographs of themselves in uniform or display official Department identification, as long as the photographs do not reflect behavior that is otherwise prohibited while on duty or that violates SOP Personnel Code of Conduct.
- 5 6. Department personnel intentionally creating the impression that the employee is a spokesperson of the Department without permission of the PIO is prohibited.
7. Only when necessary during official investigations on behalf of the Department may content be posted that would otherwise violate this SOP. Permissive uses for investigative units may include, but are not limited to:
  - a. Internet Crimes Against Children;
  - b. Child Exploitation Detail;
  - c. Narcotics Section;
  - d. Tactical Section;
  - e. Gang Unit; and



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f. Intelligence investigations.

**B. Prohibited Social Media Use**

1. A wide audience may access information posted on personal social media sites, and Department personnel should be aware of the limited ability to restrict access to posts. Personal social media posts may be viewed, copied, forwarded, printed, or otherwise shared with the public, Department personnel, and Department supervisors.
2. Department personnel may only express themselves as private persons on matters of public concern to the degree that this expression does not violate the prohibitions in this section. Department personnel shall be mindful that they are public servants and should ensure that their personal social media activities do not interfere with their work or with their workplace environment.
3. Posting the content below is prohibited for Department personnel, regardless of whether the post is publicly accessible or not. Department personnel using online aliases or otherwise obscuring their employment and/or identity are still mandated to follow this SOP. Department personnel are responsible for the content they post, substantive speech, or content they link to their social media post. It is not possible to list every possible circumstance that may violate the SOP. Therefore, Department personnel shall contact the PIO or the Internal Affairs Professional Standards (IAPS) Division when they have doubts about speech that may violate this section of the SOP.

**1-3**

- a. The following use of social media on either personal or Department social media accounts is not permitted:
  - i. Hate speech or speech or content that ridicules, maligns, disparages, or otherwise discriminates against a protected class of people;
  - ii. Viewing, downloading, or posting on a social media platform any content which would violate federal, state, or local law, consistent with SOP Personnel Code of Conduct;
    1. The sanction imposed for violation(s) of this section is dependent on the nature and severity of the offense.
    2. The disciplinary authority shall clearly articulate the reasons for imposing the sanction.
    3. Felony Crimes.
    4. Misdemeanor Crimes.
    5. Petty Misdemeanor Crimes.
  - iii. Speech that impedes the performance of duties;
  - iv. Speech that impairs discipline among Department personnel;
  - v. Speech that negatively impacts or tends to impact the Department's ability to serve the public;
  - vi. Uploading, displaying, and/or distributing information about any Department, criminal, or administrative investigation that is otherwise confidential or would compromise the investigation. This excludes necessary conversations

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**1-3**

**2-4**

**3**



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among personnel who are part of the investigation and not publicly accessible (for example, text messaging on Department-issued phones);  
vii. Revealing the identities or displaying photographs of Department personnel who work in an undercover or covert capacity to non-employees of the Department;

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viii. Disclosing information about any other member of the Department without permission of the affected member, including posting photos or "tagging" in text or photos;

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ix. Uploading, displaying, and/or distributing any crime scene photographs not in the public domain, without approval from the PIO;

x. Uploading, displaying, and/or distributing any copyrighted material not owned by the employee;

xi. The use of a City-issued email account in conjunction with a personal social media account;

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xii. Revealing police practices or procedures, such as Special Weapons and Tactics (SWAT) operations or narcotics tactics, which could hinder the operation of the Department and/or jeopardize officer safety; or

xiii. Posting information that may be used as impeachment material.

1. Anything posted on personal or Department social media may be used to impeach Department personnel in a case in which they are a witness.

2. Impeachment material may result in the dismissal of criminal cases; posting material that results in the inability to testify in court is subject to termination.

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C. Department Authorized Social Media Use

1. Department personnel approved to run or administer a Department-authorized social media site and speak on behalf of the Department are reminded that the First Amendment does not protect their speech. Therefore, due diligence and coordination with the PIO should take place before releasing any information. All Department-authorized social media use shall comply with City of Albuquerque Administrative Instruction Number 1-19 Social Media Policy.

2. All Department-authorized social media not used for investigations shall be approved by the PIO. The approval may be revoked at the discretion of the PIO at any time.

3. Department personnel, with the exception of the Emergency Communications Centers (ECC) and Recruiting, shall forward all proposed Department posts to the PIO for approval and shall not upload the post within twenty-four (24) hours of sending it to the PIO.

4. Social media posts for individual sworn personnel in their official capacity, units, sections, divisions, and bureaus shall be approved by the PIO before publication. These websites shall:



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- a. Include an introductory statement specifying the purpose and scope of the website;
- b. Contain a link to the Department's official website;
- c. Provide contact information for the website's administrator;
- d. Not promote products or political candidates;
- e. Comply with all restrictions in this SOP; and
- f. Comply with all federal, state, and local laws.

REDLINED



## **1-2 SOCIAL MEDIA**

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

#### **A. Related SOP(s)**

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- 2-9 Use of Computer Systems (Formerly 1-37)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

Albuquerque, N.M., Administrative Instruction No. 1-19 Social Media Policy  
NMSA 1978, §§ 10-7E-1 to 10-7E-26 Public Employee Bargaining Act

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **1-2-1 Purpose**

The purpose of this policy is to outline Albuquerque Police Department (Department) employee rights and responsibilities as they pertain to social media. Additionally, it is intended to protect the Department from content or speech that would impair its efficiency or community trust. This policy guides Department personnel as they post content and speech on social media.

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as the right to refrain from any or all such activities (Refer to the Public Employee Bargaining Act).

**B. Pornography**

Printed or visual material containing the explicit description or display of sexual organs or activity intended to stimulate erotic rather than aesthetic or emotional feelings.

**C. Protected Classes**

A group of people who are legally protected from discrimination due to a shared characteristic. In this section, protected classes are race, color, national origin, religion, sex, gender, age, citizenship status, sexual orientation, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical and mental disability, and serious medical condition.

**D. Public Domain**

Inventions and creative works that are not protected by intellectual property rights and are therefore available for anyone.

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A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social network sites, microblogging sites, photo, and video sharing sites, wikis, blogs, and news site comment boards.

**F. Substantive Speech**

Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication. A "like" or response to a post is considered substantive speech. Clicking on a like button suggests that the user concurs, supports, or agrees with the speech. Similar responses, such as upvoting, downvoting, or using an emoji, are speech in favor of or against a post.

**6 1-2-4 Rules and Responsibilities**

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1. Department personnel may speak out on issues of public concern when acting as a private person. Department personnel are encouraged to include a disclaimer when feasible, if they are commenting on City business in their personal capacity, and state that the comments represent their own opinions and do not represent those of the City.



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2. If social media use can be associated or identified as relating to the Department or its personnel, that use shall conform to the Department's mission statement, as well as the Department's values and code of conduct. Individual Department personnel shall be responsible for assessing potential social media content to ensure that it contributes to the values of the Department and neither could nor tend to cause harm or disruption to the mission and function of the Department. For any questions regarding the suitability of social media content, Department personnel shall contact their chain of command, and the Public Information Officer (PIO), in writing, and await a written response prior to any social media posts.
3. It is not possible to list every possible permitted use; therefore, Department personnel shall contact their chain of command, as well as the PIO, in writing, when they have questions about speech that may violate this Standard Operating Procedure (SOP). Examples of permissible social media uses include, but are not limited to:
  - a. Concerted activity;
  - b. Politics, unless otherwise prohibited;
  - c. Social issues, unless otherwise prohibited;
  - d. Personal issues, unless otherwise prohibited;
  - e. Viewing legal content, adult or otherwise; or
  - f. Linking to and or re-posting content unless otherwise prohibited.
4. Department personnel are permitted to administer a Department-authorized website (Refer to SOP Use of Computer Systems, SOP Personnel Code of Conduct, and City of Albuquerque Administrative Instruction Number 2-25 Social Media Policy regarding restrictions on using social media during work hours or using Department-issued equipment for social media).
5. Department personnel are permitted to upload, display, and/or distribute on social media photographs of themselves in uniform or display official Department identification, as long as the photographs do not reflect behavior that is otherwise prohibited while on duty or that violates SOP Personnel Code of Conduct.
6. Department personnel intentionally creating the impression that the employee is a spokesperson of the Department without permission of the PIO is prohibited.
7. Only when necessary during official investigations on behalf of the Department may content be posted that would otherwise violate this SOP. Permissive uses for investigative units may include, but are not limited to:
  - a. Internet Crimes Against Children;
  - b. Child Exploitation Detail;
  - c. Narcotics Section;
  - d. Tactical Section;
  - e. Gang Unit; and



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f. Intelligence investigations.

B. Prohibited Social Media Use

1. A wide audience may access information posted on personal social media sites, and Department personnel should be aware of the limited ability to restrict access to posts. Personal social media posts may be viewed, copied, forwarded, printed, or otherwise shared with the public, Department personnel, and Department supervisors.
2. Department personnel may only express themselves as private persons on matters of public concern to the degree that this expression does not violate the prohibitions in this section. Department personnel shall be mindful that they are public servants and should ensure that their personal social media activities do not interfere with their work or with their workplace environment.
3. Posting the content below is prohibited for Department personnel, regardless of whether the post is publicly accessible or not. Department personnel using online aliases or otherwise obscuring their employment and/or identity are still mandated to follow this SOP. Department personnel ~~and~~ are responsible for the content they post, substantive speech, or content they link to their social media post. It is not possible to list every possible circumstance that may violate the SOP. Therefore, Department personnel shall contact the PIO or the Internal Affairs Professional Standards (IAPS) Division when they have doubts about speech that may violate this section of the SOP.

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- a. The following use of social media on either personal or Department social media accounts is not permitted:
  - i. Hate speech or speech or content that ridicules, maligns, disparages, or otherwise discriminates against a protected class of people;
  - ii. Viewing, downloading, or posting on a social media platform any content which would violate federal, state, or local law, consistent with SOP Personnel Code of Conduct;
    1. The sanction imposed for violation(s) of this section is dependent on the nature and severity of the offense.
    2. The disciplinary authority shall clearly articulate the reasons for imposing tion of the sanction.
    3. Felony Crimes.
    4. Misdemeanor Crimes.
    5. Petty Misdemeanor Crimes.
  - iii. Speech that impedes the performance of duties;
  - iv. Speech that impairs discipline among Department personnel;
  - v. Speech that negatively impacts or tends to impact the Department's ability to serve the public;
  - vi. Uploading, displaying, and/or distributing information about any Department, criminal, or administrative investigation that is otherwise confidential or would compromise the investigation. This excludes necessary conversations

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1-3

2-4

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among personnel who are part of the investigation and not publicly accessible (for example, text messaging on Department-issued phones);  
vii. Revealing the identities or displaying photographs of Department personnel who work in an undercover or covert capacity to non-employees of the Department;

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viii. Disclosing information about any other member of the Department without permission of the affected member, including posting photos or "tagging" in text or photos;

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ix. Uploading, displaying, and/or distributing any crime scene photographs not in the public domain, without approval from the PIO;

x. Uploading, displaying, and/or distributing any copyrighted material not owned by the employee;

xi. The use of a City-issued email account in conjunction with a personal social media account;

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xii. Revealing police practices or procedures, such as Special Weapons and Tactics (SWAT) operations or narcotics tactics, which could hinder the operation of the Department and/or jeopardize officer safety; or

xiii. Posting information that may be used as impeachment material.

1. Anything posted on personal or Department social media may be used to impeach Department personnel in a case in which they are a witness.

2. Impeachment material may result in the dismissal of criminal cases; posting material that results in the inability to testify in court is subject to termination.

7

C. Department Authorized Social Media Use

1. Department personnel approved to run or administer a Department-authorized social media site and speak on behalf of the Department are reminded that the First Amendment does not protect their speech. Therefore, due diligence and coordination with the PIO should take place before releasing any information. All Department-authorized social media use shall comply with City of Albuquerque Administrative Instruction Number 1-192-25 Social Media Policy.
2. All Department-authorized social media not used for investigations shall be approved by the PIO. The approval may be revoked at the discretion of the PIO at any time.
3. Department personnel, with the exception of the Emergency Communications Centers (ECC) and Recruiting, shall forward all proposed Department posts to the PIO for approval and shall not upload the post within twenty-four (24) hours of sending it to the PIO.
4. Social media posts for individual sworn personnel in their official capacity, units, sections, divisions, and bureaus shall be approved by the PIO before publication. These websites shall:



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- a. Include an introductory statement specifying the purpose and scope of the website;
- b. Contain a link to the Department's official website;
- c. Provide contact information for the website's administrator;
- d. Not promote products or political candidates;
- e. Comply with all restrictions in this SOP; and
- f. Comply with all federal, state, and local laws.

REDLINED



## **1-22 AUTOMATED LICENSE PLATE READER PROGRAM**

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

#### **A. Related SOP(s)**

- 2-9 Use of Computer Systems (Formerly 1-37)
- 2-45 Pursuit by Motor Vehicle (Formerly 2-55)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

None

#### **D. Rescinded Special Order(s)**

- SO 25-54 Amendment to SOP 1-22 Automated License Plate Reader Program

### **1-22-1 Purpose**

The purpose of this policy is to provide Albuquerque Police Department (Department) personnel with guidelines on the proper use of the Automated License Plate Reader (ALPR) technology.

### **1-22-2 Policy**

It is the policy of the Department to use ALPR technology to identify individuals who use vehicles in the commission of a crime, as well as to use ALPR technology to support investigations surrounding crimes involving vehicles. To ensure the privacy of community members, the use of ALPR technologies is restricted to valid law enforcement purposes only.

**N/A**

### **1-22-3 Definitions**

#### **A. Active Hit Protocol**

1. A three (3) step process that Department personnel must adhere to every time an alert for a stolen vehicle is received by Department personnel or Emergency Communications Center (ECC) personnel. The process is as follows:
  - a. Compare the detection and check for misreads. Confirm all the characters match the wanted plate;
  - b. Confirm that the state of the wanted plate matches the plate on the vehicle; and
  - c. Conduct a National Crime Information Center (NCIC) check to confirm that the vehicle is still on the Hot List.



**B. ALPR Alert**

A visible and/or audible notification to Department personnel that a license plate scanned by an ALPR is on a prepared Hot List.

**C. ALPR Alert Software**

Vendor-supplied software that allows Department personnel to receive ALPR Alert notifications.

**D. Hot List**

A list of license plates of interest that are transmitted to an ALPR-equipped vehicle, a fixed system, or a portable system. License plates shall only be entered onto the Hot List for a valid law enforcement purpose.

**E. Plate Read**

The associated image and data of a license plate that are scanned by an ALPR camera.

**7 1-22-4 Rules and Responsibilities**

**A. ALPR Operations**

1. All Department personnel who have been granted access to ALPR data shall be Criminal Justice Information Systems (CJIS) compliant under the Department Originating Agency Identifier (ORI).
2. Access to ALPR data systems shall be provided to all sworn personnel, Police Service Aides (PSA), Real Time Crime Center (RTCC), and the Crime Analyst Unit (CAU).
3. Additional Department personnel seeking access to ALPR data shall be granted and approved by the RTCC Commander or their designee on a case-by-case basis.
  - a. Approval requests shall be documented and retained by the RTCC Commander or their designee.
4. All personnel who have been granted access to ALPR data shall have access via their Mobile Dispatch Terminal (MDT), Department-issued computer, or Department-issued smartphone.
5. A quarterly audit of the ALPR system data shall be performed to assess the usage of the software, ensuring compliance with established policies. The audit shall be conducted by a designated program administrator and subsequently reviewed by



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the RTCC Commander or their designee. The audit shall be retained for record-keeping for a one (1) year period. The following criteria concerning potential data misuse shall be examined during the audit:

- a. Verification of the case number or Computer-Aided Dispatch (CAD) number entered for the search; and
- b. Confirmation on a reason for the search was provided, and that the reason supports a valid search.

3

6. Department personnel who access ALPR technology shall only do so for valid law enforcement purposes.

- a. Department personnel who misuse ALPR equipment, databases, or data are subject to disciplinary actions.

N/A

7. Department personnel's use of ALPR technology shall be in accordance with SOP Use of Computer Systems.

8. Department personnel who use ALPR technology shall ensure that the ALPR Alert software is running in the background of their computer to facilitate receipt of wanted vehicle alerts.

- a. All users of Department ALPR technology who receive an alert for a wanted vehicle shall adhere to the Active Hit Protocol.

9. RTCC Bridge personnel/ECC personnel who receive a wanted vehicle alert via the ALPR alert software shall perform the following steps:

6

- a. ALPR technology alerts RTCC personnel or an ECC supervisor;
- b. RTCC Bridge personnel/ECC Dispatcher shall then confirm that the plate and state match within the alert and verify that the vehicle is entered into NCIC. Once confirmed, RTCC personnel shall create a priority two (2) 27-7L call for service with vehicle information from the alert;
- c. ECC personnel shall dispatch sworn personnel to check the area;
- d. RTCC Bridge personnel shall provide information via Talk Group and add updated remarks as needed; and
  - i. If sworn personnel are not dispatched, RTCC personnel shall only add remarks as needed.

6

- e. Once the call is dispatched, the ECC Dispatcher shall also run the plate to confirm the vehicle is still outstanding as stolen.

N/A

**B. ALPR Data**

6

1. ALPR data shall be considered law enforcement sensitive and can only be searched or shared for valid law enforcement purposes.

- a. Historical searches shall include a valid case number and/or CAD number.



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- i. If the search is for a non-Department case and/or CAD number, the agency shall be indicated in the justification.
- b. Historical searches shall include a valid and detailed Law Enforcement justification.
  - i. Justifications shall include information as to how the vehicle is related to the case and/or CAD number, including but not limited to, the victim of the vehicle theft, vehicle robbery suspect, or location of a stolen vehicle.
- c. A new search shall be started each time there is a new vehicle search so that a new justification can be provided, even if it is for the same case and/or CAD number.

**C. Retention**

- 1. ALPR data shall only be held for one (1) year from the date of collection. Any data in the system that exceeds one (1) year shall automatically be purged from the system unless the data is evidentiary in nature.



## **1-22 AUTOMATED LICENSE PLATE READER PROGRAM**

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

#### **A. Related SOP(s)**

- 2-9 Use of Computer Systems (Formerly 1-37)
- 2-45 Pursuit by Motor Vehicle (Formerly 2-55)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

None

#### **D. Rescinded Special Order(s)**

~~SO 24-36 — Amendment to SOP 1-22 Automated License Plate Reader Program~~  
SO 25-54 Amendment to SOP 1-22 Automated License Plate Reader Program ~~None~~

### **1-22-1 Purpose**

The purpose of this policy is to provide Albuquerque Police Department (Department) personnel with guidelines on the proper use of the Automated License Plate Reader (ALPR) technology.

### **1-22-2 Policy**

It is the policy of the Department to use ALPR technology to identify individuals who use vehicles in the commission of a crime, as well as to use ALPR technology to support investigations surrounding crimes involving vehicles. To ensure the privacy of community members, the use of ALPR technologies is restricted to valid law enforcement purposes only.

N/A

### **1-22-3 Definitions**

#### **A. Active Hit Protocol**

1. A three (3) step process that Department personnel must adhere to every time an alert for a stolen vehicle is received by Department personnel or Emergency Communications Center (ECC) personnel. The process is as follows:
  - a. Compare the detection and check for misreads. Confirm all the characters match the wanted plate;
  - b. Confirm that the state of the wanted plate matches the plate on the vehicle; and



- c. Conduct a National Crime Information Center (NCIC) check to confirm that the vehicle is still on the Hot List.

**B. ALPR Alert**

A visible and/or audible notification to Department personnel that a license plate scanned by an ALPR is on a prepared Hot List.

**C. ALPR Alert Software**

Vendor-supplied software that allows Department personnel to receive ALPR Alert notifications.

**D. Hot List**

A list of license plates of interest that are transmitted to an ALPR-equipped vehicle, a fixed system, or a portable system. License plates shall only be entered onto the Hot List for a valid law enforcement purpose.

**E. Plate Read**

The associated image and data of a license plate that are scanned by an ALPR camera.

**7 1-22-4 Rules and Responsibilities**

**A. ALPR Operations**

1. All Department personnel who have been granted access to ALPR data shall be Criminal Justice Information Systems (CJIS) compliant under the Department Originating Agency Identifier (ORI).
2. Access to ALPR data systems shall be provided to all sworn personnel, Police Service Aides (PSA), Real Time Crime Center (RTCC), and the Crime Analyst Unit (CAU).
3. Additional Department personnel seeking access to ALPR data shall be granted and approved by the RTCC ~~Director~~ Commander or their designee on a case-by-case basis.
  - a. Approval requests shall be documented and retained by the RTCC Commander ~~Director~~ or their designee.
4. All personnel who have been granted access to ALPR data shall have access via their Mobile Dispatch Terminal (MDT), Department-issued computer, or Department-issued smartphone.



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5. A quarterly audit of the ALPR system data shall be performed to assess the usage of the software, ensuring compliance with established policies. The audit shall be conducted by a designated program administrator and subsequently reviewed by the RTCC Director Commander or their designee.- The audit shall be retained for record-keeping for a one (1) year period. The following Criteria concerning potential data misuse shall be examined during the audit:

- a. Verification of the case number or Computer-Aided Dispatch (CAD) number entered for the search; and;
- b. Confirmation on a reason for the search was provided, and that the reason supports a valid search.

3

6. Department personnel who access ALPR technology shall only do so for valid law enforcement purposes.

- a. Department personnel who misuse ALPR equipment, databases, or data are subject to disciplinary actions.

N/A

7. Department personnel's use of ALPR technology shall be consistent with in accordance with SOP Use of Computer Systems. ~~(refer to SOP Use of Computer Systems for sanction classifications and additional duties).~~

8. Department personnel who use ALPR technology shall ensure that the ALPR Alert software is running in the background of their computer to facilitate receipt of wanted vehicle alerts.

- a. All users of Department ALPR technology who receive an alert for a wanted vehicle shall adhere to the Active Hit Protocol.

9. RTCC Bridge personnel/ECC personnel who receive a wanted vehicle alert via the ALPR alert software shall perform the following steps:

6

- a. ALPR technology alerts RTCC personnel or an ECC supervisor;
- b. RTCC Bridge personnel/An ECC Dispatcher shall then confirm that the plate and state match within the alert and verify that the vehicle is entered into NCIC. Once confirmed, RTCC personnel shall ~~and shall~~ create a priority two (2) 27-7L call for service with vehicle information from the alert;
- c. ECC personnel shall dispatch sworn personnel to check the area; ~~and~~
- d. RTCC Bridge personnel shall provide information via Talk Group and add updated remarks as needed; and
- e. If sworn personnel are not dispatched, RTCC personnel shall only add remarks as needed.

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- d.e. Once the call is dispatched, the ECC Dispatcher shall also immediately run the plate to confirm the vehicle is still outstanding as stolen. ~~The ECC dispatcher shall then enter comments on the event if the vehicle still shows as stolen through NCIC.~~

N/A



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10. — If the vehicle is located, sworn personnel shall verify through the Active Hit Protocol that the information matches the vehicle. Once the vehicle is confirmed as a wanted vehicle, a high-risk stop will be initiated, as outlined in accordance with SOP Pursuit by Motor Vehicle, (refer to SOP Pursuit by Motor Vehicle for sanction classifications and additional duties). Once stopped, sworn personnel shall confirm that the vehicle is stolen.

B. ALPR Data

6

1. ALPR data shall be considered law enforcement sensitive and can only be searched or shared for valid law enforcement purposes.

a. Historical searches shall include a valid case number and/or CAD number, and a Law Enforcement justification.

i. If the search is for a non-Department case and/or CAD number, the agency shall be indicated in the justification.

b. Historical searches shall include a valid and detailed Law Enforcement justification.

i. Justifications shall include information as to how the vehicle is related to the case and/or CAD number, including but not limited to, the victim of the vehicle theft, vehicle robbery suspect, or location of a stolen vehicle.

a-c. A new search shall be started each time there is a new vehicle search so that a new justification can be provided, even if it is for the same case and/or CAD number.

C. Retention

1. ALPR data shall only be held for one (1) year from the date of collection. Any data in the system that exceeds one (1) year shall automatically be purged from the system unless the data is evidentiary in nature.



## **1-60 INTERAGENCY TASK FORCE OPERATIONS**

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

#### **A. Related SOP(s)**

- 2-56 Use of Force: Reporting by Department Personnel
- 2-57 Use of Force: Review and Investigation by Department Personnel
- 1-90 Investigative Services Division (ISD)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

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

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **1-60-1 Purpose**

The purpose of this policy is to outline the duties, functions, and responsibilities of sworn personnel who are assigned to an interagency task force operation.

### **1-60-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to participate in combined federal, state, and local law enforcement efforts to enhance public safety and to address the needs of the community.

**N/A**

### **1-60-3 Definitions**

#### **A. Memorandum of Understanding (MOU)**

A nonbinding agreement between the Department and a law enforcement agency to form a working partnership.



**7 1-60-4 Rules and Responsibilities**

- A. Select Investigative Bureau detectives may participate in interagency task force operations as a Task Force Officer (TFO) with federal, state, and local law enforcement agencies, including, but not limited to:
  - 1. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF);
  - 2. Department of Homeland Security Investigations (HSI);
  - 3. Drug Enforcement Administration (DEA);
  - 4. Federal Bureau of Investigation (FBI); and
  - 5. U.S. Marshals Service (USMS).
- B. Chain of Command for TFO Participants
  - 1. In accordance with Standard Operating Procedures (SOP), Investigative Services Division (ISD), a TFO participant shall follow the Department's chain of command and the host agency's chain of command.
    - a. In the event of a conflict, the Department's chain of command has final authority.
  - 2. TFO participants shall retain their rights under the Collective Bargaining Agreement (CBA) and under federal and state laws to have representatives and/or attorneys present during any investigation involving their conduct.
  - 3. The Chief of Police or their designee shall have sole discretion to enter into MOUs with federal, state, and local government agencies.
  - 4. The TFO shall report to the host agency's supervisor for day-to-day operations.
- C. TFO Participant Rules and Responsibilities
  - 1. A TFO participant shall:
    - a. Adhere to the federal task force operations procedures outlined in SOP Investigative Services Division (ISD);
    - b. Be assigned to an interagency task force operation based on the needs of the Department and at the discretion of the ISD Commander or their designee;
    - c. Follow the mission and guidelines provided by the host agency; and
    - d. Follow all policies, procedures, rules, and regulations of the host agency and the Department.



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- i. When working on a task force operation under the host agency and the agency's policy conflicts with Department policy, the agency's policy shall apply.
- 2. For a use of force incident during a task force operation under the host agency:
  - a. For a TFO participant who was involved in a use of force incident, they shall:
    - i. Follow the host agency's policies, current MOU, the provisions outlined in this SOP, SOP Use of Force: Reporting by Department Personnel, and SOP Use of Force: Review and Investigation by Department Personnel for use of force reporting and investigations;
    - ii. After the use of force incident, when it is safe to do so, report all uses of force to their immediate Department supervisor and the host agency's chain of command either in person or by telephone; and
    - iii. Follow the Department's use of force requirements unless otherwise defined or addressed in the MOU.
  - b. The TFO participant's immediate Department supervisor shall:
    - i. Document all uses of force, in accordance with SOP Use of Force: General, and SOP Use of Force: Reporting by Department Personnel.
  - c. The Department may conduct concurrent force investigation(s) on all uses of force based on Department policies and procedures.

N/A



## **1-60 INTERAGENCY TASK FORCE OPERATIONS**

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

#### **A. Related SOP(s)**

- 2-56 Use of Force: Reporting by Department Personnel
- 2-57 Use of Force: Review and Investigation by Department Personnel
- 1-90 Investigative Services Division (ISD)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

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

#### **D. Active Special Order(s)**

None

#### **D.E. Rescinded Special Order(s)**

None

### **1-60-1 Purpose**

The purpose of this policy is to outline the duties, functions, and responsibilities of sworn personnel who are assigned to an interagency task force operation.

### **1-60-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to participate in combined federal, state, and local law enforcement efforts to enhance public safety and to address the needs of the community.

**N/A**

### **1-60-3 Definitions**

#### **A. Memorandum of Understanding (MOU)**

A nonbinding agreement between the Department and a law enforcement agency to form a working partnership.



**7 1-60-4 Rules and Responsibilities**

- A. Select Investigative Bureau detectives may participate in interagency task force operations as a Task Force Officer (TFO) with federal, state, and local law enforcement agencies, including, but not limited to:
1. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF);
  2. Department of Homeland Security ~~Homeland Security~~ Investigations (HSI);
  3. Drug Enforcement Administration (DEA);
  4. Federal Bureau of Investigation (FBI); and
  5. U.S. Marshals Service (USMS).
- B. Chain of Command for TFO Participants
1. In accordance ~~Consistent~~ with Standard Operating Procedures (SOP), Investigative Services Division (ISD), a TFO participant shall follow the Department's chain of command and the host agency's chain of command.
    - a. In the event of a conflict, the Department's chain of command has final authority.
  2. TFO participants shall retain their rights under the Collective Bargaining Agreement (CBA) and under federal and state laws to have representatives and/or attorneys present during any investigation involving their conduct.
  3. The Chief of Police or their designee shall have sole discretion to enter into MOUs with federal, state, and local government agencies.
  4. The TFO shall report to the host agency's supervisor for day-to-day operations.
- C. TFO Participant Rules and Responsibilities
1. A TFO participant shall:
    - a. Adhere to the federal task force operations procedures outlined in SOP Investigative Services Division (ISD);
    - b. Be assigned to an interagency task force operation based on the needs of the Department and at the discretion of the ISD Commander or their designee;
    - c. Follow the mission and guidelines provided by the host agency; and
    - d. Follow all policies, procedures, rules, and regulations of the host agency and the Department.



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- i. When working on a task force operation under the host agency and the agency's policy conflicts with Department policy, the agency's policy shall apply.
- 2. For a use of force incident during a task force operation under the host agency:
  - a. For a TFO participant who was involved in a use of force incident, they shall:
    - i. Follow the host agency's policies, current MOU, the provisions outlined in this SOP, SOP Use of Force: Reporting by Department Personnel, and SOP Use of Force: Review and Investigation by Department Personnel for use of force reporting and investigations;
    - ii. After the use of force incident, when it is safe to do so, report all uses of force to their immediate Department supervisor and the host agency's chain of command either in person or by telephone; and
    - iii. Follow the Department's use of force requirements unless otherwise defined or addressed in the MOU.
  - b. The TFO participant's immediate Department supervisor shall:
    - i. Document all uses of force, in accordance consistent with SOP Use of Force: General, and SOP Use of Force: Reporting by Department Personnel. ~~(refer to SOP Use of Force: General and SOP Use of Force: Reporting by Department Personnel for sanction classifications and additional duties).~~
  - c. The Department may conduct concurrent force investigation(s) on all uses of force based on Department policies and procedures.

N/A



## **1-71 OPERATIONS REVIEW SECTION**

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

#### **A. Related SOP(s)**

- 1-12 Volunteer and Internship Programs (Formerly 1-45)
- 1-19 Shield Unit
- 1-25 Chaplain Unit
- 1-31 Court Services Unit (Formerly 2-06 and 8-14)
- 1-78 Police Service Aide Program (Formerly 4-6)
- 2-5 Department Vehicles (Formerly 1-19)
- 2-35 Emergency Response Team (ERT) (Formerly 2-29)
- 3-17 Duty Assignments and Transfers (Formerly 3-55)
- 3-21 Scheduled and Unscheduled Leave (Formerly 3-72)
- 3-25 Bid Process (Formerly 2-10 and 4-11)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

None

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **1-71-1 Purpose**

The purpose of this policy is to outline the rules and responsibilities of the Albuquerque Police Department's (Department) Operations Review Section.

### **1-71-2 Policy**

It is the policy of the Department's Operations Review Section to identify, facilitate, coordinate, and oversee the efficiency of Department operations.

### **N/A 1-71-3 Definitions**

None



**N/A 1-71-4 Operations Review Section Generally**

A. The Operations Review Section is comprised of:

1. Chaplain Unit;
2. Emergency Response Team (ERT);
3. Fleet Management;
4. Internship Program;
5. Police Service Aide (PSA) Program;
6. Staffing Management;
7. Volunteer Program;
8. Court Services Unit; and
9. Shield Unit.

**6 1-71-5 Duty Assignment Responsibilities**

A. Operations Review Section personnel shall:

1. Maintain files and tracking of fuel usage;
2. Maintain a Field Services Bureau (FSB) manpower allocation record;
3. Distribute and review fleet crash report paperwork;
4. Oversee equipment installation into police vehicles;
5. Coordinate and facilitate ERT training;
6. Facilitate and coordinate transfers of Department personnel;
7. Coordinate the Volunteer, Internship, and Chaplain Programs;
8. Issue and maintain access control for all Department-issued keycards; and
9. Assign and maintain a record of all parking spots at the Law Enforcement Center.

**N/A B. Chaplain Unit**



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GENERAL ORDERS

**SOP 1-71 (Formerly 4-1)**

**CPOAB Draft 11/13/2025**

1. Chaplain Unit personnel shall follow the procedures in accordance with SOP Chaplain Unit.

C. Emergency Response Team (ERT)

1. Operations Review Section personnel who oversee ERT shall:

N/A

- a. Follow the procedures in accordance with SOP Emergency Response Team;
- b. Coordinate training with the Federal Emergency Management Agency (FEMA);
- c. Respond to ERT call-outs;
- d. Complete ERT call-out cost analysis;
- e. Manage training data;
- f. Complete Department ERT updates;
- g. Attend monthly ERT supervisor's meeting; and
- h. Manage ERT resources, including:
  - i. Chemical munitions and equipment;
  - ii. Vehicles; and
  - iii. Staffing.

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D. Facility Access

1. When a new Department employee needs a new facility access keycard, they shall email [APDkeycards@cabq.gov](mailto:APDkeycards@cabq.gov) to schedule an appointment with Operations Review Section personnel.

- a. Operations Review Section personnel shall:
  - i. Have the employee fill out the request form for a new facility access keycard;
  - ii. Create a new profile in the facility access keycard system; and
  - iii. Grant the employee access to the Department facility to which they are assigned.

1. If an employee requires access to additional Department facilities, they shall ask their immediate supervisor to contact Operations Review Section personnel to modify their access.

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- b. When an employee is no longer employed by the Department, Operations Review Section personnel shall retrieve the employee's facility access keycard and shall remove their access to all Department facilities in the employee's facility access keycard system profile.

2. Parking

- a. Department personnel shall adhere to the parking requirements in accordance with SOP Department Vehicles.
- b. Operations Review Section personnel shall maintain a record of assigned parking spots for Department personnel who park at the Law Enforcement Center.



E. Fleet Management

1. The Fleet Coordinator shall:

**N/A**

- a. Follow the procedures in accordance with SOP Department Vehicles;
- b. Be responsible for the administration of the Department's fleet services program, including:
  - i. Monitoring vehicle maintenance and preparation costs; and
  - ii. Maintaining vehicle inventory records and the assignment of vehicles.
- c. Serve as the Department liaison to the City of Albuquerque Pino Yards to ensure that Department-issued vehicles are in safe and proper working order;
- d. Be responsible for monitoring the Vehicle Maintenance Program;
- e. Maintain vehicle inventory records for the Department's fleet; and
- f. Replace vehicles based on:
  - i. The current vehicle mileage; and
  - ii. The current overall condition of the vehicle.

2. The Fleet Coordinator shall oversee the Vehicle Assignment Program by:

- a. Engaging in an equitable, consistent, and rotational vehicle assignment process that is based upon vehicle mileage and sworn personnel seniority;
- b. Assigning new vehicles to sworn personnel as follows:
  - i. Sworn personnel with vehicles in the high mileage category based on officer seniority; and
  - ii. Sworn personnel with vehicles in the mid-mileage category based on officer seniority.
- c. Identifying vehicle mileage ranges according to the status of the current fleet;
- d. Categorizing the entire fleet in three (3) mileage ranges:
  - i. High mileage range;
  - ii. Mid mileage range; and
  - iii. Low mileage range.
- e. Identifying the number of vehicles within each mileage range; and
- f. Identifying sworn personnel assigned to vehicles within each range.

3. The Operations Review Section Lieutenant shall have the discretion to assign Department-issued vehicles to Department personnel based on overall Department needs.

**N/A**

F. Internship Program

1. Operations Review Section personnel who oversee and manage the Internship Program shall follow the procedures in accordance with SOP Volunteer and Internship Programs.



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**N/A** G. Police Service Aide (PSA) Program

1. Operations Review Section personnel who oversee and manage the PSA Program shall follow the procedures in accordance with SOP Police Service Aide (PSA) Program.

**N/A** H. Staffing Management

1. Operations Review Section personnel who perform staffing management responsibilities shall follow the procedures in accordance with:
  - a. SOP Duty Assignments and Transfers;
  - b. SOP Scheduled and Unscheduled Leave; and
  - c. SOP Bid Process.

**N/A** I. Volunteer Program

1. Operations Review Section personnel who oversee and manage the Volunteer Program shall follow the procedures in accordance with SOP Volunteer and Internship Programs.

**N/A** J. Court Services and Shield Unit

1. Operations Review Section personnel shall oversee and manage the Court Services and Shield Unit, and ensure procedures are followed in accordance with SOP Court Services Unit and SOP Shield Unit.



## **1-71 OPERATIONS REVIEW SECTION**

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

#### **A. Related SOP(s)**

1-12 Volunteer and Internship Programs (Formerly 1-45)

1-19 Shield Unit

1-25 Chaplain Unit

1-31 Court Services Unit (Formerly 2-06 and 8-14)

1-78 Police Service Aide Program (Formerly 4-6)

2-5 Department Vehicles (Formerly 1-19)

2-35 Emergency Response Team (ERT) (Formerly 2-29)

3-17 Duty Assignments and Transfers (Formerly 3-55)

3-21 Scheduled and Unscheduled Leave (Formerly 3-72)

3-25 Bid Process (Formerly 2-10 and 4-11)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

None

#### **D. Active Special Order(s)**

None

#### **D-E. Rescinded Special Order(s)**

None

### **1-71-1 Purpose**

The purpose of this policy is to outline the rules and responsibilities of the Albuquerque Police Department's (Department) Operations Review Section.

### **1-71-2 Policy**

It is the policy of the Department's Operations Review Section to identify, facilitate, coordinate, and oversee the efficiency of Department operations.

### **N/A 1-71-3 Definitions**

None



**N/A 1-71-4 Operations Review Section Generally**

A. The Operations Review Section is comprised of:

1. Chaplain Unit;
2. Emergency Response Team (ERT);
3. Fleet Management;
4. Internship Program;
5. Police Service Aide (PSA) Program;
6. Staffing Management; and
7. Volunteer Program;
8. Court Services Unit; and
- 7.9. Shield Unit.

**6 1-71-5 Duty Assignment Responsibilities**

A. Operations Review Section personnel shall:

1. Maintain files and tracking of fuel usage;
2. Maintain a Field Services Bureau (FSB) manpower allocation record;
3. Distribute and review fleet crash report paperwork;
4. Oversee equipment installation into police vehicles;
5. Coordinate and facilitate ERT training;
6. Facilitate and coordinate transfers of Department personnel;
7. Coordinate the Volunteer, Internship, and Chaplain Programs;
8. Issue and maintain access control for all Department-issued keycards; and
9. Assign and maintain a record of all parking spots at the Law Enforcement Center.

**N/A** B. Chaplain Unit



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1. Chaplain Unit personnel shall follow the procedures in accordance with outlined in SOP Chaplain Unit. ~~(refer to SOP Chaplain Unit for sanction classifications and additional duties).~~

C. Emergency Response Team (ERT)

1. Operations Review Section personnel who oversee ERT shall:

N/A

- a. Follow the procedures ~~outlined in~~ in accordance with SOP Emergency Response Team ~~(refer to SOP Emergency Response Team for sanction classifications and additional duties);~~
- b. Coordinate training with the Federal Emergency Management Agency (FEMA);
- c. Respond to ERT call-outs;
- d. Complete ERT call-out cost analysis;
- e. Manage training data;
- f. Complete Department ERT updates;
- g. Attend monthly ERT supervisor's meeting; and
- h. Manage ERT resources, including:
  - i. Chemical munitions and equipment;
  - ii. Vehicles; and
  - iii. Staffing.

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D. Facility Access

1. When a new Department employee needs a new facility access keycard, they shall email [APDkeycards@cabq.gov](mailto:APDkeycards@cabq.gov) to schedule an appointment with Operations Review Section personnel.
  - a. Operations Review Section personnel shall:
    - i. Have the employee fill out the request form for a new facility access keycard;
    - ii. Create a new profile in the facility access keycard system; and
    - iii. Grant the employee access to the Department facility to which they are assigned.
      1. If an employee requires access to additional Department facilities, they shall ask their immediate supervisor to contact Operations Review Section personnel to modify their access.

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- b. When an employee is no longer employed by the Department, Operations Review Section personnel shall retrieve the employee's facility access keycard and shall remove their access to all Department facilities in the employee's facility access keycard system profile.

2. Parking

- a. Department personnel shall adhere to the parking requirements ~~outlined in~~ in accordance with SOP Department ~~V~~ vehicles.



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- b. Operations Review Section personnel shall maintain a record of assigned parking spots for Department personnel who park at the Law Enforcement Center.

E. Fleet Management

1. The Fleet Coordinator shall:

N/A

- a. Follow the procedures in accordance with outlined in SOP Department Vehicles ~~(refer to SOP Department Vehicles for sanction classifications and additional duties);~~
- b. Be responsible for the administration of the Department's fleet services program, including:
  - i. Monitoring vehicle maintenance and preparation costs; and
  - ii. Maintaining vehicle inventory records and the assignment of vehicles.
- c. Serve as the Department liaison to the City of Albuquerque Pino Yards to ensure that Department-issued vehicles are in safe and proper working order;
- d. Be responsible for monitoring the Vehicle Maintenance Program;
- e. Maintain vehicle inventory records for the Department's fleet; and
- f. Replace vehicles based on:
  - i. The current vehicle mileage; and
  - ii. The current overall condition of the vehicle.

2. The Fleet Coordinator shall oversee the Vehicle Assignment Program by:

- a. Engaging in an equitable, consistent, and rotational vehicle assignment process that is based upon vehicle mileage and sworn personnel seniority;
- b. Assigning new vehicles to sworn personnel as follows:
  - i. Sworn personnel with vehicles in the high mileage category based on officer seniority; and
  - ii. Sworn personnel with vehicles in the mid-mileage category based on officer seniority.
- c. Identifying vehicle mileage ranges according to the status of the current fleet;
- d. Categorizing the entire fleet in three (3) mileage ranges:
  - i. High mileage range;
  - ii. Mid mileage range; and
  - iii. Low mileage range.
- e. Identifying the number of vehicles within each mileage range; and
- f. Identifying sworn personnel assigned to vehicles within each range.

3. The Operations Review Section Lieutenant shall have the discretion to assign Department-issued vehicles to Department personnel based on overall Department needs.

N/A

F. Internship Program



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1. Operations Review Section personnel who oversee and manage the Internship Program shall follow the procedures outlined in accordance with SOP Volunteer and Internship Programs. ~~(refer to SOP Volunteer and Internship Programs for sanction classifications and additional duties).~~

N/A

REDLINED



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G. Police Service Aide (PSA) Program

~~1.~~

- ~~1. Operations Review Section personnel who oversee and manage the PSA Program shall follow the procedures in accordance with outlined in SOP Police Service Aide (PSA) Program (refer to SOP Police Service Aide (PSA) Program for sanction classifications and additional duties).~~

~~1.~~

**N/A** ~~J.~~ H. Staffing Management

1. Operations Review Section personnel who perform staffing management responsibilities shall follow the procedures outlined in accordance with:
- a. SOP Duty Assignments and Transfers ~~(refer to SOP Duty Assignments and Transfers for sanction classifications and additional duties);~~
  - b. SOP Scheduled and Unscheduled Leave ~~(refer to SOP Scheduled and Unscheduled Leave for sanction classifications and additional duties);~~ and
  - c. SOP Bid Process ~~(refer to SOP Bid Process for sanction classifications and additional duties).~~

**N/A** ~~K.~~ I. Volunteer Program

1. Operations Review Section personnel who oversee and manage the Volunteer Program shall follow the procedures outlined in accordance with SOP Volunteer and Internship Programs ~~(refer to SOP Volunteer and Internship Programs for sanction classifications and additional duties).~~

**N/A** J. Court Services and Shield Unit

1. Operations Review Section personnel shall oversee and manage the Court Services and Shield Unit, and ensure procedures are followed in accordance with SOP Court Services Unit and SOP Shield Unit.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

**SOP 2-11**

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**2-11 USE OF TIRE DEFLATION DEVICES**

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

**A. Related SOP(s)**

2-45 Pursuit by Motor Vehicle (Formerly 2-55)  
2-53 Use of Force: Definitions

**B. Form(s)**

None

**C. Other Resource(s)**

None

**D. Active Special Order(s)**

None

**E. Rescinded Special Order(s)**

None

**2-11-1 Purpose**

The purpose of this policy is to establish procedures and guidelines for the safe use of a tire deflation device. A tire deflation device is used to reduce a vehicle's speed by deflating the tire's air pressure at a controlled rate. The tire deflation device may be used in proactive situations prior to an offender fleeing the scene in a vehicle, or in reactive situations to stop a fleeing vehicle.

**2-11-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to establish procedures and use considerations, roles, and responsibilities for the safe use of tire deflation devices. Tire deflation devices must be used in accordance with the manufacturer's instructions, Department training, Department policy, and/or the directions of supervisory personnel.

**N/A 2-11-3 Definitions**

**A. Tire Deflation Device (TDD)**

A device that uses sharp, hollow spikes to penetrate the tires of a vehicle. The spikes remain in the tire(s) of the vehicle, allowing air to pass through the spikes for a rapid



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and controlled deflation of the tires. Tire deflation devices include Stop Sticks or Spike Belts.

**B. TDD-Certified Officer**

Any officer who, for the purpose of this policy, has received Department-approved training and who is certified in using a tire deflation device.

**5 2-11-4 Procedures**

- A. Only sworn personnel who have successfully completed Department-approved certification training, by a certified instructor, in the proper use of the tire deflation device may use the device.
- B. Only Department-issued tire deflation devices shall be used, which include:
  - 1. Spike Belt; and
  - 2. Stop Stick and/or its related products.
- C. The tire deflation device shall only be used:
  - 1. During pursuits that a supervisor has authorized;
  - 2. Where a vehicle pursuit has not been authorized, but when the detention of the driver would be lawful; and
    - a. TDD-certified sworn personnel are permitted to use a tire deflation device with authorization from a supervisor in order to slow the moving vehicle, to increase public safety, and to allow for the apprehension of the driver who is fleeing.
  - 3. If feasible, on a stationary vehicle, in order to reduce the vehicle's speed if there is reasonable suspicion to believe the driver would flee in the vehicle.
    - a. If the driver flees, TDD-certified sworn personnel are permitted to use a tire deflation device with authorization from a supervisor in order to slow the moving vehicle, to increase public safety, and to allow for the apprehension of the driver who is fleeing.
    - b. If specialized units are approved by their chain of command, they may use Stop Stick related products, such as but not limited to the Terminator, Barracuda and/or Piranha.
- D. All-terrain vehicle (ATVs) and utility terrain vehicle (UTVs)
  - 1. The deflation device may be used on ATVs and/or UTVs when:



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- a. The driver is fleeing, and using the tire deflation device is necessary to reduce the risk of harm to the public and Department personnel;
- b. The driver is operating the ATV/UTV recklessly, and detention of the driver is lawful;
- c. Authorization has been received from supervisory personnel; and
- d. TDD-certified sworn personnel have determined that the totality of the circumstances justifies the use of the tire deflation device.

### 2. Restrictions for use on ATVs/UTVs:

- a. The tire deflation device shall not be used on ATVs/UTVs unless the risks posed by the fleeing driver exceed the potential dangers of device deployment.
- b. The device shall only be deployed on ATVs/UTVs with four or more wheels.

- 1** E. The tire deflation device shall not be used on two- or three-wheeled vehicles, unless the use of deadly force is justified, as defined in SOP Use of Force: Definitions.

### **6** 2-11-5 Use Considerations

- A. Using a tire deflation device in an attempt to stop a fleeing motor vehicle or prevent a stationary vehicle from fleeing is considered a seizure under the Fourth Amendment of the U.S. Constitution.
- B. When determining whether to use a tire deflation device, TDD-certified sworn personnel shall consider the totality of the circumstances and the need for the apprehension of an individual against the potential risks of using the tire deflation device.
- C. Motor vehicle pursuits are inherently dangerous, and attempts by TDD-certified sworn personnel to bring a pursuit to a safe conclusion, including using tire deflation devices, carry additional risks and dangers with them. In order to reduce the risks to sworn personnel using a tire deflation device, the following safety issues shall be considered:
  1. TDD-certified sworn personnel shall use the device from behind cover, which should provide them protection from a motor vehicle traveling at a high speed (e.g., bridge abutment, overpass pillars, concrete barrier, or large trees);
  2. TDD-certified sworn personnel shall not use a vehicle as cover when deploying the tire deflation device;
  3. Deployment location should allow the officer to safely observe the individual's vehicle and other traffic as it approaches;
  4. TDD-certified sworn personnel shall always have a pre-planned escape route available when planning for deployment of the TDD;



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5. Although low-light and dark conditions may provide an officer with a level of concealment, it may make judging distance and the lane position of a vehicle difficult; and
6. TDD-certified sworn personnel shall allow for sufficient time for the proper placement of a tire deflation device, as rushed deployments often are ineffective and dangerous.

D. When deploying a tire deflation device for an ATV or UTV, sworn personnel shall:

1. Consider the unique maneuverability of ATVs/UTVs and ensure that deployment is conducted in a manner that minimizes risks to the operator and the public;
2. Choose deployment locations that provide sufficient visibility and cover, taking into account the smaller size and agility of these vehicles; and
3. Allow for adequate planning time to ensure the tire deflation device is placed effectively for slower-moving or stationary ATVs/UTVs.

**5**

E. TDD-certified sworn personnel shall not enter the roadway, or lanes of travel, in order to remove the tire deflation device until all vehicles involved in the pursuit have passed and it is safe to do so.

**6**

### **2-11-6 Roles and Responsibilities**

A. In authorized pursuits where a TDD will be used, the pursuing officer shall:

1. Ensure their actions are consistent with SOP Pursuit by Motor Vehicle;
2. Maintain communications with the TDD-certified officer;
3. Decrease vehicle speed as they approach the tire deflation device location and proceed cautiously through the area; and
4. If the tire deflation device has not been removed from the roadway, sworn personnel involved in the pursuit should continue driving over the device. Do not attempt to swerve or come to an abrupt stop.

B. The TDD-certified officer shall:

1. Notify the supervisor of the intended deployment of a tire deflation device and the location;
2. Ensure that they communicate with pursuing sworn personnel regarding the exact location of the planned tire deflation device; and



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3. Determine whether the totality of the circumstances justifies the use of the tire deflation device at the time of deployment.

### C. Reporting Requirements

1. TDD-certified sworn personnel shall complete a Uniform Incident Report when a vehicle has struck the tire deflation device.
2. The authorizing supervisor shall ensure a report is submitted by the end of the officer's shift when a vehicle has struck a tire deflation device.

### D. Training

1. All sworn personnel who want to be certified to use a particular tire deflation device shall complete the required Department-approved training by a certified instructor for the device prior to being issued the device and prior to using the device.
2. Tire deflation devices shall only be issued to TDD-certified sworn personnel, and only TDD-certified sworn personnel are allowed to use tire deflation devices.
3. Tire deflation devices shall only be used as trained.



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**2-11 USE OF TIRE DEFLATION DEVICES**

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

A. Related SOP(s)

2-45 Pursuit by Motor Vehicle (Formerly 2-55)  
2-53 Use of Force: Definitions

B. Form(s)

None

C. Other Resource(s)

None

D. Active Special Order(s)

None

~~D.~~ E. Rescinded Special Order(s)

None

**2-11-1 Purpose**

The purpose of this policy is to establish procedures and guidelines for the safe use of a tire deflation device. A tire deflation device is used to reduce a vehicle's speed by deflating the tire's air pressure at a controlled rate. The tire deflation device may be used in proactive situations prior to an offender fleeing the scene in a vehicle, or in reactive situations to stop a fleeing vehicle.

**2-11-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to establish procedures, and use considerations, roles, and responsibilities for the safe use of tire deflation devices. Tire deflation devices must be used in accordance with the manufacturer's instructions, Department training, Department policy, and/or the directions of supervisory personnel.

**N/A 2-11-3 Definitions**

A. Tire Deflation Device (TDD)

A device that uses sharp, hollow spikes to penetrate the tires of a vehicle. The spikes remain in the tire(s) of the vehicle, allowing air to pass through the spikes for a rapid



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and controlled deflation of the tires. Tire deflation devices include Stop Sticks or Spike Belts.

## B. TDD-Certified Officer

Any officer who, for the purpose of this policy, has received Department-approved training and who is certified in using a tire deflation device.

### **5** 2-11-4 Procedures

A. Only sworn personnel who have successfully completed Department-approved certification training, by a certified instructor, in the proper use of the tire deflation device may use the device.

B. Only Department-issued tire deflation devices shall be used, which include:

1. Spike Belt; ~~and~~ and

— Stop Stick and/or its related products; ~~and~~.

2. ~~Stop Stick related products such as but not limited to Terminator, Barracuda, and Piranha.~~

C. The tire deflation device shall only be used:

1. During pursuits that a supervisor has authorized;

2. Where a vehicle pursuit has not been authorized, but when the detention of the driver would be lawful; and

a. TDD-certified sworn personnel are permitted to use a tire deflation device with authorization from a supervisor in order to slow the moving vehicle, to increase public safety, and to allow for the apprehension of the driver who is fleeing.

3. If feasible, on a stationary vehicle, in order to reduce the vehicle's speed if there is reasonable suspicion to believe the driver would ~~ere~~ to flee in the vehicle.

a. If the driver flees, TDD-certified sworn personnel are permitted to use a tire deflation device with authorization from a supervisor in order to slow the moving vehicle, to increase public safety, and to allow for the apprehension of the driver who is fleeing.

a.b. ~~If By specialized units when~~ specialized units are approved by their chain of command, they may to use Stop Stick related products, such as but not limited to the Terminator, Barracuda and/or Piranha.



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~~A. The tire deflation device shall not be used on two- or three-wheeled vehicles, unless the use of deadly force is justified, as defined in SOP Use of Force: Definitions.~~

D. The deflation device may be used on All-terrain vehicle (ATVs) and utility terrain vehicle (UTVs) when:

1. The deflation device may be used on ATVs and/or UTVs when:

a. The driver is fleeing, and using the tire deflation device is necessary to reduce the risk of harm to the public and Department personnel;

—The driver is operating the ATV/UTV recklessly, and detention of the driver is lawful;

b.

—Authorization has been received from supervisory personnel; and

c.

d. TDD-certified sworn personnel have determined that the totality of the circumstances justifies the use of the tire deflation device.

2. Restrictions for use on ATVs/UTVs:

a. The tire deflation device shall not be used on ATVs/UTVs unless the risks posed by the fleeing driver exceed the potential dangers of device deployment.

b. The device shall only be deployed on ATVs/UTVs with four or more wheels. Two- or three-wheeled vehicles remain restricted unless the use of deadly force is justified, as outlined in SOP Use of Force: Definitions.

**1** —The tire deflation device shall not be used on two- or three-wheeled vehicles, unless the use of deadly force is justified, as defined in SOP Use of Force: Definitions.

E.

## **6 2-11-5 Use Considerations**

A. Using a tire deflation device in an attempt to stop a fleeing motor vehicle or prevent a stationary vehicle from fleeing is considered a seizure under the Fourth Amendment of the U.S. Constitution.

B. When determining whether to use a tire deflation device, TDD-certified sworn personnel shall consider the totality of the circumstances and the need for the apprehension of an individual against the potential risks of using the tire deflation device.

C. Motor vehicle pursuits are inherently dangerous, and attempts by TDD-certified sworn personnel to bring a pursuit to a safe conclusion, including using tire deflation devices, carry additional risks and dangers with them. In order to reduce the risks to sworn personnel using a tire deflation device, the following safety issues shall be considered:



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1. TDD-certified sworn personnel shall use the device from behind cover, which should provide them protection from a motor vehicle traveling at a high speed (e.g., bridge abutment, overpass pillars, concrete barrier, or large trees);
2. TDD-certified sworn personnel shall not use a vehicle as cover when deploying the tire deflation device;
3. Deployment location should allow the officer to safely observe the individual's vehicle and other traffic as it approaches;
4. TDD-certified sworn personnel shall always have a pre-planned escape route available when planning for deployment of the TDD;
5. Although low-light and dark conditions may provide an officer with a level of concealment, it may make judging distance and the lane position of a vehicle difficult; and
6. TDD-certified sworn personnel shall allow for sufficient time for the proper placement of a tire deflation device, as rushed deployments often are ineffective and dangerous.

~~TDD-certified sworn personnel shall not enter the roadway, or lanes of travel, in order to remove the tire deflation device until all vehicles involved in the pursuit have passed and it is safe to do so.~~

D. When deploying a tire deflation device for an ATV -or UTV, sworn personnel shall:

1. Consider the unique maneuverability of ATVs/UTVs and ensure that deployment is conducted in a manner that minimizes risks to the operator and the public;
2. Choose deployment locations that provide sufficient visibility and cover, taking into account the smaller size and agility of these vehicles; and
3. Allow for adequate planning time to ensure the tire deflation device is placed effectively for slower-moving or stationary ATVs/UTVs.

**5**

E. TDD-certified sworn personnel shall not enter the roadway, or lanes of travel, in order to remove the tire deflation device until all vehicles involved in the pursuit have passed and it is safe to do so.

**6**

**2-11-6 Roles and Responsibilities**

- A. In authorized pursuits where a TDD will be used, the pursuing officer shall:
1. Ensure their actions are consistent with SOP Pursuit by Motor Vehicle;
  2. Maintain communications with the TDD-certified officer;



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3. Decrease vehicle speed as they approach the tire deflation device location and proceed cautiously through the area; and
4. If the tire deflation device has not been removed from the roadway, sworn personnel involved in the pursuit should continue driving over the device. Do not attempt to swerve or come to an abrupt stop.

**B. The TDD-certified officer shall:**

1. Notify the supervisor of the intended deployment of a tire deflation device and the location;
2. Ensure that they communicate with pursuing sworn personnel regarding the exact location of the planned tire deflation device; and
3. Determine whether the totality of the circumstances justifies the use of the tire deflation device at the time of deployment.

**C. Reporting Requirements**

1. TDD-certified sworn personnel shall complete a Uniform Incident Report when a vehicle has struck the tire deflation device.
2. The authorizing supervisor shall ensure a report is submitted by the end of the officer's shift when a vehicle has struck a tire deflation device.

**D. Training**

1. All sworn personnel who want to be certified to use a particular tire deflation device shall complete the required Department-approved training by a certified instructor for the device prior to being issued the device and prior to using the device.
2. Tire deflation devices shall only be issued to TDD-certified sworn personnel, and only TDD-certified sworn personnel are allowed to use tire deflation devices.
3. Tire deflation devices shall only be used as trained.



## **2-16 REPORTS**

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

#### **A. Related SOP(s)**

- 1-93 Telephone Reporting Unit (TRU) (Formerly 8-11)
- 2-9 Use of Computer Systems (Formerly 1-37)
- 2-19 Response to Behavioral Health Issues
- 2-21 Apparent Natural Death/Suicide of an Adult (Formerly 3-22)
- 2-46 Response to Traffic Crashes
- 2-53 Use of Force: Definitions
- 2-56 Use of Force: Reporting by Department Personnel
- 2-78 Domestic Abuse (Formerly 4-25)
- 2-103 Trespass Notification (Formerly 4-23)
- 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)

#### **B. Form(s)**

Juvenile Report Request Form

#### **C. Other Resource(s)**

NMSA 1978, § 32A-2-32 Confidentiality; Records  
NMSA 1978, § 14-2-6 (E) Definitions  
NMSA 1978, § 1-19-32 Inspection of Public Records (IPRA)

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **2-16-1 Purpose**

The purpose of this policy is to provide guidance for Albuquerque Police Department (Department) personnel on which calls for service require a report and to describe how records are maintained and released.

### **2-16-2 Policy**

It is the policy of the Department to provide an efficient and reliable reporting system and to report and record significant incidents that come to the Department's attention.



**N/A 2-16-3 Definitions**

**A. Criminal Justice Information Systems (CJIS)**

A division of the Federal Bureau of Investigation (FBI) that administers Security Policy that contains information security requirements, guidelines, and agreements reflecting the will of law enforcement and criminal justice agencies for protecting the sources, transmission, storage, and generation of Criminal Justice Information (CJI).

**B. Personally Identifiable Information (PII)**

Specific information that identifies details of an incident in regard to the victim, individual, or other protected information of persons associated with a report.

**C. Public Record**

A report that has been finalized through the Record's Division validation process and is made available for public access. The report(s) are required to undergo redaction(s) to protect and control the dissemination of information classified as PII or CJI, which is protected per the Inspection of Public Records Act (IPRA), Child's Code, and Federal CJI Guidelines.

**D. Report**

Documentation of a law enforcement incident that contains the facts and circumstances of what occurred during a call for service. A report is a:

1. Uniform Incident Report;
2. Uniform Crash Report;
3. Supplemental Report; or
4. DWI Investigation Supplemental.

**6 2-16-4 General Rules**

**A. Department personnel shall not release the following reports to the public. Department personnel shall provide limited access with redactions per NMSA 1978, § 14-2-6. Definitions of the exceptions and expectations are the following:**

1. Consistent with the Delinquency Act on the confidentiality of records, all reports involving juveniles where a juvenile is listed as the victim of neglect, or abuse, or has been designated by state statute as a child in need of supervision;
  - a. Members of the public may obtain copies of reports if they supplement their request with a notarized Juvenile Report Request Form verifying they are:



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- i. With an agency that is conducting a background check;
- ii. Court personnel;
- iii. With a tribal government;
- iv. The reporting party who is listed on the report;
- v. The child or the child's legal guardian or legal representative; or
- vi. The parent or their legal representative.
- b. Redacted reports may be released to law enforcement agencies, the New Mexico Children, Youth, and Families Department (CYFD), or other social service agencies, or if the victim is deceased, consistent with IPRA per NMSA 1978, § 1-19-32 Inspection of Public Records.

**5** 2. There is no exception for the release of any medical, psychiatric, psychological, or Office of the Medical Investigator (OMI) documentation;

**5** 3. There is no exception for the release of law enforcement documents that reveal confidential sources, methods, or information; and

- a. There is no exception for the release of Criminal Trespass Notifications (CT) to the reporting party by sworn personnel, as the PII requires redaction prior to release.
  - i. Businesses or property owners requesting a copy may receive a copy with birth month and day redacted, leaving the birth year unredacted, and the full social security number should be redacted. If sworn personnel do not have the opportunity to provide a redacted CT notice they may refer the citizen to the Records Division.

**5** 4. There is no exception for the release of any homicide documents until the reports are released by the Homicide Unit Sergeant.

- a. Homicide reports shall only be released to other law enforcement agencies once the review and approval process has been completed.

**B. Access to Department Records by Other Agencies**

- 1. Records Division personnel shall provide reports/documents that are maintained by the Department to law enforcement agencies, criminal justice agencies, or other lawfully-authorized agencies when requested.

**7 2-16-5 Procedures**

**A. Department supervisors shall:**

- 1. Review reports for grammar and elements of the crime, and ensure the narrative supports each event card and listed charges when applicable; and
- 2. Ensure that any paper Uniform Incident Reports, Uniform Crash Reports, or associated documentation have the Computer-Aided Dispatch (CAD) and case



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numbers on the document prior to them being validated in the Department's Records Management System (RMS) system.

B. Department personnel shall:

1. Complete a Uniform Incident Report for the following incidents:

- a. All felony, misdemeanor, and petty misdemeanor crimes with the exception of non-arrest traffic offenses;
- b. Traffic offenses involving physical arrest, or protective custody;
- c. Any incident or warrant service resulting in an arrest;
- d. Attempted suicides;
- e. All child abuse or neglect incidents;
- f. Contact with an individual exhibiting a behavioral health disorder or behavioral health crisis, in accordance with SOP Response to Behavioral Health Issues;
  - i. Crisis Intervention Team (CIT) contact sheets may be standalone reports and do not require a Uniform Incident Report to be created if no crime has occurred.
    - 1. An example would include contact with an individual exhibiting a behavioral health disorder that does not require a follow-up with CIT, mandatory transport, and charges or arrest in accordance with SOP Response to Behavioral Health Issues.
- g. Apparent natural death or suicide calls for services, in accordance with SOP Apparent Natural Death/Suicide of an Adult;
- h. All domestic abuse incidents, in accordance with SOP Domestic Abuse;
  - i. Domestic (verbal) dispute documentation may be added to the CAD and may not always require a report to be written.
- i. All incidents involving abortion clinics and/or incidents involving any persons involved in abortion services;
  - i. Department personnel shall forward a copy of the Uniform Incident Report to the Criminal Intelligence Unit (CIU) for analysis and coordination with federal agencies.
- j. When Department personnel:
  - i. Use force, show force, or are alleged to have used force, use a low-level control tactic, use an intermediate weapon system, or inadvertently cover an individual with a weapon, in accordance with SOP Use of Force: Reporting by Department Personnel.
  - ii. If a supplemental report is created regarding the dispatching of a specialized unit, the unit's chain of command shall designate an original offense/incident (O/I) writer and shall associate that supplemental report to the original Uniform Incident Report, documenting the offense and arrest information.
- k. When evidence or property is collected;
  - i. Department personnel shall include the circumstances by which the property came into the Department's possession and describe each item of property collected.
- l. An incident for which Department personnel consider a Uniform Incident Report must be completed;

N/A

N/A

N/A

N/A

N/A

N/A

N/A



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**N/A**

- i. In cases in which the Department personnel determines that a Uniform Incident Report is unnecessary and does not fall under the above categories, they may add information to the CAD System instead of completing a Uniform Incident Report.
- ii. Department personnel shall consult with their immediate supervisor if they are unsure about completing a Uniform Incident Report rather than adding remarks in the CAD system.
- iii. Department personnel may refer community members to the Telephone Reporting Unit (TRU) when they do not have valid follow-up information, such as a name, date of birth, street address, or complete vehicle license plate information, in accordance with SOP Telephone Reporting Unit.
  - 1. Department personnel shall not refer a community member to the TRU to request or obtain a copy of a Uniform Incident Report.
  - 2. Department personnel shall refer the community member to Records Division personnel to request or obtain a copy of a Uniform Incident Report.
- m. When directed to do so by a Department supervisor; and
- n. When Department personnel create a separate report to a related incident, they shall associate the separate report to the original Uniform Incident Report.

**N/A**

- 2. Complete a Uniform Crash Report for traffic crashes, in accordance with SOP Response to Traffic Crashes.
- 3. Any attachments or photocopies of documents generated outside the Department, such as: bank statements, receipts, tow-in reports, etc, shall be uploaded to the corresponding Uniform Incident Report by Department personnel before validating the report.
  - a. All handwritten CT forms and tow-in reports must be uploaded to a corresponding Uniform Incident Report in the record management system by the author of the original report.
- 4. Photographs taken by Department personnel shall be added to the attachment in the Uniform Incident Report or supplemental report for the Identification/Disposition (ID) Unit, who will manage the profile photos.
- 5. Ensure that the primary officer on the call for service completes the Uniform Incident Report or Uniform Crash Report accurately unless otherwise noted in Department policy.
- 6. The Uniform Incident Report will document the offense that took place.
- 7. Supplemental reports should be written on a case-by-case basis and do not take the place of a Uniform Incident Report. The function of Supplemental Reports is to help organize additional information or attachments.



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- a. Supplement Reports shall correspond to the original report in the record management system (e.g., TraCS and Mark43).

8. The DWI Report shall include the DWI Investigation Supplemental.

**C. Timeliness of Reports**

1. Department personnel shall submit Uniform Incident Reports, Uniform Crash Reports, Supplemental Reports, and any related documents (e.g., bank records, receipts, etc.) by the end of their shift, except at the direction of a supervisor.
  - a. If Department personnel are not physically capable of submitting their reports by the end of their shift during which the incident occurred, the employee's immediate supervisor or their designee shall ensure that the report from the involved employee is submitted by the end of the employee's shift during which the incident occurred.
  - b. A supervisor shall complete the review/approval of all reports within three (3) work days of when they were submitted, except at the direction of their supervisor.
2. Felony reports and reports when an arrest is made shall be approved prior to the end of shift.
  - a. If a supervisor is unable to review or approve the reports within three (3) work days, they shall notify their immediate supervisor.
3. Department personnel shall check for rejected reports daily.
  - a. If a report is rejected, changes shall be completed and resubmitted within five (5) work days.
  - b. If a report was rejected and is in draft status, the report shall carry the five (5) work-day completion expectation.

**D. National Crime Information Center (NCIC) Entries**

1. Department personnel shall contact the NCIC Reporting Unit before clearing from the call for service to request an NCIC entry for cases involving:
  - a. Auto theft;
  - b. Missing persons;
  - c. Lost or stolen firearms;
  - d. Stolen property; and
  - e. Stolen vehicle(s) parts.
2. Department personnel shall complete a Uniform Incident Report or Supplemental Report for all NCIC entries.



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**E. Corrections or Changes to Reports**

1. Department personnel shall check the Department's records management system at least once a day while on normal working hours to verify whether Records Division personnel or their supervisor has rejected any reports for corrections and resubmission.
2. Department personnel shall not alter Uniform Incident Reports or Uniform Crash Reports after they have been approved by a supervisor.
  - a. Department personnel who need to make changes and/or corrections to a report after it has been validated through the Records Division shall open up the original report by returning it to draft status and edit or add the information needed.
    - i. In the comments section, Department personnel shall add what changes or updates were completed and why.
3. In cases where Department personnel's report does not align with current standard operating procedures, Records Division personnel shall reject the report and return it to the employee who originally submitted the report for corrections.
4. Department personnel who have planned days off beyond their normal duty weekends (i.e., vacation time, military leave, leave taken under the Federal Medical Leave Act (FMLA), etc.) shall review, approve, and submit their reports prior to starting their time off from work.
  - a. Department personnel shall contact a Records supervisor prior to going on any extended leave to ensure that they have no outstanding reports.
  - b. If Department personnel are on extended leave, a memorandum shall be provided through their chain of command, who will assign an interim supervisor. The interim supervisor will be responsible for completing any outstanding work while the Department personnel is out.
5. When returning from unplanned days off, Department personnel shall submit any required reports.
  - a. Department personnel shall ensure their immediate supervisor or their designee is notified of these reports.
6. Department personnel who have scheduled training or scheduled Departmental testing shall submit their reports prior to the first day of training or testing.

**F. Reports of Alleged Officer Misconduct While On-Duty**



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**6**

1. Department personnel shall not write a Uniform Incident Report on Department personnel for alleged policy violation while on duty, either by community member request or on their own initiative.

**N/A**

- a. Department personnel shall refer to SOP Complaints Involving Department Personnel for reporting misconduct (refer to SOP Complaints Involving Department Personnel for sanction classifications and additional duties).
- b. If a criminal case is required, the case shall be initiated and authorized by the Internal Affairs Professional Standards Division (IAPS) Commander, the Bureau Deputy Chief, or the Chief of Police.

REDLINED



## **2-16 REPORTS**

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

#### **A. Related SOP(s)**

- 1-93 Telephone Reporting Unit (TRU) (Formerly 8-11)
- 2-9 Use of Computer Systems (Formerly 1-37)
- 2-19 Response to Behavioral Health Issues
- 2-21 Apparent ~~N~~natural Death/Suicide of and Adult (Formerly 3-22)
- 2-46 Response to Traffic Crashes
- 2-53 Use of Force: Definitions
- 2-56 Use of Force: Reporting by Department Personnel
- 2-78 Domestic Abuse (Formerly 4-25)
- 2-103 Trespass Notification (Formerly 4-23)
- 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)

#### **B. Form(s)**

Juvenile Report Request Form

#### **C. Other Resource(s)**

NMSA 1978, § 32A-2-32 Confidentiality; Records  
NMSA 1978, § 14-2-6 (E) Definitions  
NMSA 1978, § 1-19-32 Inspection of Public Records (IPRA)

#### **D. Active Special Order(s)**

None

#### **D.E. Rescinded Special Order(s)**

None

### **2-16-1 Purpose**

The purpose of this policy is to provide guidance for Albuquerque Police Department (Department) personnel on which calls for service require a report and to describe how records are maintained and released.

### **2-16-2 Policy**

It is the policy of the Department to provide an efficient and reliable reporting system and to report and record significant incidents that come to the Department's attention.



N/A 2-16-3 Definitions

A. Criminal Justice Information Systems (CJIS)

A division of the Federal Bureau of Investigation (FBI) that administers Security Policy that contains information security requirements, guidelines, and agreements reflecting the will of law enforcement and criminal justice agencies for protecting the sources, transmission, storage, and generation of Criminal Justice Information (CJI).

A. Report

Documentation of a law enforcement incident that contains the facts and circumstances of what occurred during a call for service. A report is:

1. Uniform Incident Report;
2. Uniform Crash Report;
3. Supplemental Report; and
4. DWI Investigation Supplemental.

B. Personally Identifiable Information (PII)

Specific information that identifies details of an incident in regard to the victim, individual, or other protected information of persons associated with a report.

~~C.A. Criminal Justice Information Systems (CJIS)~~

~~A division of the Federal Bureau of Investigation (FBI) that administers Security Policy that contains information security requirements, guidelines, and agreements reflecting the will of law enforcement and criminal justice agencies for protecting the sources, transmission, storage, and generation of Criminal Justice Information (CJI).~~

~~D.C.~~ Public Record

A report that has been finalized through the Record's Division validation process and is made available for public access. The report(s) are required to undergo redaction(s) to protect and control the dissemination of information classified as PII or CJI, which is protected per the Inspection of Public Records Act (IPRA), Child's Code, and Federal CJI Guidelines.

D. Report



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Documentation of a law enforcement incident that contains the facts and circumstances of what occurred during a call for service. A report is a:

1. Uniform Incident Report;
2. Uniform Crash Report;
3. Supplemental Report; ~~or~~ and
4. DWI Investigation Supplemental.

**6 2-16-4 General Rules**

A. Department personnel shall not release the following reports to the public. Department personnel shall provide limited access with redactions per NMSA 1978, § 14-2-6. Definitions of the exceptions and expectations are the following:

1. Consistent with the Delinquency Act on the confidentiality of records, all reports involving juveniles where a juvenile is listed as the victim of neglect, or abuse, or has been designated by state statute as a child in need of supervision;
  - a. Members of the public may obtain copies of reports if they supplement their request with a notarized Juvenile Report Request Form verifying they are:
    - i. With an agency that is conducting a background check;
    - ii. Court personnel;
    - iii. With a tribal government;
    - iv. The reporting party who is listed on the report;
    - v. The child or the child's legal guardian or legal representative; or
    - vi. The parent or their legal representative.
  - b. Redacted reports may be released to law enforcement agencies, the New Mexico Children, Youth, and Families Department (CYFD), or other social service agencies, or if the victim is deceased, consistent with IPRA per NMSA 1978, § 1-19-32 Inspection of Public Records.

**5** 2. There is no exception for the release of any medical, psychiatric, psychological, or Office of the Medical Investigator (OMI) documentation;

**5** 3. There is no exception for the release of law enforcement documents that reveal confidential sources, methods, or information; and

- a. There is no exception for the release of Criminal Trespass Notifications (CT) to the reporting party by sworn personnel, as the PII requires redaction prior to release.
  - i. Businesses or property owners requesting a copy may receive a copy with birth month and day redacted, leaving the birth year unredacted, and the full social security number should be redacted. If sworn personnel do not have



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the opportunity to provide a redacted CT notice they may refer the citizen to the Records Division.

- 5
4. There is no exception for the release of any homicide documents until the reports are released by the Homicide Unit Sergeant.
    - a. Homicide reports shall only be released to other law enforcement agencies once the review and approval process has been completed.

E.B. Access to Department Records by Other Agencies

1. Records Division personnel shall provide reports/documents that are maintained by the Department to law enforcement agencies, criminal justice agencies, or other lawfully-authorized agencies when requested.

7 2-16-5 Procedures

A. Department supervisors shall:

1. Review reports for grammar and elements of the crime, and ensure the narrative supports each event card and listed charges when applicable; and
2. Ensure that any paper Uniform Incident Reports, Uniform Crash Reports, or associated documentation have the Computer-Aided Dispatch (CAD) and case numbers on the document prior to them being validated in the Department's Records Management System (RMS) system.

B. Department personnel shall:

1. Complete a Uniform Incident Report for the following incidents:
  - a. All felony, misdemeanor, and petty misdemeanor crimes with the exception of non-arrest traffic offenses;
  - b. Traffic offenses involving physical arrest, or protective custody;
  - c. Any incident or warrant service resulting in an arrest;
  - d. Attempted suicides;
  - e. All child abuse or neglect incidents;
  - f. Contact with an individual exhibiting a behavioral health disorder or behavioral health crisis, in accordance consistent with SOP Response to Behavioral Health Issues ~~(refer to SOP Response to Behavioral Health Issues for sanction classifications and additional duties);~~
  - i. Crisis Intervention Team (CIT) contact sheets may be standalone reports and do not require a Uniform Incident Report to be created if no crime has occurred.
    1. An example would include contact with an individual exhibiting a behavioral health disorder that does not require a follow-up with CIT, mandatory transport, and charges or arrest in accordance consistent with

N/A

N/A

N/A



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SOP Response to Behavioral Health Issues ~~(refer to SOP Response to Behavioral Health Issues for sanction classifications and additional duties)~~;

N/A

- g. Apparent natural death or suicide calls for services, in accordance consistent with SOP Apparent Natural Death/Suicide of an Adult ~~(refer to SOP Apparent Natural Death/Suicide of an Adult for sanction classifications and additional duties)~~;

N/A

- h. All domestic abuse incidents, in accordance consistent with SOP Domestic Abuse ~~(refer to SOP Domestic Abuse for sanction classifications and additional duties)~~;
- i. Domestic (verbal) dispute documentation may be added to the CAD and may not always require a report to be written.
- i. All incidents involving abortion clinics and/or incidents involving any persons involved in abortion services;
- i. Department personnel shall forward a copy of the Uniform Incident Report to the Criminal Intelligence Unit (CIU) for analysis and coordination with federal agencies.

N/A

- j. When Department personnel:
- i. Use force, show force, or are alleged to have used force, use a low-level control tactic, use an intermediate weapon system, or inadvertently cover an individual with a weapon, in accordance consistent with SOP Use of Force: Reporting by Department Personnel ~~(refer to SOP Use of Force: Reporting by Department Personnel for sanction classifications and additional duties)~~;

N/A

- ii. If a supplemental report is created ~~in regard~~ ing to the dispatching of a specialized unit, the unit's chain of command shall designate an original offense/incident (O/I) writer and shall associate that supplemental report to to the original Uniform Incident Report, documenting the offense and arrest information.
- k. When evidence or property is collected;
- i. Department personnel shall include the circumstances by which the property came into the Department's possession and describe each item of property collected.
- l. An incident for which Department personnel consider a Uniform Incident Report must be completed;
- i. In cases in which the Department personnel determines that a Uniform Incident Report is unnecessary and does not fall under the above categories, they may add information to the CAD System instead of completing a Uniform Incident Report.
- ii. Department personnel shall consult with their immediate supervisor if they are unsure about completing a Uniform Incident Report rather than adding remarks in the CAD system.
- iii. Department personnel may refer community members to the Telephone Reporting Unit (TRU) when they do not have valid follow-up information, such as a name, date of birth, street address, or complete vehicle license plate information, in accordance consistent with SOP Telephone Reporting Unit (TRU) ~~(refer to SOP Telephone Reporting Unit for sanction classifications and additional duties)~~.

N/A



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N/A

1. Department personnel shall not refer a community member to the TRU to request or obtain a copy of a Uniform Incident Report.
2. Department personnel shall refer the community member to Records Division personnel to request or obtain a copy of a Uniform Incident Report.
- m. When directed to do so by a Department supervisor; and
- n. When Department personnel create a separate report to a related incident, they shall associate the separate report to the original Uniform Incident Report.

2. Complete a Uniform Crash Report for traffic crashes, in accordance consistent with SOP Response to Traffic Crashes ~~(refer to SOP Response to Traffic Crashes for sanction classifications and additional duties);~~
3. Any attachments or photocopies of documents generated outside the Department, such as: bank statements, receipts, tow-in reports, etc, shall be uploaded to the corresponding Uniform Incident Report by Department personnel before validating the report.
  - a. All handwritten CT forms and tow-in reports must be uploaded to a corresponding Uniform Incident Report in the record management system by the author of the original report.
4. Photographs taken by Department personnel shall be added to the attachment in the Uniform Incident Report or supplemental report for the Identification/Disposition (ID) Unit, who will manage the profile photos.
5. Ensure that the primary officer on the call for service completes the Uniform Incident Report or Uniform Crash Report accurately unless otherwise noted in Department policy.
6. The Uniform Incident Report will document the offense that took place.
7. Supplemental reports should be written on a case-by-case basis and do not take the place of a Uniform Incident Report. The function of Supplemental Reports is to help organize additional information or attachments.
  - a. Supplement Reports shall correspond to the original report in the record management system; (e.g., TraCS and Mark43).
8. The DWI Report shall include the DWI Investigation Supplemental.

**C. Timeliness of Reports**

1. Department personnel shall submit Uniform Incident Reports, Uniform Crash Reports, Supplemental Reports, and any related documents (e.g., bank records, receipts, etc.) by the end of their shift, except at the direction of a supervisor.



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- a. If Department personnel are not physically capable of submitting their reports by the end of their shift during which the incident occurred, the employee's immediate supervisor or their designee shall ensure that the report from the involved employee is submitted by the end of the employee's shift during which the incident occurred.
  - b. A supervisor shall complete the review/approval of all reports within three (3) work days of when they were submitted, except at the direction of their supervisor.
2. Felony reports and reports when an arrest is made shall be approved prior to the end of shift.
  - a. If a supervisor is unable to review or approve the reports within three (3) work days, they shall notify their immediate supervisor.
3. Department personnel shall check for rejected reports daily.
  - a. If a report is rejected, changes shall be completed and resubmitted within five (5) work days.
  - b. If a report was rejected and is in draft status, the report shall carry the five (5) work-days completion expectation.
- D. National Crime Information Center (NCIC) Entries
  1. Department personnel shall contact the NCIC Reporting Unit before clearing from the call for service to request an NCIC entry for cases involving:
    - a. Auto theft;
    - b. Missing persons;
    - c. Lost or stolen firearms;
    - d. Stolen property; and
    - e. Stolen vehicle(s) parts.
  2. Department personnel shall complete a Uniform Incident Report or Supplemental Report for all NCIC entries.
- E. Corrections or Changes to Reports
  1. Department personnel shall check the Department's records management system at least once a day while on normal working hours to verify whether Records Division personnel or their supervisor has rejected any reports for corrections and resubmission.
  2. Department personnel shall not alter Uniform Incident Reports or Uniform Crash Reports after they have been approved by a supervisor.



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- a. Department personnel who need to make changes and/or corrections to a report after it has been validated through the Records Division shall open up the original report by returning it to draft status and edit or add the information needed.
  - i. In the comments section, Department personnel shall ~~make sure to~~ add what changes or updates were completed and why.
3. In cases where Department personnel's report does not align with current standard operating procedures, Records Division personnel shall reject the report and return it to the employee who originally submitted the report for corrections.
4. Department personnel who have planned days off beyond their normal duty weekends (i.e., vacation time, military leave, leave taken under the Federal Medical Leave Act (FMLA), etc.) shall review, approve, and submit their reports prior to starting their time off from work.
  - a. Department personnel shall contact a Records supervisor prior to going on any extended leave to ensure that they have no outstanding reports.
  - b. If Department personnel are on extended leave, a memorandum shall be provided through their chain of command, who will assign an interim supervisor. The interim supervisor will be responsible for completing any outstanding work while the Department personnel is out.
5. When returning from unplanned days off, Department personnel shall submit any required reports.
  - a. Department personnel shall ensure their immediate supervisor or their designee is notified of these reports.
6. Department personnel who have scheduled training or scheduled Departmental testing shall submit their reports prior to the first day of training or testing.

~~F.~~ Reports of Alleged Officer Misconduct While On-Duty

F.

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1. Department personnel shall not write a Uniform Incident Report on Department personnel for alleged policy violation while on duty, either by community member request or on their own initiative.

N/A

- a. Department personnel shall refer to SOP Complaints Involving Department Personnel for reporting misconduct (refer to SOP Complaints Involving Department Personnel for sanction classifications and additional duties).
- b. If a criminal case is required, the case shall be initiated and authorized by the Internal Affairs Professional Standards Division (IAPS) Commander, the Bureau Deputy Chief, or the Chief of Police.



## **2-22 JUVENILE DELINQUENCY**

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

#### **A. Related SOP(s)**

- 1-1 Personnel Code of Conduct (Formerly 1-04 and 1-4)
- 1-26 Special Victims Section (Formerly 5-4)
- 2-8 Use of On-Body Recording Devices (Formerly 1-39)
- 2-16 Reports (Formerly 1-05)
- 2-60 Preliminary and Follow-up Criminal Investigations (Formerly 2-24)
- 2-68 Interviews and Interrogations (Formerly 2-23)

#### **B. Form(s)**

Juvenile Statement of Probable Cause  
Juvenile Pre-booking Sheet  
PD 4607 Juvenile Advise of Rights  
New Day Juvenile Reception and Assessment Center Intake Form  
State of New Mexico Uniform Incident Report

#### **C. Other Resource(s)**

NMSA 1978, Chapter 32A Children's Code

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **2-22-1 Purpose**

The purpose of this policy is to provide procedures to Albuquerque Police Department (Department) personnel when engaging with children in enforcement roles.

### **2-22-2 Policy**

It is the policy of the Department to endorse and support programs designed to prevent and control delinquent acts while compassionately handling children suspected or alleged to have committed delinquent acts as required by the New Mexico Children's Code. The Department recognizes the importance of working with juvenile justice partners to provide for the cooperation and coordination of investigation, intervention, and disposition of cases, to minimize interagency conflicts, and to enhance the coordinated response. All Department



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personnel have a responsibility to participate and support the Department's operations in complying with the New Mexico Children's Code.

**N/A 2-22-3 Definitions**

**A. Child**

A person less than eighteen (18) years old. The terms youth, child, and juvenile are used interchangeably within the Department and this Standard Operating Procedure (SOP).

**B. Delinquent Act**

An act committed by a child that would be designated as a crime under the law if committed by an adult, as defined by NMSA 1978, Chapter 32A, Article 2.

**C. Juvenile Charged with Serious Offense**

A person who is under eighteen (18) years of age, but at least fifteen (15) years of age, who is charged with and indicted or bound over for trial for first-degree murder. A juvenile charged with a serious offense is not a delinquent child as defined in the New Mexico Children's Code.

**7 2-22-4 Procedures**

**A. Juvenile Justice Partners**

1. Recognizing the importance of working with juvenile justice partners, the Special Victims Section Deputy Commander or their designee will represent the Department at the Juvenile Justice Advisory Committee, which reports directly to the Governor of the State of New Mexico.

**5 B. Statements, Interviews, and Interrogations**

1. Sworn personnel shall not interview or interrogate a child suspected or alleged to have committed a delinquent act without both advising the child of their constitutional rights and securing a knowing, intelligent, and voluntary waiver.

**N/A**

- a. Sworn personnel shall record all interviews or interrogations of children (Refer to SOP Use of On-Body Recording Devices and SOP Interview and Interrogations for sanction classifications and additional duties).
- b. If a child is suspected or alleged to have committed a delinquent act, sworn personnel shall advise the child of their constitutional rights before questioning the child by:
  - i. Using the Juvenile Advise of Rights Form. Sworn personnel shall read directly from the form, including the plain language explanation, determine if the child understands each section of their rights, and have the child initial



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and sign the form. Should there be a language barrier, sworn personnel shall use the Language Access Line to ensure proper communication and understanding of their rights.

- c. Once the child has been advised of their rights, the form has been completed, and a determination has been made they understand their rights, the child may waive those rights. Before accepting a waiver of rights, sworn personnel shall determine if there is a knowing, intelligent, and voluntary waiver of their constitutional rights.
  - i. Sworn personnel shall consider the following factors to determine whether the child has provided a knowing, intelligent, and voluntary waiver:
    - 1. The age and education of the child;
    - 2. Whether the child is in custody;
    - 3. The manner in which the child is advised of their rights;
    - 4. The length of questioning and circumstances under which the child is questioned;
    - 5. The time of day and the treatment of the child at the time of questioning;
    - 6. The mental and physical condition of the child at the time of questioning; and
    - 7. Whether an attorney, friends, or relatives were present with the child prior to questioning.
- d. If the child does not knowingly, intelligently, and voluntarily waive their rights, sworn personnel shall not interview or interrogate the child.
- e. If sworn personnel are satisfied, the child knowingly, intelligently, and voluntarily waives their rights, they shall have the child initial the Juvenile Advise of Rights Form prior to any questioning.
- f. Sworn personnel shall conduct questioning over a reasonable period of time with periodic breaks (i.e., meals, drinks, contacting parent, legal guardian, or custodian if prior contact has not been made, etc.).
- g. To avoid the appearance of intimidation, the minimum number of sworn personnel required for officer safety shall conduct interrogations of children.

**2. Statements of Juveniles Under Thirteen (13) Years of Age**

- a. Statements made by children under thirteen (13) years of age shall not be included in sworn personnel's Uniform Incident Reports.
- b. Sworn personnel investigating delinquent acts involving juveniles under thirteen (13) years old shall attempt to gather other evidence related to the delinquent act.

**3. Statements of Juvenile Thirteen (13) to Fourteen (14) Years of Age**

- a. In some circumstances, statements made by juveniles thirteen (13) to fourteen (14) years of age may be admitted in the court's discretion.
- b. Sworn personnel shall ask the juvenile if they desire to have a parent, legal guardian, custodian, or legal counsel present prior to taking a formal written statement. Sworn personnel shall make a reasonable attempt to accommodate the juvenile's request.



**6**

**C. Juvenile Arrests**

1. The following methods of arrest shall be used involving juveniles aged eleven (11) through seventeen (17):
  - a. Sworn personnel shall make all reasonable attempts to notify a parent, legal guardian, or custodian when sworn personnel make an arrest or issue a citation and shall document their notification attempts in a Uniform Incident Report; and
  - b. Sworn personnel shall call the on-call Juvenile Probation Officer Supervisor (JPOS) *prior* to transporting a juvenile to the Bernalillo County Juvenile Detention and Youth Services Center (YSC). The on-call number can be obtained through a Department Emergency Communications Center (ECC) Dispatcher.
    - i. Sworn personnel shall contact the JPOS who then runs a Risk Assessment Instrument (RAI) to determine whether the juvenile should be detained at the facility or should be released to the child's parent, legal guardian, or custodian, or an adult authorized by the child's parent, legal guardian, or custodian.
    - ii. If the JPOS determines that the juvenile should be transported, sworn personnel shall transport the juvenile.
    - iii. Sworn personnel shall make every reasonable attempt not to detain or transport a juvenile and an adult when both are in custody.
    - iv. Sworn personnel shall transport the juvenile to the Bernalillo County Juvenile Detention and YSC (5100 2<sup>nd</sup> St. NW, 87107), and booked on the charges.
    - v. Prior to leaving the YSC, sworn personnel shall complete both the Juvenile Statement of Probable Cause and the Juvenile Pre-booking Sheet.
      1. Sworn personnel shall provide a copy of the Uniform Incident Report to YSC prior to leaving.
      2. Sworn personnel shall include all involved individuals and the supplemental narrative report must contain enough detail so court officials can proceed at arraignments.
    - vi. Sworn personnel shall provide the Juvenile Statement of Probable Cause to the booking officer. Sworn personnel shall forward a copy of the Juvenile Statement of Probable Cause, Uniform Incident Report, and supplemental narrative report to the New Mexico Children, Youth, and Families Department (CYFD) Juvenile Probation Office.
2. Juveniles charged with a serious offense may be charged as an adult.
  - a. Sworn personnel shall work with the District Attorney's (DA) Office to determine whether a juvenile will be charged as an adult prior to arrest.
  - b. If the DA's Office determines to charge a juvenile as an adult, sworn personnel shall file all necessary YSC paperwork and shall file an adult criminal complaint with the Bernalillo County Metropolitan Court prior to the juvenile's first court appearance.



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D. Juvenile Citations

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1. If the JPOS determines that the juvenile should not be detained, sworn personnel shall write a citation.

N/A

2. Sworn personnel who issue a citation for delinquent offenses shall complete a Uniform Incident Report before the end of their shift, in accordance with SOP Reports.
3. If the juvenile is not remanded to the facility, sworn personnel are instructed to document in their report:
  - a. The name of JPOS they spoke to;
  - b. The time of contacting with JPOS;
  - c. Who or what facility the juvenile will be released to; and
  - d. The JPOS they emailed the Uniform Incident Report to.
4. Sworn personnel shall use similar verbiage in their reports to document this decision, as follows:
  - a. "On today's date, I contacted (name of JPOS) at ##### hours. (Name of JPOS) informed me that (Name of Juvenile) would not be detained at the JJC due to their assessment and their return of the Risk Assessment Instrument (RAI). (Name of JPOS) instructed me to release (Name of Juvenile) to (Name of Facility or Guardian). At ##### hours, I released (Name of Juvenile) to (Name of Facility or Guardian)."
5. Sworn personnel shall forward a copy of the Juvenile Statement of Probable Cause and the Uniform Incident Report to the Juvenile Probation Office (JPO).

E. Reports Involving Juveniles

N/A

1. When sworn personnel refer a matter involving a juvenile to a specialty unit, the initial reporting sworn personnel shall complete their Uniform Incident Report prior to the end of their shift, in accordance with SOP Reports.

N/A

2. When sworn personnel refer a child to JPO for allegedly committing a delinquent act, sworn personnel shall complete their Uniform Incident Report before the end of their shift, in accordance with SOP Reports.
3. The initial reporting sworn personnel's immediate supervisor shall ensure that the Uniform Incident Report and any other pertinent document(s) completed (i.e., statements, photographic arrays, etc.) are delivered to the JPO within twenty-four (24) hours of the incident.

F. Juvenile Probation and Children's Court Liaison



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1. The Special Victims Section Lieutenant shall serve as the liaison with the JPO and the Children's Court Attorney.
2. The Special Victims Section Lieutenant shall ensure that up-to-date contact information for JPO are available to all Department offices and substations.

**5** G. Fingerprints, Photographs, and Physical Evidence

1. Children under thirteen (13) shall not be photographed and/or fingerprinted for identification purposes without first obtaining a court order.
2. Sworn personnel shall not attempt to obtain other forms of identification without a court order.

H. Juvenile Reports

- N/A**
1. Department personnel shall not release confidential records related to a juvenile unless provided for by law, in accordance with SOP Personnel Code of Conduct.

- N/A**
2. Sworn personnel shall write a close-out supplemental narrative report and submit it to their chain of command, when the allegations are against juveniles, and those alleged delinquent acts would be considered a felony if committed by an adult, in accordance with SOP Preliminary and Follow Up Criminal Investigations.

**6** I. Juvenile Arrest Warrants

1. Sworn personnel shall use the Juvenile Arrest Warrant.
2. Sworn personnel shall only apply for a juvenile arrest warrant to a Children's Court or District Court judge.

- 5**
3. Once a District Court judge signs a juvenile arrest warrant, sworn personnel shall file and return the Juvenile Arrest Warrant to the court clerk at the Juvenile Justice Center.

J. Delinquent Acts As Misdemeanor Offenses

1. Non-traffic Delinquent Acts

- a. Responding sworn personnel shall complete a Uniform Incident Report, conduct a preliminary investigation, and determine if the juvenile offense would be classified as a misdemeanor if the offender were an adult.
- b. Sworn personnel shall attempt to obtain a statement from the alleged victim in accordance with SOP Interviews and Interrogations. The statement must include all necessary elements of the offense and an adequate summary of relevant facts to establish a basis for the complaint.

**N/A**



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2. Citing for Delinquent Acts

- a. Before issuing a misdemeanor citation, sworn personnel shall determine if there is an outstanding warrant or if the juvenile is on probation by calling the YSC.
- b. When sworn personnel cite juveniles for delinquent acts, sworn personnel shall make reasonable attempts to notify the juvenile's parents, legal guardians, or custodians. In any case, sworn personnel shall attempt to obtain the juvenile's signature on the citation.
  - i. Sworn personnel who issue the citation may take the juvenile home and issue the citation on-scene or have a legal guardian or an adult authorized by the juvenile's parent, legal guardian, or custodian take custody of the juvenile.
- c. When a juvenile refuses to sign a citation, sworn personnel shall:
  - i. Call the JPO to advise them of the crime and have the JPO run their RAI to determine whether the juvenile shall be transported to YSC; and
  - ii. If the JPO refuses to remand the juvenile, sworn personnel shall issue a summons and forward their Uniform Incident Report to the JPO.
- d. Sworn personnel shall write a Uniform Incident Report whenever they issue a misdemeanor citation.
- e. Sworn personnel shall email the report that was generated in the records management system to the JPO at [juvdiscovery@cabq.gov](mailto:juvdiscovery@cabq.gov).

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K. Traffic Offenses

1. Consistent with NMSA 1978, § 32A-2-3, the following listed traffic offenses are delinquent acts, including but not limited to:
  - a. Driving while under the influence of intoxicating liquor or drugs;
  - b. Failure to stop in the event of an accident causing death, personal injury or damage to property;
  - c. Unlawful taking of a vehicle or motor vehicle;
  - d. Receiving or transferring of a stolen vehicle or motor vehicle;
  - e. Homicide by vehicle;
  - f. Injuring or tampering with a vehicle;
  - g. Altering or changing of an engine number or other vehicle identification numbers;
  - h. Altering or forging of a driver's license or permit, or any making of a fictitious license or permit;
  - i. Reckless driving;
  - j. Driving with a suspended or revoked license; or
  - k. An offense punishable as a felony.
2. When sworn personnel issue a juvenile a citation for the above-listed offenses, sworn personnel shall:
  - a. Check the court appearance box;



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- b. Write "Juvenile/5100 2nd Street NW" on the address line of the citation;
  - c. Write "To be notified" on the date line of the citation;
  - d. Advise the juvenile that they will be notified by mail of the hearing date by JPO; and
  - e. Deliver or ensure delivery of the citation to the appropriate box near the Metropolitan Court Liaison.
3. A juvenile may acknowledge guilt of a traffic offense contained within the penalty assessment program and agree to pay the penalty, or sworn personnel shall cite juveniles for all other traffic offenses into the Metropolitan Court.
  - a. Sworn personnel shall attempt to notify the juvenile's parent, legal guardian, or custodian if the juvenile refuses to sign a citation.
    - i. If all reasonable attempts fail, sworn personnel shall note on the citation "Signature Refused" and release the juvenile.
    - ii. Sworn personnel shall:
      1. Write a Uniform Incident Report and a summons for the juvenile to the Metropolitan Court;
      2. Submit the Uniform Incident Report to their supervisor; and
      3. Staple the citation to the summons that is submitted to the Metropolitan Court.
4. Sworn personnel who encounter a combination of delinquent and non-delinquent acts by a juvenile shall write a Uniform Incident Report for all allegations and shall forward the report to JPO.

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**L. New Day Reception and Assessment Center (NDAC)**

1. Sworn personnel may take juveniles to the New Day Juvenile Reception and Assessment Center (NDAC), an alternative facility where at-risk juveniles (including juveniles in custody or who have charges pending), in lieu of the Juvenile Detention Center. The NDAC provides intake services, risk assessment, crisis intervention, and referral services for juveniles who were arrested or cited for misdemeanor offenses. The NDAC is open and staffed twenty-four (24) hours a day, seven (7) days a week.
2. Sworn personnel shall:
  - a. Once the juvenile has been remanded to the custody of NDAC, ensure that NDAC personnel make the necessary contacts and forward the appropriate information to the DA's Office, Juvenile Probation and Parole, and the Juvenile Detention Center;
  - b. Complete all Uniform Incident Reports prior to the end of their duty shift, in accordance with SOP Reports; and
  - c. Email all arrest reports to the appropriate location as outlined in Department policies and procedures.



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3. Sworn personnel shall not leave paperwork at the NDAC other than the intake form and the juvenile's copy of a citation, if applicable.

**1**

**M. Confidentiality of Records**

1. Department personnel shall be responsible for the confidentiality of records involving all juveniles aged seventeen (17) and below, consistent with NMSA 1978, § 32A-2-32 and in accordance with SOP Special Victims Section.

REDLINED



## **2-22 JUVENILE DELINQUENCY**

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

#### **A. Related SOP(s)**

- 1-1 Personnel Code of Conduct (Formerly 1-04 and 1-4)
- 1-26 Special Victims Section (Formerly 5-4)
- 2-8 Use of On-Body Recording Devices (Formerly 1-39)
- 2-16 Reports (Formerly 1-05)
- 2-60 Preliminary and Follow-up Criminal Investigations (Formerly 2-24)
- 2-68 Interviews and Interrogations (Formerly 2-23)

#### **B. Form(s)**

Juvenile Statement of Probable Cause  
Juvenile Pre-booking Sheet  
PD 4607 Juvenile Advise of Rights  
New Day Juvenile Reception and Assessment Center Intake Form  
State of New Mexico Uniform Incident Report

#### **C. Other Resource(s)**

NMSA 1978, Chapter 32A Children's Code

#### **D. Active Special Order(s)**

None

#### **D-E. Rescinded Special Order(s)**

None

### **2-22-1 Purpose**

The purpose of this policy is to provide procedures to Albuquerque Police Department (Department) personnel when engaging with children in enforcement roles.

### **2-22-2 Policy**

It is the policy of the Department to endorse and support programs designed to prevent and control delinquent acts while compassionately handling children suspected or alleged to have committed delinquent acts as required by the New Mexico Children's Code. The Department recognizes the importance of working with juvenile justice partners to provide for the cooperation and coordination of investigation, intervention, and disposition of cases, to minimize interagency conflicts, and to enhance the coordinated response. All Department



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personnel have a responsibility to participate and support the Department's operations in complying with the New Mexico Children's Code.

REDLINED



**N/A 2-22-3 Definitions**

**A. Child**

A person less than eighteen (18) years old. The terms youth, child, and juvenile are used interchangeably within the Department and this Standard Operating Procedure (SOP).

**B. Delinquent Act**

An act committed by a child that would be designated as a crime under the law if committed by an adult, as defined by NMSA 1978, Chapter 32A, Article 2.

**C. Juvenile Charged ~~With~~with Serious Offense**

A person who is under eighteen (18) years of age, but at least fifteen (15) years of age, who is charged with and indicted or bound over for trial for first-degree murder. A juvenile charged with a serious offense is not a delinquent child as defined in the New Mexico Children's Code.

**7 2-22-4 Procedures**

**A. Juvenile Justice Partners**

1. Recognizing the importance of working with juvenile justice partners, the Special Victims Section Deputy Commander or their designee will represent the Department at the Juvenile Justice Advisory Committee, which reports directly to the Governor of the State of New Mexico.

**5 B. Statements, Interviews, and Interrogations**

1. Sworn personnel shall not interview or interrogate a child suspected or alleged to have committed a delinquent act without both advising the child of their constitutional rights and securing a knowing, intelligent, and voluntary waiver.

**N/A**

- a. Sworn personnel shall record all interviews or interrogations of children (Refer to SOP Use of On-Body Recording Devices and SOP Interview and Interrogations for sanction classifications and additional duties).
- b. If a child is suspected or alleged to have committed a delinquent act, sworn personnel shall advise the child of their constitutional rights before questioning the child by:
  - i. Using the Juvenile Advise of Rights Form. Sworn personnel shall read directly from the form, including the plain language explanation, determine if the child understands each section of their rights, and have the child initial and sign the form. Should there be a language barrier, sworn personnel shall use the Language Access Line to ensure proper communication and understanding of their rights.



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- c. Once the child has been advised of their rights, the form has been completed, and a determination has been made they understand their rights, the child may waive those rights. Before accepting a waiver of rights, sworn personnel shall determine if there is a knowing, intelligent, and voluntary waiver of their constitutional rights.
    - i. Sworn personnel shall consider the following factors to determine whether the child has provided a knowing, intelligent, and voluntary waiver:
      - 1. The age and education of the child;
      - 2. Whether the child is in custody;
      - 3. The manner in which the child is advised of their rights;
      - 4. The length of questioning and circumstances under which the child is questioned;
      - 5. The time of day and the treatment of the child at the time of questioning;
      - 6. The mental and physical condition of the child at the time of questioning; and
      - 7. Whether an attorney, friends, or relatives were present with the child prior to questioning.
  - d. If the child does not knowingly, intelligently, and voluntarily waive their rights, sworn personnel shall not interview or interrogate the child.
  - e. If sworn personnel are satisfied, the child knowingly, intelligently, and voluntarily waives their rights, they shall have the child initial the Juvenile Advise of Rights Form prior to any questioning.
  - f. Sworn personnel shall conduct questioning over a reasonable period of time with periodic breaks (i.e., meals, drinks, contacting parent, legal guardian, or custodian if prior contact has not been made, etc.).
  - g. To avoid the appearance of intimidation, the minimum number of sworn personnel required for officer safety shall conduct interrogations of children.
2. Statements of Juveniles Under Thirteen (13) Years of Age
- a. Statements made by children under thirteen (13) years of age shall not be included in sworn personnel's Uniform Incident Reports.
  - b. Sworn personnel investigating delinquent acts involving juveniles under thirteen (13) years old shall attempt to gather other evidence related to the delinquent act.
3. Statements of Juvenile Thirteen (13) to Fourteen (14) Years of Age
- a. In some circumstances, statements made by juveniles thirteen (13) to fourteen (14) years of age may be admitted in the court's discretion.
  - b. Sworn personnel shall ask the juvenile if they desire to have a parent, legal guardian, custodian, or legal counsel present prior to taking a formal written statement. Sworn personnel shall make a reasonable attempt to accommodate the juvenile's request.



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C. Juvenile Arrests

1. The following methods of arrest shall be used involving juveniles aged eleven (11) through seventeen (17):
  - a. Sworn personnel shall make all reasonable attempts to notify a parent, legal guardian, or custodian when sworn personnel make an arrest or issue a citation and shall document their notification attempts in a Uniform Incident Report; and
  - b. Sworn personnel shall call the on-call Juvenile Probation Officer Supervisor (JPOS) *prior* to transporting a juvenile to the Bernalillo County Juvenile Detention and Youth Services Center (YSC). The on-call number can be obtained through a Department Emergency Communications Center (ECC) Dispatcher.
    - i. Sworn personnel shall contact the JPOS who then runs a Risk Assessment Instrument (RAI) to determine whether the juvenile should be detained at the facility or should be released to the child's parent, legal guardian, or custodian, or an adult authorized by the child's parent, legal guardian, or custodian.
    - ii. If the JPOS determines that the juvenile should be transported, sworn personnel shall transport the juvenile.
    - iii. Sworn personnel shall make every reasonable attempt to ~~not detain or transport a juvenile and~~ not to detain or transport a juvenile and an adult when both are in custody.
    - iv. Sworn personnel shall transport the juvenile to the Bernalillo County Juvenile Detention and YSC (5100 2<sup>nd</sup> St. NW, 87107), and booked on the charges.
    - v. Prior to leaving the YSC, sworn personnel shall complete both the Juvenile Statement of Probable Cause and the Juvenile Pre-booking Sheet.
      1. Sworn personnel shall provide a copy of the Uniform Incident Report to YSC prior to leaving.
      2. Sworn personnel shall include all involved individuals and the supplemental narrative report must contain enough detail so court officials can proceed at arraignments.
    - vi. Sworn personnel shall provide the Juvenile Statement of Probable Cause to the booking officer. Sworn personnel shall forward a copy of the Juvenile Statement of Probable Cause, Uniform Incident Report, and supplemental narrative report to the New Mexico Children, Youth, and Families Department (CYFD) Juvenile Probation Office.
2. Juveniles charged with a serious offense may be charged as an adult.
  - a. Sworn personnel shall work with the District Attorney's (DA) Office to determine whether a juvenile will be charged as an adult prior to ~~arresting~~ arrest.
  - b. If the DA's Office determines to charge a juvenile as an adult, sworn personnel shall file all necessary YSC paperwork and shall file an adult criminal complaint with the Bernalillo County Metropolitan Court prior to the juvenile's first court appearance.



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D. Juvenile Citations

6

1. If the JPOS determines that the juvenile should not be detained, sworn personnel shall write a citation.

N/A

2. Sworn personnel who issue a citation for delinquent offenses shall complete a Uniform Incident Report before the end of their shift, in accordance consistent with SOP Reports.

3. If the juvenile is not remanded to the facility, sworn personnel are instructed to document in their report:

- a. The name of JPOS they spoke to;
- b. The time of contacting with JPOS;
- c. Who or what facility the juvenile will be released to; and
- d. The JPOS they emailed the Uniform Incident Report to.

4. Sworn personnel shall use similar verbiage in their reports to document this decision, as follows:

- a. "On today's date, I contacted (name of JPOS) at ##### hours. (Name of JPOS) informed me that (Name of Juvenile) would not be detained at the JJC due to their assessment and their return of the Risk Assessment Instrument (RAI). (Name of JPOS) instructed me to release (Name of Juvenile) to (Name of Facility or Guardian). At ##### hours, I released (Name of Juvenile) to (Name of Facility or Guardian)."

5. Sworn personnel shall forward a copy of the Juvenile Statement of Probable Cause and the Uniform Incident Report to the Juvenile Probation Office (JPO).

E. Reports Involving Juveniles

N/A

1. When sworn personnel refer a matter involving a juvenile to a specialty unit, the initial reporting sworn personnel shall complete their Uniform Incident Report prior to the end of their shift, in accordance consistent with SOP Reports.

N/A

2. When sworn personnel refer a child to JPO for allegedly committing a delinquent act, sworn personnel shall complete their Uniform Incident Report before the end of their shift, in accordance consistent with SOP Reports.

3. The initial reporting sworn personnel's immediate supervisor shall ensure that the Uniform Incident Report and any other pertinent document(s) completed (i.e., statements, photographic arrays, etc.) are delivered to the JPO within twenty-four (24) hours of the incident.

F. Juvenile Probation and Children's Court Liaison



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1. The Special Victims Section Lieutenant shall serve as the liaison with the JPO and the Children's Court Attorney.
2. The Special Victims Section Lieutenant shall ensure that up-to-date contact information for JPO are available to all Department offices and substations.

**5** G. Fingerprints, Photographs, and Physical Evidence

1. Children under thirteen (13) shall not be photographed and/or fingerprinted for identification purposes without first obtaining a court order.
2. Sworn personnel shall not attempt to obtain other forms of identification without a court order.

H. Juvenile Reports

- N/A** 1. Department personnel shall not release confidential records related to a juvenile unless provided for by law, in accordance ~~consistent~~ with SOP Personnel Code of Conduct.

- N/A** 2. Sworn personnel shall write a close-out supplemental narrative report and submit it to their chain of command, when the allegations are against juveniles, and those alleged delinquent acts would be considered a felony if committed by an adult, in accordance ~~consistent~~ with SOP Preliminary and Follow Up Criminal Investigations.

**6** I. Juvenile Arrest Warrants

1. Sworn personnel shall use the Juvenile Arrest Warrant.
2. Sworn personnel shall only apply for a juvenile arrest warrant to a Children's Court or District Court judge.

- 5** 3. Once a District Court judge signs a juvenile arrest warrant, sworn personnel shall file and return the Juvenile Arrest Warrant to the court clerk at the Juvenile Justice Center.

J. Delinquent Acts As Misdemeanor Offenses

1. Non-traffic Delinquent Acts

- a. Responding sworn personnel shall complete a Uniform Incident Report, conduct a preliminary investigation, and determine if the juvenile offense would be classified as a misdemeanor if the offender were an adult.
- b. Sworn personnel shall attempt to obtain a statement from the alleged victim, ~~consistent with SOP Interviews and Interrogations. It must include all necessary elements of the offense,~~ in accordance with SOP Interviews and Interrogations.

**N/A**



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The statement must include all necessary elements of the offense and an adequate summary of relevant facts to establish a basis for the complaint.

**6**

2. Citing for Delinquent Acts

- a. Before issuing a misdemeanor citation, sworn personnel shall determine if there is an outstanding warrant or if the juvenile is on probation by calling the YSC.
- b. When sworn personnel cite juveniles for delinquent acts, sworn personnel shall make reasonable attempts to notify the juvenile's parents, legal guardians, or custodians. In any case, sworn personnel shall attempt to obtain the juvenile's signature on the citation.
  - i. Sworn personnel who issue the citation may take the juvenile home and issue the citation on-scene or have a legal guardian or an adult authorized by the juvenile's parent, legal guardian, or custodian take custody of the juvenile.
- c. When a juvenile refuses to sign a citation, sworn personnel shall:
  - i. Call the JPO to advise them of the crime and have the JPO run their RAI to determine whether the juvenile shall be transported to YSC; and
  - ii. If the JPO refuses to remand the juvenile, sworn personnel shall issue a summons and forward their Uniform Incident Report to the JPO.
- d. Sworn personnel shall write a Uniform Incident Report whenever they issue a misdemeanor citation.
- e. Sworn personnel shall email the report that was generated in the records management system to the JPO at [juvdiscovery@cabq.gov](mailto:juvdiscovery@cabq.gov).

**6**

K. Traffic Offenses

1. Consistent with NMSA 1978, § 32A-2-3, the following listed traffic offenses are delinquent acts, including but not limited to:
  - a. Driving while under the influence of intoxicating liquor or drugs;
  - b. Failure to stop in the event of an accident causing death, personal injury or damage to property;
  - c. Unlawful taking of a vehicle or motor vehicle;
  - d. Receiving or transferring of a stolen vehicle or motor vehicle;
  - e. Homicide by vehicle;
  - f. Injuring or tampering with a vehicle;
  - g. Altering or changing of an engine number or other vehicle identification numbers;
  - h. Altering or forging of a driver's license or permit, or any making of a fictitious license or permit;
  - i. Reckless driving;
  - j. Driving with a suspended or revoked license; or
  - k. An offense punishable as a felony.
2. When sworn personnel issue a juvenile a citation for the above-listed offenses, sworn personnel shall:



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- a. Check the court appearance box;
  - b. Write "Juvenile/5100 2nd Street NW" on the address line of the citation;
  - c. Write "To be notified" on the date line of the citation;
  - d. Advise the juvenile that they will be notified by mail of the hearing date by JPO; and
  - e. Deliver or ensure delivery of the citation to the appropriate box near the Metropolitan Court Liaison.
3. A juvenile may acknowledge guilt of a traffic offense contained within the penalty assessment program and agree to pay the penalty, or sworn personnel shall cite juveniles for all other traffic offenses into the Metropolitan Court.
- a. Sworn personnel shall attempt to notify the juvenile's parent, legal guardian, or custodian if the juvenile refuses to sign a citation.
    - i. If all reasonable attempts fail, sworn personnel shall note on the citation "Signature Refused" and release the juvenile.
    - ii. Sworn personnel shall:
      1. Write a Uniform Incident Report and a summons for the juvenile to the Metropolitan Court;
      2. Submit the Uniform Incident Report to their supervisor; and
      3. Staple the citation to the summons that is submitted to the Metropolitan Court.
4. Sworn personnel who encounter a combination of delinquent and non-delinquent acts by a juvenile shall write a Uniform Incident Report for all allegations and shall forward the report to JPO.

**6**

**L. New Day Reception and Assessment Center (NDAC)**

1. Sworn personnel may take juveniles to the New Day Juvenile Reception and Assessment Center (NDAC), an alternative facility where at-risk juveniles (including juveniles in custody or who have charges pending), in lieu of the Juvenile Detention Center. The NDAC provides intake services, risk assessment, crisis intervention, and referral services for juveniles who were arrested or cited for misdemeanor offenses. The NDAC is open and staffed twenty-four (24) hours a day, seven (7) days a week.
2. Sworn personnel shall:
  - a. Once the juvenile has been remanded to the custody of NDAC, ensure that NDAC personnel make the necessary contacts and forward the appropriate information to the ~~District Attorney's~~ DA's Office, Juvenile Probation and Parole, and the Juvenile Detention Center;
  - b. Complete all Uniform Incident Reports prior to the end of their duty shift, in accordance ~~consistent~~ with SOP Reports; and



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- c. Email all arrest reports to the appropriate location as outlined in Department policies and procedures.
3. Sworn personnel shall not leave paperwork at the NDAC other than the intake form and the juvenile's copy of a citation, if applicable.

**1**

**M. Confidentiality of Records**

1. Department personnel shall be responsible for the confidentiality of records involving all juveniles aged seventeen (17) and below, consistent with NMSA 1978, § 32A-2-32 and in accordance with consistent with SOP Special Victims Section.



## **2-101 Department-Vehicle Grappler Device**

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

#### **A. Related SOP(s)**

2-12 Pursuit Intervention Technique (PIT)  
2-16 Reports (Formerly 1-05)  
2-45 Pursuit by Motor Vehicle (Formerly 2-55)  
2-52 Use of Force: General (Formerly 3-45)  
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  
3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

None

#### **D. Active Special Order(s)**

None

#### **E. Rescinded Special Order(s)**

None

### **2-101-1 Purpose**

The purpose of this policy is to establish procedures and guidelines for the Albuquerque Police Department (Department) on the safe use of the Grappler device.

### **2-101-2 Policy**

It is the policy of the Department to establish procedures, use considerations, roles, and responsibilities for the safe use of the Grappler device.

### **N/A 2-101-3 Definitions**

#### **A. Grappler Device**



A device that is attached to a Department-issued vehicle that uses a tethered net to attach to the tire of an individual's vehicle, immobilizing that tire, and allowing the Department vehicle to bring the individual's vehicle to a stop.

**6 2-101-4 Procedures**

**A. Use of the Grappler Device**

1. Only Department personnel authorized by the Investigations Bureau Deputy Chief or their designee and who have successfully completed Department-approved training in the proper use and deployment techniques are authorized to use a Grappler device. Authorized users shall obtain authorization from a supervisor prior to the deployment of a Grappler device.
  - a. The Grappler device shall only be deployed during the following incidents:
    - i. When the individual driving the vehicle is subject to a lawful detention or arrest for the following incidents:
      1. Aggravated assault with a deadly weapon;
      2. Aggravated battery with a deadly weapon or great bodily harm;
      3. Aggravated fleeing;
      4. Criminal sexual penetration;
      5. Homicide;
      6. Kidnapping;
      7. Receiving or transferring of a stolen motor vehicle;
      8. Robbery;
      9. Unlawful taking of a motor vehicle; or
      10. Burglary.
    - ii. For any other felony charges where the individual has a history of aggravated fleeing by vehicle from law enforcement;
    - iii. A supervisor approves the deployment of the Grappler for a preplanned arrest warrant operation on an individual wanted for a felony offense;
    - iv. To terminate an authorized pursuit; or
    - v. To assist an outside agency if authorized by a supervisor and the incident meets the Department requirements.

**B. Restrictions for Deployment**

1. Department personnel shall not deploy the Grappler device if:
  - a. The size of the target vehicle is significantly larger than the police vehicle, such as:
    - i. Moving trucks, Semi-tractor trailers, recreational vehicles (RV), or vehicles with deep-set rear axles from the rear bumper.
  - b. The target vehicle has fewer than four (4) wheels, unless deadly force is authorized;
  - c. There are environmental concerns that increase the dangerousness of use, including but not limited to:



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- i. Heavily populated pedestrian areas; and
- ii. Vehicles that are suspected of transporting hazardous material(s).
- d. The target vehicle is traveling above sixty miles per hour (60 MPH), unless deadly force is authorized.

2. Department personnel shall consider the following tactical factors before deployment of a Grappler device:

- a. Whether the officer has a reason to lawfully detain the occupants in the target vehicle;
- b. Whether traffic conditions allow for the safe deployment of the Grappler;
- c. Whether a Grappler deployment may endanger pedestrians;
- d. Whether support personnel are close enough to support a stop following a Grappler deployment;
- e. Whether the target vehicle is on a dry, hard surface;
- f. The benefit of immediately apprehending the subject versus the potential danger of deploying the Grappler; and
- g. Whether alternative tactics may be more effective in safely resolving the incident.

3. Post-Deployment

**N/A**

- a. If the individual driving the vehicle that is attached to the Grappler device attempts to ram the officer's vehicle, Department personnel may:
  - i. Disengage the tether from the Grappler device; and
  - ii. Use a stationary vehicle containment technique to stop the individual's vehicle movement.
- b. The supervisor who authorized the Grappler device shall go on scene and check with each occupant of the grappled vehicle to see if they have any complaints of pain or if they suffered from any injuries.
- c. The Grappler device is considered a low-level control tactic and, therefore, is not a reportable Use of Force, unless there is a complaint of pain or injury. If there is a complaint of pain or injury as a result of a Grappler deployment, that deployment is considered a use of force and shall be reported as follows:
  - i. If an occupant of a grappled vehicle has a complaint of pain, the on-scene supervisor shall contact the Internal Affairs Force Division (IAFD) or the Level 1 Team, as appropriate.
  - ii. If an occupant of a grappled vehicle is injured as a result of a Grappler deployment, the incident shall be reported to IAFD by the supervisor or Level 1 Team member on scene. IAFD shall respond to the scene and conduct a Level 2 or 3 investigation, as appropriate
  - iii. If the Grappler deployment is determined to be a use of force, it shall be reported and investigated in accordance with SOP Use of Force: Reporting by Department Personnel and SOP Use of Force: Review and Investigation by Department Personnel.

**N/A**

4. Reporting Requirements



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- a. Sworn personnel shall complete a Uniform Incident Report when the Grappler device is used or attempted to be used on a vehicle.
  - i. A supervisor shall ensure a Uniform Incident Report is submitted by the end of the officer's shift when the Grappler device is used or attempted to be used on a vehicle.
- b. Each time the Grappler device is deployed, an Internal Affairs (IA) database web application entry shall be completed by a supervisor.
  - i. The IA database web application shall be completed by the authorizing supervisor within five (5) days.
  - ii. The IA database web application shall include the following:
    - 1. The date, time, and location where the Grappler device was deployed;
    - 2. The report number;
    - 3. Any road surface, road conditions, and speed at the time of deployment;
    - 4. Any crime associated with the occupants in the grappled vehicle;
    - 5. The grappled vehicle's Vehicle Inspection Number (VIN), year, make, model, and driver's identification information;
    - 6. Photographs of the grappled vehicle post-deployment; and
    - 7. A narrative explaining the full deployment and basis for authorization, along with any failed attempts.



## **2-101 Department-Vehicle Grappler Device**

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

#### **A. Related SOP(s)**

2-12 Pursuit Intervention Technique (PIT)  
2-16 Reports (Formerly 1-05)  
2-45 Pursuit by Motor Vehicle (Formerly 2-55)  
2-52 Use of Force: General (Formerly 3-45)  
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  
3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)

#### **B. Form(s)**

None

#### **C. Other Resource(s)**

None

#### **D. Active Special Order(s)**

None

#### **D.E. Rescinded Special Order(s)**

None

### **2-101-1 Purpose**

The purpose of this policy is to establish procedures and guidelines for the Albuquerque Police Department (Department) on the safe use of the Grappler device.

### **2-101-2 Policy**

It is the policy of the Department to establish procedures, use considerations, roles, and responsibilities for the safe use of the Grappler device.

### **N/A 2-101-3 Definitions**

#### **A. Grappler Device**



A device that is attached to a Department-issued vehicle that uses a tethered net to attach to the tire of an individual's vehicle, immobilizing that tire, and allowing the Department vehicle to bring the individual's vehicle to a stop.

**6 2-101-4 Procedures**

**A. Use of the Grappler Device**

1. Only Department personnel authorized by the Investigations Bureau Deputy Chief or their designee and who have successfully completed ~~Department-approved training in the proper use and deployment techniques~~, Department-approved training in the proper use and deployment techniques are authorized to use a Grappler device.- Authorized users shall obtain authorization from a supervisor prior to the deployment of a Grappler device.
  - a. The Grappler device shall only be deployed during the following incidents:
    - i. When the individual driving the vehicle is subject to a lawful detention or arrest for the following incidents:
      1. Aggravated assault with a deadly weapon;
      2. Aggravated battery with a deadly weapon or great bodily harm;
      3. Aggravated fleeing;
      4. Criminal sexual penetration;
      5. Homicide;
      6. Kidnapping;
      7. Receiving or transferring of a stolen motor vehicle;
      8. Robbery;
      9. Unlawful taking of a motor vehicle; or
      10. Burglary.
    - ii. For any other felony charges where the individual has a history of aggravated fleeing by vehicle from law enforcement;
    - iii. A supervisor approves the deployment of the Grappler for a preplanned arrest warrant operation on an individual wanted for a felony offense;
    - iv. To terminate an authorized pursuit; or
    - v. To assist an outside agency if authorized by a supervisor and the incident meets the Department requirements.

**B. Restrictions for Deployment**

1. Department personnel shall not deploy the Grappler device if:
  - a. The size of the target vehicle is significantly larger than the police vehicle, such as:
    - i. Moving trucks, Semi-tractor trailers, recreational vehicles (RV), or vehicles with deep-set rear axles from the rear bumper.
  - b. The target vehicle has fewer than four (4) wheels, unless deadly force is authorized;



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- c. There are environmental concerns that increase the dangerousness of use, including but not limited to:
  - i. Heavily populated pedestrian areas; and
  - ii. Vehicles that are suspected of ~~to be~~ transporting hazardous material(s).
- d. The target vehicle is traveling above sixty miles per hour (60 MPH), unless deadly force is authorized.

2. Department personnel shall consider the following tactical factors before deployment of a Grappler device:

- a. Whether the officer has a reason to lawfully detain the occupants in the target vehicle;
- b. Whether traffic conditions allow for the safe deployment of the Grappler;
- c. Whether a Grappler ~~deployments~~ deployment may endanger pedestrians;
- d. Whether support personnel are close enough to support a -stop following a Grappler deployment;
- e. Whether the target vehicle is on a dry, hard surface;
- f. The benefit of immediately apprehending the subject versus the potential danger of deploying the Grappler; and
- g. Whether alternative tactics may be more effective in safely resolving the incident.

3. Post-Deployment

N/A

- a. If the individual driving the vehicle that is attached to the Grappler device attempts to ram the officer's vehicle, Department personnel may:
  - i. Disengage the tether from the Grappler device; and
  - ii. Use a stationary vehicle containment technique to stop the individual's vehicle movement.
- b. The supervisor ~~that~~ who authorized the Grappler device shall go on scene and check with each occupant of the grappled vehicle to see if they have any complaints of pain or if they suffered from any injuries.
- c. The Grappler device is considered a low-level control tactics and, therefore, is not a reportable Use of Force, unless there is a complaint of pain or injury. If there is a complaint of pain or injury as a result of a Grappler deployment, that deployment is considered a use of force and shall be reported as follows:
  - i. If an occupant of a grappled vehicle has a complaint of pain, the on-scene supervisor shall contact the Internal Affairs Force Division (IAFD) or the Level 1 Team, as appropriate.
  - ii. If an occupant of a grappled vehicle is injured as a result of a Grappler deployment, the incident shall be reported to IAFD by the supervisor or Level 1 Team member on scene. -IAFD shall respond to the scene and conduct a Level 2 or 3 investigation, as appropriate
  - iii. If the Grappler deployment is determined to be a use of force, it shall be reported and investigated in accordance with SOP Use of Force: Reporting by Department Personnel and SOP Use of Force: Review and Investigation by Department Personnel.

N/A



#### 4. Reporting Requirements

- a. Sworn personnel shall complete a Uniform Incident Report when the Grappler device is used or attempted to be used on a vehicle.
  - i. A supervisor shall ensure a Uniform Incident Report is submitted by the end of the officer's shift when the Grappler device is used or attempted to be used on a vehicle.
- b. Each time the Grappler device is deployed, an Internal Affairs (IA) database web application entry shall be completed by a supervisor.
  - i. The IA database web application shall be completed by the authorizing supervisor within five (5) days.
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    - 1. The date, time, and location where the Grappler device was deployed;
    - 2. The report number;
    - 3. Any road surface, road conditions, and speed at the time of deployment;
    - 4. Any crime associated with the occupants in the grappled vehicle;
    - 5. The grappled vehicle's Vehicle Inspection Number (VIN), year, make, model, and driver's identification information;
    - 6. Photographs of the grappled vehicle post-deployment; and
    - 7. A narrative explaining the full deployment and basis for authorization, along with any failed attempts.



## **2-109 INVESTIGATIVE SERVICES DIVISION (ISD) TRACKER PROGRAM**

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

**A. Related SOP(s)**

None

**B. Form(s)**

PD 1393 Hold Harmless Agreement

**C. Other Resource(s)**

3SI Security Systems Instructional Guide

**D. Active Special Order(s)**

None

**E. Rescinded Special Order(s)**

None

### **2-109-1 Purpose**

The purpose of the Albuquerque Police Department's (Department) Investigative Services Division (ISD) Tracker Program is to provide an innovative method of crime fighting that combines technology with voluntary community participation and partnership. In order to more effectively address various types of property and violent crime, the Department will lawfully deploy Global Positioning System (GPS) tracking devices in an attempt to apprehend individuals who commit crimes in the community. The Department's ISD Tracker Program is intended for use in businesses, residences, or any other venues where a concern exists for theft of currency or property.

### **2-109-2 Policy**

It is the policy of the Department to maintain, establish, and ensure the professional and legal administration of the ISD Tracker Program. Furthermore, it is the policy of the Department to ensure that the ISD Tracker Program and its community partnerships are entirely voluntary. Department personnel who deploy the ISD Electronic StakeOut (ESO) tracker will ensure that the relationship with the community partner is not detrimental to the goals of the ISD Tracker Program. Finally, this policy is intended to address the liability concerns of possible damage caused by the use and deployment of the ISD Tracker Program by ensuring community partners sign the Hold Harmless Agreement.



**N/A 2-109-3 Definitions**

**A. Cash Tracking Pack (CTP)**

A bundle of currency housing a battery, cellular subscriber identity module (SIM) card, GPS receiver, and a Radio Frequency (RF) transponder.

**B. ISD ESO Handheld Beacon**

A handheld device that operates on batteries and uses four (4) extendable antennas to identify the precise location of the ESO tracker. The handheld device tracks the RF transponder on the ESO tracker. This device allows sworn personnel to pinpoint the exact residence, apartment, or vehicle in which the ESO tracker is located.

**C. Hold Harmless Agreement**

An agreement or contract in which the community partner agrees to hold the Department free from responsibility for any liability or damage that might arise out of the use of the ESO tracking devices.

**7 2-109-4 Training**

**6 A. The ISD Commander or their designee shall:**

1. Ensure all case agents tasked with deploying the ESO tracker devices are properly trained on the professional and legal use, the reporting requirements, and the replacement of the ESO tracker.

**B. ISD Tracker Program personnel shall:**

1. Be trained in the use and care of the ESO tracker device; and
2. Refer to the 3SI Security Systems Instructional Guide for additional instructions and information.

**7 2-109-5 Procedures**

**A. ESO Tracker**

1. The ISD Deputy Commander or their designee shall authorize the use of the ESO tracker.
  - a. Only the ISD Deputy Commander or their designee shall have Administrator Rights to monitor changes in the 3SI database.



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2. ESO trackers are dependent on keeping any given use or deployment completely confidential. The location of the ESO tracker shall only be shared with Department personnel and those community partners that may handle the “bait” property.
  - a. However, the availability of the ISD Tracker Program shall be publicized to Department personnel who may need it.
3. The ISD Tracker Program Hold Harmless Agreement shall be signed by the community partner prior to any deployment at the business or residence.
  - a. The Chief of Police or their designee has the authority to sign all Hold Harmless Agreements on behalf of the Department.
  - b. All Hold Harmless Agreements shall be filed with the City Clerk’s Office.
4. Where and when the ESO tracker is deployed, the Case Agent shall ensure the ESO Tracker is labeled via the online tracker website.

**B. Activation of the ESO tracker**

1. The ESO tracker will send an audible alert to the Emergency Communications Center (ECC) via the online tracker website when the ESO tracker is activated. The involved ECC dispatcher shall:
  - a. Use a code word to indicate an ESO tracker activation is taking place;
  - b. Alert responding sworn personnel that the robbery or theft involves a GPS-enabled tracking device;
  - c. Ensure not to use words such as “tracker” or “GPS” over the air; and
  - d. Be responsible for logging into the online tracker website and providing real-time direction of travel, speed, and signal strength of the ESO tracker.
    - i. Exceptions to this guideline include when the ESO tracker is being used on a criminal investigation.

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2. The ISD supervisor or their designee shall:

- a. Continuously evaluate the ESO tracker activation;
- b. Request additional resources as needed;
- c. Be responsible for deploying the ISD ESO Handheld Beacon when a specific location of the ESO tracker is located inside a residence or apartment;
- d. Be responsible for surveillance and apprehension of identified offenders; and
- e. Coordinate with the Armed Robbery Sergeant or their designee for additional resources and updates.

**C. Deployment Methods**

1. The ISD ESO Tracker shall only be deployed at the businesses, residences, or venues that have signed the Hold Harmless Agreement.



**7 2-109-6 Equipment Maintenance and Inspections**

**A. Maintenance**

- 6**
1. The ISD Deputy Commander or their designee shall be responsible for the logistical accounting of all ESO trackers.
  2. The ESO trackers and related equipment shall be maintained and periodically inspected by the Armed Robbery Sergeant in order to ensure all devices are functioning at optimal charging levels.
    - a. If not deployed in the field, the ESO trackers shall be stored with the Armed Robbery Sergeant.
  3. The ESO tracker devices shall be inspected prior to deployment and shall be fully charged.
  4. The Armed Robbery Sergeant shall monitor all active ESO trackers via the online tracker website on a monthly basis to ensure none of the active ESO trackers' batteries fall low.



## **2-109 INVESTIGATIVE SERVICES DIVISION (ISD) TRACKER PROGRAM**

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

**A. Related SOP(s)**

None

**B. Form(s)**

PD 1393 Hold Harmless Agreement

**C. Other Resource(s)**

3SI Security Systems Instructional Guide

**D. Active Special Order(s)**

None

**D.E. Rescinded Special Order(s)**

None

### **2-109-1 Purpose**

The purpose of the Albuquerque Police Department's (Department) Investigative Services Division (ISD) Tracker Program is to provide an innovative method of crime fighting that combines technology with voluntary community participation and partnership. In order to more effectively address various types of property and violent crime, the Department will lawfully deploy Global Positioning System (GPS) tracking devices in an attempt to apprehend individuals who commit crimes in the community. The Department's ISD Tracker Program is intended for use in businesses, residences, or any other venues where a concern exists for theft of currency or property.

### **2-109-2 Policy**

It is the policy of the Department to maintain, establish, and ensure the professional and legal administration of the ISD Tracker Program. Furthermore, it is the policy of the Department to ensure that the ISD Tracker Program and its community partnerships are entirely voluntary. Department personnel who deploy the ISD Electronic StakeOut (ESO) tracker will ensure that the relationship with the community partner is not detrimental to the goals of the ISD Tracker Program. Finally, this policy is intended to address the liability concerns of possible damage caused by the use and deployment of the ISD Tracker Program by ensuring community partners sign the Hold Harmless Agreement.



**N/A 2-109-3 Definitions**

**A. Cash Tracking Pack (CTP)**

A bundle of currency housing a battery, cellular subscriber identity module (SIM) card, GPS receiver, and a Radio Frequency (RF) transponder.

**B. ISD ESO Handheld Beacon**

A handheld device that operates on batteries and uses four (4) extendable antennas to identify the precise location of the ESO tracker. The handheld device tracks the RF transponder on the ESO tracker. This device allows sworn personnel to pinpoint the exact residence, apartment, or vehicle in which the ESO tracker is located.

**C. Hold Harmless Agreement**

An agreement or contract in which the community partner agrees to hold the Department free from responsibility for any liability or damage that might arise out of the use of the ESO tracking devices.

**7 2-109-4 Training**

**6 A. The ISD Commander or their designee shall:**

1. Ensure all case agents tasked with deploying the ESO tracker devices are properly trained on the professional and legal use, the reporting requirements, and the replacement of the ESO tracker.

**B. ISD Tracker Program personnel shall:**

1. Be trained in the use and care of the ESO tracker device; and
2. Refer to the 3SI Security Systems Instructional Guide for additional instructions and information.

- 7** ~~a. The 3SI Security Systems Instructional Guide and training log shall be forwarded to the Criminal Investigations Division (CID) Lieutenant for inclusion in the officers' training record.~~

**2-109-5 Procedures**

**A. ESO Tracker**

1. The ISD Deputy Commander or their designee shall authorize the use of the ESO tracker.



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- a. Only the ISD Deputy Commander or their designee shall have Administrator Rights to monitor changes in the 3SI database.
2. ESO trackers are dependent on keeping any given use or deployment completely confidential. The location of the ESO tracker shall only be shared with Department personnel and those community partners that may handle the “bait” property.
  - a. However, the availability of the ISD Tracker Program shall be publicized to Department personnel who may need it.
3. The ISD Tracker Program Hold Harmless Agreement shall be signed by the community partner prior to any deployment at the business or residence.
  - a. The Chief of Police or their designee has the authority to sign all Hold Harmless Agreements on behalf of the Department.
  - b. All Hold Harmless Agreements shall be filed with the City Clerk’s Office.
4. Where and when the ESO tracker is deployed, the Case Agent shall ensure the ESO Tracker is labeled via the online tracker website.

**B. Activation of the ESO tracker**

1. The ESO tracker will send an audible alert to the Emergency Communications Center (ECC) via the online tracker website when the ESO tracker is activated. The involved ECC dispatcher shall:
  - a. Use a code word to indicate an ESO tracker activation is taking place;
  - b. Alert responding sworn personnel that the robbery or theft involves a GPS-enabled tracking device;
  - c. Ensure not to use words such as “tracker” or “GPS” over the air; and
  - d. Be responsible for logging into the online tracker website and providing real-time direction of travel, speed, and signal strength of the ESO tracker.
    - i. Exceptions to this guideline include when the ESO tracker is being used on a criminalized investigation.

**6**

**2. The ISD supervisor or their designee shall:**

- a. Continuously evaluate the ESO tracker activation;
- b. Request additional resources as needed;
- c. Be responsible for deploying the ISD ESO Handheld Beacon when a specific location of the ESO tracker is located inside a residence or apartment;
- d. Be responsible for surveillance and apprehension of identified offenders; and
- e. Coordinate with the Armed Robbery Sergeant or their designee for additional resources and updates.

**C. Deployment Methods**



1. The ISD ESO Tracker shall only be deployed at the businesses, residences, or venues that have signed the Hold Harmless Agreement.

**7 2-109-6 Equipment Maintenance and Inspections**

**A. Maintenance**

- 6
  1. The ISD Deputy Commander or their designee shall be responsible for the logistical accounting of all ESO trackers.
  2. The ESO trackers and related equipment shall be maintained and periodically inspected by the Armed Robbery Sergeant in order to ensure all devices are functioning at optimal charging levels.
    - a. If not deployed in the field, the ESO trackers shall be stored with the Armed Robbery Sergeant.
  3. The ESO tracker devices shall be inspected prior to deployment and shall be fully charged.
  4. The Armed Robbery Sergeant shall monitor all active ESO trackers via the online tracker website on a monthly basis to ensure none of the active ESO ~~trackers~~ trackers' batteries fall low.