

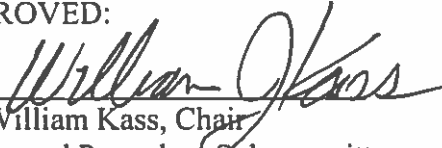
minutes

Policy and Procedure Review Subcommittee		
8.16.2018	1:07pm - 2:50pm	Plaza Del Sol 3rd Floor Small Conf. Abq, NM
Meeting called by	Kass	
Type of meeting	Policy & Procedure	
Facilitator	Harness	
Note taker	Katrina	
Timekeeper	Katrina	
Attendees	Chair Dr. William Kass, Chantal Galloway, Chelsea Van Deventer(Phoned in), Edward Harness, Diane McDermott Dr. Miriam Verploegh, Sara Haugaard Commander Campbell, Jolene Luna	
Present for approval and adoption of Policy and Procedures		
	Kass	
Discussion	Subcommittee discussed on the approval and adoption of Policy and Procedures	
Conclusions	Motion made by Member Galloway to adopt document provided by Chair Kass as a guideline for Policy and Procedures Committee. Chair Kass second the motion.	
Action Items	Person Responsible	Deadline
Draft letter of recommendation for Use of Force Policies		
	Kass	
Discussion	Chair Kass gave an overview on all 6 Use of Force Policies and the dates of drafts and approvals. Subcommittee discussed Use of Force 2-52 on the changes from its draft to PPRB process.	
Conclusions	Motion made by Board Member Galloway that POB hold a special board meeting on the next available Date. Van Deventer second the motion.	
Action Items	Person Responsible	Deadline
Draft letter SOP 3-52 APD's Policy on Policies		
	Galloway	
Discussion	Draft letter SOP 3-52 APD's Policy on Policies	
Conclusions	Motion by Board Member Galloway to table Item. Chair Kass second the motion.	
Action Items	Person Responsible	Deadline

minutes

Research on officer and Civillian deaths during Police interactions		
	Dr. Miriam Verploegh	
Discussion	Use of Force Policy (demystify de-escalation facts not as dangerous as said) Officers vs. Civillian deaths.	
Conclusions	Dr. Verploegh gave a general overview on the research done on Police Departments alike to APD. This Research paper can be used for training or a presentation by UNM to the Academy. Member Galloway left the meeting at 2:31pm And called in from her mobile.	
Action Items	Person Responsible	Deadline
Present policy database status and results		
	Kass	
Discussion	Update on database by Chair Kass	
Conclusions	Agenda Item IX tabled for next meeting due to projector not working.	
Action Items	Person Responsible	Deadline
Report from CPOA		
	Harness	
Discussion	1. Use of Force Policy 2-56 and 2-57. 2. Oversight Ordinance Amendments. 3. IPRA request responses for CPOA and POB	
Conclusions	1. Came out on Friday and Director Harness emailed out to POB. 2. Deferred 60 Days at the Finance and Government Subcommittee Meeting Councilor Winters needs more time for review. 3. POB Attorneys are adding disclosure language To Website and In the POB automatic response for emails and where to send IPRA request.	
Action Items	Person Responsible	Deadline
Other Business		
	Kass	
Discussion	Status on policles 3-41 and 3-44 editorial changes and was tabled for a later meeting and 2-8	
1:35		
Conclusions	3-41 is submitted and received a response from Chief Geier that it's gone to the monitor. Director Harness has resubmitted to Ms. Luna and is going forward to OPA. Changes on 3-44 will be on next month's agenda for review and Discussion. OBRD was tabled at OPA because it's not ready for review.	
Action Items	Person Responsible	Deadline
Next meeting September 20, 2018		

APPROVED:



Dr. William Kass, Chair
Policy and Procedure Subcommittee

Date

6 Sep. 2018

CC: Julian Moya, City Council Staff
Trina Gurule, Interim City Clerk
Ken Sanchez, City Council President (via email)

Minutes drafted and submitted by:
Katrina Sigala, Senior Administrative Assistant

Policy and Procedure Subcommittee Operating Procedure

Current as of April 19, 2018

1.0 Background

The City of Albuquerque passed city ordinance O-2016-013 to establish the Civilian Police Oversight Agency. This agency includes the Police Oversight Board which is tasked to introduce and incorporate civilian oversight into APD policies, training and activities. Under the oversight ordinance citizens can file complaints against APD personnel. The CPOA has the duty to investigate and resolve those complaints. The CPOA has the obligation to provide outreach to inform the community and receive community feedback. These roles of the CPOA are closely coupled to successful community policing. The members of the POB are specifically tasked with making policy recommendations to APD based on community input, data analysis and observations of best policing practices in other communities.

1.1 Purpose

This document serves as continuity and guidance for complying with the policy recommendation tasks and related activities described in the city ordinance for the operation of APD. Suggestions and recommendations received from the community through CPOA outreach activities are essential to develop recommendations that reflect how the community wants to be policed. The Police Oversight Board is also tasked with reviewing new and modified APD SOPs. Policy recommendations that are approved by a majority vote of the POB will be forwarded to the chief of police for his/her consideration.

The Court Approved Settlement Agreement also has requirements that several APD SOPs be periodically reviewed by APD and the CPOA. All recommended changes to these SOPs will be submitted to the Independent Monitor Team for review before submission to the chief of police.

1.2 Disposition

This document will be maintained in the Policy and Procedure Subcommittee Continuity binder and brought to every regularly scheduled Policy and Procedure Subcommittee meeting by CPOA staff for use by committee members.

1.3 Operating Procedure Modification

The Policy and Procedure Subcommittee can edit or rescind this operating procedure at any regularly scheduled Policy and Procedure Subcommittee meeting with a majority vote.

2.0 Stakeholders

Identified stakeholders are the Albuquerque Community, the Albuquerque Police Department, United States Department of Justice, the Independent Monitor, Albuquerque City Council and the Mayor of the City of Albuquerque.

3.0 Ordinance Defined Responsibilities

Below is a list of ordinance-defined activities in which the POB engages, and which are directly or indirectly related to PnP policy recommendations.

1. Conduct community outreach to solicit public input, report efforts to City Council

2. Promote accountability and improve community relations and confidence in APD by the community
3. Investigate citizen complaints.
4. Audit and monitor all incidences of use of force by APD.
5. All matters under investigation by APD internal affairs.
6. Annually report IA investigation and civilian complaints.
7. POB may conduct audits and will have full access to APD investigation files, documents and witnesses.
8. CPOA engages in long-term planning, identifying problems, trends, evaluates law enforcement practices and establishes an annual program of policy suggestions and studies.
9. POB reviews, analyzes policy studies, analysis, trends from CPOA, submit recommendations to APD and city council and dedicates a majority of time to policy functions.
10. POB drafts procedures that assure compliance with this section.

4.0 Resources

Available resources to the POB include staff support from the CPOA for the above described activities. Resources will be negotiated with the Executive Director of the CPOA and POB chairperson.

The ordinance requires that APD cooperate by providing policing data and access to APD personnel and facilities.

5.0 Police Oversight Board Responsibilities

The ordinance places an obligation on members to spend at least half of their time on policy matters. If other board matters, such as reviewing citizen complaint cases, demand more member time, then logically more time must be spent on policy recommendations. This is an untenable situation which can only be resolved by the full POB.

5.1 Policy and Procedures subcommittee members

The PnP is obligated to hold monthly meetings to review policies, make recommendations, and assign APD initiated policy reviews to a member of the PnP or POB as a point person who will be obligated to review and summarize his/her assigned policies.

5.2 PnP point person

The duties of the point person or policy champion are:

- Receive or initiate policy recommendation,
- Socialize and publicize recommendation,
- Direct necessary research with assistance of CPOA staff,
- Present policy summary to PnP.

5.3 POB duties

Members of the POB have the responsibility to make a timely review of recommendations brought by PnP when submitted to them through the Executive Director.

Policy recommendations will be presented at a public POB meeting at which time they may be approved and forwarded to the Chief of APD at the discretion of the POB or decided at the next POB meeting.

5.4 CPOA duties

The CPOA has a responsibility to provide research support for policy recommendations. The CPOA also compiles recommendations based on citizen complaints and raw or reduced data obtained from APD sources.

6.0 Sources of Policy Reviews, Recommendations and Proposals

6.1 POB initiated policy proposals

Such proposals may be generated from any POB member's observations, conversations, APD compiled or raw data or CPOA compilations of citizen complaints or other community input.

6.2 Public initiated SOP recommendation

The public may initiate their own recommendations by submitting them directly to APD on the forms available from APD. The POB shall seek public input and carry those recommendations to the PnP at their own discretion after contact with individual members of the public. The POB is obligated to consider public comments at POB meetings that might result in a policy recommendation.

6.3 APD initiated SOP reviews and changes

APD has a scheduled review cycle for all APD policies. Many of these policy reviews result in little or no change to the policy which deal mainly with internal APD operations and may not be important to the civilian oversight of APD. These policies will be reviewed by the PnP when APD notifies the CPOA that they are scheduled for review.

6.4 CASA related SOPs reviews and changes

The CASA requires regular review of all use of force policies. The CPOA is obligated to review these policies.

7.0 Processes

7.1 Policy Review Process

The following recognizes that the POB has a vested interest in reviewing all substantive policies provided by APD. The purpose of this policy is three-fold:

- 1) to determine which APD policies are CASA related;
- 2) to properly determine which other APD policies are substantive and therefore should be subject to POB review; and
- 3) to record policy review decisions and actions taken by the POB.

1. The POB default position is all proposed policies should be subject to a formal POB review and therefore, established a Policy and Procedure Review Sub-committee (PnP).
2. The PnP will establish a process to determine if proposed policy changes are of sufficient substance to warrant a formal review and comment. All CASA related proposed policy will be subjected to formal review.
3. APD agrees to:

a. Send all proposed policies to the CPOA when the first substantive draft is completed to avoid time constrictions and provide the PnP sufficient time for review and presentation to the POB Board for any recommended action.

b. Distinguish between CASA related proposals and other proposals

4. The CPOA will forward proposed policy changes to the PnP within 5 business days of receipt.

5. The PnP will determine a point person from the PnP, or POB board, on all CASA related policies, and other policies determined to warrant POB review.

a. Assume primary responsibility for coordination of any CASA related policy proposals,

b. Initiate participation with APD/OPA subject matter experts,

c. Attend OPA meetings related to the policy, and

d. Submit a brief synopsis to the board of the proposed CASA policy as the review process progresses for input and a final recommendation to the POB.

6. The POB will vote to concur with the final policy or formalize the POB concerns and recommendation(s) for the policy consistent with Police Oversight Ordinance procedures.

7. The PnP will read non-CASA related policy and procedures prior to the next PnP meeting after receipt and:

a. Determine a recommendation of whether a formal review of each policy is prudent, and prepare a brief synopsis of the proposed policy for the board including a recommendation of further review or declining further review

b. Determine a PnP recommendation for the POB,

c. The POB will vote to accept or reject the PnP recommendation whether the policy should be further reviewed.

d. If the POB votes that a non-CASA related policy should be reviewed for POB recommendations the same actions outlined in paragraph 5 will be followed.

7.2 Policy Development Process

New policies and substantive major revisions of policies should follow accepted guidelines for public policy development. A typical policy development cycle is described below.

- a. Motivation for recommendation, observed need, community input, POB member idea.
- b. Formulation - Identification of problem to be addressed, conduct research, present to PnP by policy champion, vet proposal by PnP.
- c. Adoption - Present new policy or recommendation to POB, POB decides to accept it.
- d. Implementation - Send recommendation to Chief of APD
- e. Evaluation - Evaluation criteria, review and evaluation of POB recommendations

Special attention should be given to developing measurable tests to evaluate the effectiveness of the proposed policy. These measures should be applied from data collected by APD to evaluate the policy.

8.0 Tracking

The POB will create a database to track policies that have been reviewed or are in the review process. This database will be maintained by the CPOA and be available to the PnP at regularly scheduled meetings.

Elements of the database may include:

- Policy Identification name and/or number
- POB policy champion or contact person
- Short policy description
- Milestones
- Chronology of policy development events related to stakeholders
- Research summary and links
- Status of recommendation

9.0 Reporting

Results from PnP meetings will be reported to the POB.

10.0 Operation of PnP subcommittee

The PnP engages only in fact-finding and making policy recommendations for final actions by the POB. The subcommittee is not subject to the Open Meetings Act and may establish its own procedures for conducting meetings.

10.1 Membership

The PnP shall consist of no more than one less than a quorum of the POB. The members of the PnP must be members of the POB and shall be appointed by the POB chair subject to the approval of the POB. The PnP will select a chair at the first meeting after the POB officer elections are held and the committee membership finalized. The chair shall be eligible to succeed him/her self.

10.2 Meetings

The PnP will establish its own meeting schedules as required to perform assigned responsibilities. The PnP shall maintain a concise but accurate statement of a description of the subject of discussions but not a verbatim account. The PnP will report to the POB at all regularly scheduled meetings.

10.3 Time commitment

The PnP at their regular meetings may agree to anticipated time commitments from each member.

11.0 Appendix

11.1 Timelines

(Gantt chart for APD / DOJ 3-52 process)

Policy Development Process 3-52-3



11.2 APD SOPs

General Orders Manual

1-00-general-orders-.pdf	49K	
1-01-personnel-code-of-conduct.pdf	360K	
1-02-social-media.pdf	124K	
1-03-grooming-standards.pdf	141K	
1-04-biased-base-policing-and-profiling.pdf	108K	
1-05-harassment-sexual-harassment-in-the-workplace.pdf	157K	
1-08-naloxone.pdf	204K	
1-10-peer-support.pdf	148K	
1-11-behavioral-science-support-and-service.pdf	128K	
1-12-internship-program.pdf	140K	

Procedural Orders Manual

2-01-uniforms-for-publish.pdf	522K	
2-02-department-property.pdf	227K	
2-04-use-of-respirators.pdf	206K	
2-05-use-of-police-vehicles.pdf	160K	
2-06-use-of-emergency-warning-equipment.pdf		114K
2-07-damage-to-department-or-civilian-property.pdf		104K
2-08-obrd-for-publish.pdf	101K	
2-09-use-of-computer-systems.pdf	173K	
2-10-use-of-emergency-communications.pdf		382K
2-16-records.pdf	150K	
2-17-offense-incident-report-form.pdf	351K	
2-18-contact-with-deaf-hard-of-hearing-or-speech-impaired-persons.pdf		139K
2-19-response-to-behavioral-health-issues.pdf	466K	
2-20-hostage-suicidal-barricaded-subject-and-tactical-threat-assesment.pdf		197K
2-21-apparent-natural-death-suicide.pdf	94K	
2-22-juvenile-delinquency.pdf	211K	
2-23-firearms-and-ammunition-authorization.pdf		237K
2-23-use-of-canine-unit.pdf	104K	
2-24-hazardous-materials-incident-response.pdf		140K
2-25-bomb-threats-and-bomb-emergencies.pdf		159K
2-26-law-enforcement-center-evacuation-plan.pdf		99K
2-27-rescue-task-force.pdf	93K	
2-28-flood-control-channel-action-plan-(code-raft).pdf		113K
2-29-emergency-response-team-(ert).pdf	429K	
2-30-emergency-command-post.pdf	100K	
2-31-emergency-medical-services.pdf	101K	
2-32-exposure-to-blood-or-body-fluids.pdf		115K
2-33-rights-of-onlookers.pdf	109K	
2-34-notification-of-significant-incidents.pdf	108K	
2-35-notification-to-settlement-agreement-parties.pdf		108K

2-36-police-press-relations-and-release-of-police-identification.pdf		118K
2-40-misdemeanor-traffic-and-city-ordinance-enforcement.pdf		216K
2-41-traffic-stops.pdf	100K	
2-42-dwi-investigations-and-revoked-suspended-license.pdf		184K
2-43-roadblocks-and-checkpoints.pdf	118K	
2-44-traffic-and-roadway-services.pdf	122K	
2-45-pursuit-by-motor-vehicle.pdf	221K	
2-46-response-to-traffic-crashes.pdf	39K	
2-47-crashes-involving-police-vehicles.pdf	137K	
2-48-towing-and-wrecker-services.pdf	156K	
2-49-inspection-of-motor-vehicles.pdf	103K	
2-50-safety-review-board.pdf	132K	
2-51-safe-driver-award-program.pdf	102K	
2-52-use-of-force-for-publish.pdf	155K	
2-53-electronic-controll-weapon-(ecw)-for-publish.pdf		86K
2-54-uof-&-supervisory-force-investigation-requirements-for-publish.pdf		76K
2-55-uof-appendix-for-publish.pdf	73K	
2-56-force-review-board.pdf	170K	
2-60-preliminary-and-follow-up-crimmlal-investigations.pdf		225K
2-61-gathering-of-criminal-activity-informaion.pdf		88K
2-62-background-investigations.pdf	110K	
2-63-crime-stoppers-investigations.pdf	113K	
2-64-identification-interviewing-and-detention-of-witness-to-crime.pdf		133K
2-65-interviews-and-collection-of-evidence-at-hospitals.pdf		130K
2-66-victim-witness-assistance.pdf	131K	
2-67-photographic-array-field-identifications.pdf	113K	
2-68-interviews-and-interrogations.pdf	117K	
2-69-informants.pdf	131K	
2-70-execution-of-search-warrants.pdf	219K	
2-71-search-and-seizure-without-a-warrant.pdf	168K	
2-72-digital-photography-imaging.pdf	103K	
2-73-submission-of-evidence-cofiscated-property-and-found-items.pdf		255K
2-74-submission-of-casses-to-the-district-attorney.pdf		130K
2-75-requests-for-legalopinions-from-the-city-attorney-department-legal-advisor.pdf		95K
2-76-court.pdf	177K	
2-77-forfeiture-of-monies-and-property.pdf	86K	
2-80-arrests-arrest-warrants-and-booking-procedures.pdf		346K
2-81-off-duty-conduct-power-of-arrest.pdf	120K	
2-82-restraint-ant-transportation-of-prisoners.pdf	165K	
2-83-hospital-procedures-and-rules.pdf	129K	
2-84-body-cavity-and-strip-searches.pdf	111K	
2-86-investigation-of-property-crimes.pdf	151K	

2-87-graffiti-cases.pdf	97K	
2-88-bait-car-program.pdf	138K	
2-89-automated-license-plate-reader-program.pdf		113K
2-91-investigation-of-violent-crimes.pdf	206K	
2-92-crimes-against-children.pdf	183K	
2-93-child-abduction-missing-child-investigations.pdf		171K
2-96-clandestine-labatory-and-indoor-marijuana-grow-investigations.pdf		140K
2-97-harm-reduction-act-needle-exchange-program.pdf		99K
2-98-methadone-distribution-centers.pdf	88K	
Administrative Orders Manual		
3-00-administrative-orders.pdf	114K	
3-01-field-services-bureau.pdf	111K	
3-02-investigative-bureau.pdf	206K	
3-03-special-services-bureau.pdf	140K	
3-04-professional-accountability-bureau.pdf	138K	
3-05-administrative-support-bureau.pdf	151K	
3-09-delegation-and-command.pdf	100K	
3-10-chiefs-authority-and-responsibilities.pdf	88K	
3-11-command-staff-responsibilities.pdf	160K	
3-12-chiefs-staff.pdf	89K	
3-13-officers-duties-and-conduct.pdf	118K	
3-14-supervisory-leadership.pdf	143K	
3-15-sworn-personnel-positions.pdf	102K	
3-16-seniority.pdf	98K	
3-17-duty-assignments-and-transfers.pdf	161K	
3-18-temporary-assignment-activity.pdf	96K	
3-19-restricted-duty-temporary-assignments.pdf	138K	
3-20-overtime-compensatory-time-and-work-shift-designation.pdf		214K
3-21-scheduled-and-unscheduled-leave.pdf	174K	
3-22-contractsmous-for-law-enforcement-services.pdf		112K
3-23-retirement-observance.pdf	135K	
3-24-in-the-line-of-duty-death-notification-and-benefits.pdf		124K
3-30-inspections-process.pdf	108K	
3-31-physical-fitness-testing-and-training.pdf	145K	
3-32-employee-work-planperformance-evaluations.pdf		173K
3-33-early-intervention-system.pdf	185K	
3-40-civil-litigation-process.pdf	98K	
3-41-complaints-involving-department-policy-or-personnel.pdf		291K
3-42-investigation-of-police-personnel.pdf	152K	

3-43-relief-of-duty.pdf	105K
3-44-review-of-completed-administrative-investigation-cases.pdf	168K
3-45-due-process-notification-to-personnel.pdf	130K
3-46-discipline-system.pdf	198K
3-47-acceptance-of-disciplinary-action-and-right-to-appeal.pdf	99K
3-50-forms-control.pdf	105K
3-51-department-orders.pdf	167K
3-52-policy-development-process.pdf	212K

DRAFT

Officer and Civilian Deaths and Escalation: Institute for Social Research

Police officers have a continuum of force options available to them, but, without question, the most extreme of these options is deadly force. Recent officer-involved shootings in the United States, and their subsequent media attention, have placed police use of deadly force at the forefront of political, academic, and policy conversations. In spite of the attention and focus on large scale killings in the media, they are not common (Greenberg, 2007).

The discussion that surrounds OIS can be overwhelming, both from those who suggest that citizens bring on such events themselves and from those who suggest that our police operate with unchecked power and perpetuate socioeconomic disparities, particularly in low-income and minority communities. Hollway and colleagues suggest that there are two facts that all should be able to agree on. First, any reasonable system of policing should seek to minimize the number of OIS that occur. Second, policing is inherently dangerous work and the job of police officer carries with it life threatening risk on a daily basis (Hollway, Lee, and Smoot, 2017)

This review summarizes available statistics on officer and civilian deaths, the available information on the circumstances of those deaths (use of force and whether the suspect was armed), and the literature available on the use of de-escalation.

Tracking Officer and Civilian Deaths

When trying to understand officer involved shootings we need to first determine where and how the data on this can be tracked and how to understand if the data is accurate. The federal government tries to track this subset of the population with databases like the National Vital Statistics System, which is based on death certificates. As public attention on police violence has increased in recent years, media organizations began making databases of their own—like the *Guardian's* The Counted or the *Washington Post's* Fatal Force—to track law enforcement-related deaths. Comparisons between the data sets suggested that the official government data was severely undercounting police-related deaths. However, no one really knew how accurate those media databases were either.

Now, in a new study published today in PLoS Medicine, researchers borrowed techniques from wildlife ecology to estimate how many people are really killed by police officers in the U.S. They found that, while the media database The Counted documented roughly twice as many cases of police-related deaths than the NVSS, it still missed up to 7 percent of cases. The researchers matched cases of police-related deaths from NVSS mortality records and The Counted, and used a statistical tool called capture-recapture analysis to estimate the number of cases missing from both data sets. Wildlife ecologists often use this technique to estimate the size of a wild population. They'll trap animals, tag and release them, and then try to trap them again. "With this method, if you have two ways of collecting data, you look at to what degree do they overlap," says Justin Feldman, a doctoral candidate at the Harvard T.H. Chan School of Public Health and lead author on the new study. If there's not a lot of overlap, the estimate of uncounted animals—or, in this study, cases of police-related deaths—would be large, Feldman explains. Conversely, a large amount of overlap would lead to a small estimate of uncounted cases.

Number of Civilian Deaths

In order to understand the number of deaths of civilians over the past few years we can turn to the *Guardian's* The Counted or the *Washington Post's* Fatal Force to track these law enforcement-related deaths. The *Guardian* reports that of the 1,146 and 1,093 victims of police violence in 2015 and 2016, respectively, the authors found 52 percent were white, 26 percent were black, and 17 percent were Hispanic. (Bui, Coates, and Matthay; 2018) The *Washington Post* reports that the police fatally shot 987 people last year (Sullivan, Anthony, Tate, and Jenkins; 2018). The numbers reported in the post slightly vary from The *Washington Post*, 963 in 2016 and 995 in 2015 that were fatally shot compared to The *Guardian* that reported 1,146 for 2015 and 1,093 for 2016. According to the *Washington Post* a quarter of those killed in 2017 had a mental health component. In the vast majority of those cases, 88 percent, the deceased people had wielded firearms or other weapons, including a machete, a sledge ax and a pitchfork. Experts said they are uncertain why the annual total shows little fluctuation —Officers fatally shot 94 unarmed people in 2015, but that number has been lower in the past two years, with 51 killed in 2016 and 68 in 2017.

Number of Officer Deaths

Meanwhile, 46 police officers were “feloniously” (as opposed to unintentionally) killed in the line of duty in 2017, down from 66 in 2016. (Khazan, 2018) Last year, 46 U.S. police officers were killed feloniously in the line of duty while 47 died accidentally, according to new figures released by the FBI. Their average age was 38, with an average tenure of 11 years in law enforcement. 43 of the officers killed feloniously were men while three were women. According to the 2017 data released by the FBI 21 of those killed feloniously was a result of investigative or enforcement activities, most commonly with 6 officers, the incident involved investigating suspicious persons or circumstances. Also with 6 officers the incidents involved tactical situations. 3 officers were conducting traffic violation stops, 2 were performing investigative activities, 1 was investigating a drug related matter, 1 was investigating a motor vehicle crash, 1 was conducting a felony traffic stop, 1 was interacting with a wanted person. 6 officers were involved in pursuits, 4 were in foot pursuits and 2 were in vehicular pursuits. 5 officers were ambushed. 4 officers were in arrest situations, 3 were verbally advising offenders during the arrest situations and 1 was attempting to control/handcuff, restrain the offender during the arrest situation. 2 officers responded to crimes in progress, 1 was a robbery, and 1 was a report of a shooting or shots being fired. 1 officer was on administrative assignment performing a prisoner transport. 1 officer responded to a disorder/disturbance and encountered a domestic disturbance. 1 officer encountered or was assisting an emotionally disturbed person (Officers Feloniously Killed, 2018).

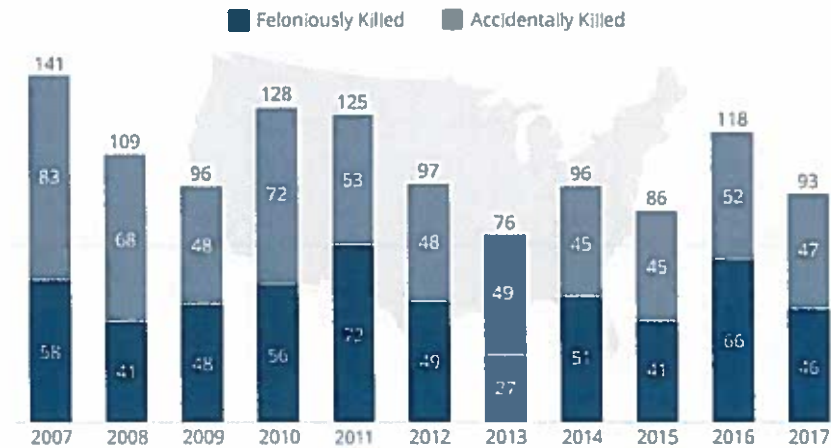
42 officers were killed with firearms. 10 officers fired their weapons and 10 attempted to fire their weapons. Of the 44 unique offenders 18 were under judicial supervision (Officers Feloniously Killed, 2018). Officers included in this data includes duly sworn law enforcement officers who at the time of the incident wore/carried a badge, carried a firearm, were duly sworn and had full arrest powers, were members of a law enforcement agency, were acting in an official capacity whether on or off duty at the time of the incident, if killed the deaths were directly related to the injuries received during the incident (Officers Criteria, 2018).

Of the 46 felonious officer deaths in 2017, 25 occurred in a public space all were outside. 3 occurred in a Government space 2 inside of a structure and 1 outside. 7 were in a commercial space 4 were outside and 3 were inside of a structure (Lighting and Weather/Environmental Conditions, 2017). 47 officer deaths were due to accidents. 35 of the 47 were as a result of a motor vehicle crash. 6 were pedestrian

officers struck by vehicles. 3 officer deaths were due to drowning, 2 were a result of aircraft accident, and 1 in 'another' type of accident (Officer Killed Accidentally, 2018). There is some variation in the reporting according to the National Law Enforcement Memorial Fund 160 officers were killed in 2015, 159 were killed in 2016, and 129 were killed in 2017. However this data is not broken down by officers killed by civilians and officers who died accidentally. According to the Bureau of Labor Statistics. Police officer isn't in the top ten deadliest jobs in America. Those include logging workers, fishers and related fishing workers, aircraft pilot and flight engineers, and roofers

U.S. Experienced Fall In Police Deaths Last Year

U.S. police officers feloniously and accidentally killed in the line of duty



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statista

Circumstances:

According to the Washington Post when they breakdown the circumstances of the deaths in 2017 they found that out of their reported 987 people killed 579 had a gun, 156 had a knife, 0 were in a vehicle, 26 had a toy weapon, 132 were classified as other, 68 were unarmed, 26 were unknown. When they researched the body camera use they found that 101 of the incidents were recorded and 886 either were not recorded or it was unknown if they were recorded. Finally, they report that 236 people had a mental health component to the call and 751 either did not or it was unknown (Washington Post, Retrieved 07/26/2018).

Race

While many of the year-to-year patterns remain consistent, the number of unarmed black males killed in 2017 declined from two years ago. Last year, police killed 19, a figure tracking closely with the 17 killed in 2016. In 2015, police shot and killed 36 unarmed black males. (Sullivan, Anthony, Tate, and Jenkins; 2018) *Washington Post* analyses from the past several years show that black males are shot by police at disproportionately high rates. According to several different studies, black men aged 15–34 are between nine and 16 times more likely to be killed by police than other people. In 2017, police killed 19 unarmed black males, down from 36 in 2015, according to *The Washington Post*. (Sullivan, Anthony, Tate, and Jenkins; 2018) While the number of black males — armed and unarmed — who have been killed has fallen, black males continue to be shot at disproportionately high rates, the data shows. Black males accounted for 22 percent of all people shot and killed in 2017, yet they are 6 percent of the total

population. White males accounted for 44 percent of all fatal police shootings, and Hispanic males accounted for 18 percent.

De-escalation

Finally, some police departments have tried de-escalating risky encounters. In Germany, police officers spend years in trainings with titles like, "Don't Shoot," in which they're lauded for pulling pepper spray instead of pistols. The Los Angeles Police Department recently began presenting a "preservation-of-life medal to an officer who makes great efforts to avoid a fatal shooting," the Post reported. Police shootings in L.A. declined—to 15 in 2017, from 21 in 2015. It's a slight change, but as this study shows, every life, and every year of it, counts. (Khazan, 2018) But in the rest of the cases, where people were holding knives, toy weapons, or no weapons at all, police might have taken additional steps, like using communication skills or waiting for backup, to try to defuse the situations. (Gilbert 2017)

According to Peterson et al. 2017, sometimes the series of events play out so fast or come without warning so that those present at the scene can't prepare before they face a life-or-death situation. A suddenly emerging threat or assault from short distance may overwhelm the officer because certain time durations are needed to perceive the scenario contexts, select the appropriate action (Mather & Lighthall, 2012), produce the selected response and for the selected response to take effect on the assailant, all of which take time. Additionally, psychological stress, which is undoubtedly present, affects the ability to use well-trained skills but the level of effects depend on whether the skill involves fine, complex or gross motor control (Grossman, 1995) and how the skill has been acquired and trained (Maxwell, Masters, Kerr, & Weedon, 2001). One approach to address these problems might be to adapt and extend the regular training to include handling high threat incidents (Atkins & Norris, 2004; Bertilsson et al., 2013; Schmidt & Lee, 2011).

According to the Seattle, WA use of force policy de-escalation are used when safe and not compromising law enforcement priorities that seek to minimize the need to use force and increase the likelihood of voluntary compliance. When circumstances and time permits the officer should consider if the lack of compliance is due to medical conditions, mental impairment, developmental disability, physical limitation, language barrier, drug interaction, or a behavioral crisis. The awareness of the circumstances should be balanced against the facts of the incident. Mitigating the immediacy of the threat allows for extra resources. The number of resources on the scene may increase the ability to reduce overall force used. (De-escalation, n.d.).

"The use of force continuum is an escalating series of actions an officer may take to respond to a situation, with the officer responding to the situation with the appropriate level of force. This is a standard that many departments are moving away from. Instead moving towards broader policies where the officer should consider factors such as the severity of the crime, whether the suspect poses an immediate threat to the safety of the officers or others, and whether the suspect is actively resisting arrest or attempting to evade arrest (Guide to Critical Issues in Policing).

In 2014 Albuquerque stopped 'reactive control' training moving to case law to determine use of force. Specifically the Supreme Court case *Graham v. Connor* stating that officers must use an 'objective reasonableness' in use of force decisions (Perez, 2014).

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Specifics & Findings

In this brief: Our review of the On Body Camera System in Albuquerque, NM focused on determining the current use of the system and information to inform the development of an auditable policy.

The full report titled *City of Albuquerque Police Department On Body Camera System Research*, can be found at: <http://www.cabq.gov/police/departament-of-justice-doj-reports> or <http://isr.unm.edu/reports/>

Main Findings

- Officers were statistically more likely to video calls for service that had a higher priority level.
- We found no evidence of differences in video rates across gender or race
- Officers with fewer years of service were more likely to have video within their calls for service compared to longer serving officers.
- To track and monitor the use of the OBCS and audit a policy APD must implement a method to link video with calls for service data and note citizen involvement in calls.
- We believe the current policy is confusing and officers do not completely understand the policy. This finding is supported by our review of the official data and our review of the focus group data.

Continued ...

Report in Brief: City of Albuquerque Police Department On Body Camera System Research

This research study has several goals. First, to document the use of the Albuquerque Police Department (APD) On-Body Camera System (OBCS), second, to provide information useful for informing the development of a policy regarding the use of the OBCS and third, to provide information that will inform a method to audit the developed policy and the use of the system by APD personnel.

The issue of law enforcement agencies using OBCS is well documented in the news media. The issue is not nearly as well documented as a research topic. The body of research is growing as more jurisdictions embrace the idea of their police using video in their daily activities and more funding is provided for research. Research informing policy usually comes after long periods of evaluation and analysis by a wide range of researchers. We found that few evidence-based policies exist to guide OBCS. There was a large number of “check lists” available in the news media and internet blogs offered by law enforcement consultants. We found this to be the case regarding an audit-able policy as well. Consequently, our study may be one of the first on the issue of evidence-based factors guiding policy and means to audit an OBCS as well as gathering information from camera system users. At the time we began this study APD had several different camera systems. Our study only includes the users of the *Taser Axon Flex* camera system which is paired with Taser’s EVIDENCE.com™ database.

Official information sources for this study

included the OBCS information system, City of Albuquerque Human Resource information, Automated Reporting System (ARS) data, and APD computer aided dispatch information (CAD). City of Albuquerque and APD staff collaborated in providing access to the necessary information and provided technical information in matching and merging information from the data sources. Eleven focus groups with APD patrol officers, sergeants, and lieutenants were also conducted.

This report includes a brief literature review, a short methodology section, a brief description of the OBCS system in Albuquerque, and an analysis of CAD and video data and our focus groups, and a conclusion.

Background

Located in the southwestern United States, the city of Albuquerque is the largest city in New Mexico with a population of 557,169 in the city and 904,587 in the metro area (US Census, 2015). At the close of 2014, APD reported employing 711 patrol officers, 103 sergeants, and 34 lieutenants, a total of 848 officers in both field services and support services (APD HR data, 2015). The Albuquerque Police Department began testing on body camera systems during August 2010, making it one of the first major police departments to have body worn cameras. At the time of this study, APD was the only police department under a federal mandate to have their officers use camera systems.

Continued . . .

Recommendations

- We recommend the policy not mandate the camera system be used for every citizen contact. A policy which mandates the videoing of all citizen contacts is not practical, or auditable. The policy should note when officers are prohibited from using their camera systems.
- The policy should include consistent and clear guidelines and language regarding missing video when a video is mandated. A progressive method to deal with officers who consistently violate the policy should be developed.
- Stakeholders in the local criminal justice system should develop policies and court rules regarding how video is shared, when video is needed in court cases, how video is used in court cases, and how to deal with missing video.
- We recommend APD provide officers two complete camera systems. This will reduce malfunctions and the time officers spend uploading data to the website.
- APD officers should receive routine training on the use of camera systems and refresher training on the technology and the benefits of the camera systems for law enforcement and the public.
- The use of on-body camera systems is a complicated matter and this complexity should not be minimized. A clear and concise policy that can be routinely monitored is necessary.

Target Audience:

Mayor's Office, City of Albuquerque; Albuquerque City Council; Albuquerque citizens; other local and state government policymakers; law enforcement agencies; and researchers.

Literature Review

Rationale for adopting OBCS for police officers stems from several recently highlighted concerns from both police departments and communities across the nation (Stanley 2013, 2015a). Recent events in Ferguson, MO and Cleveland, OH have put police use of force in the spotlight and have received much attention in the media. Police use-of-force and police legitimacy are concepts discussed in the news almost every day. On the other side of the equation, police officers put themselves at risk while patrolling and the adoption of OBCS may increase safety for police officers. Furthermore, cameras may help settle differential accounts of interactions police have with citizens. Many topics need to be considered when implementing and using on-body camera systems. This includes the rationale for using camera systems, implementation considerations, technological considerations, policy concerns, empirical evidence, and future policy concerns.

One concern recurs consistently throughout the literature that is very relevant to our study: there have yet to be established 'best-practices' when it comes to creating and implementing a comprehensive policy departments can adapt to the use of OBCS. This is not due to a lack of attention to the procedure, but rather the adoption of OBCS in police departments is relatively new. Some departments are simply piloting the new technology while other departments

have been required to implement a program such as the Albuquerque Police Department. There is a need for research in this area to determine the best practices that departments should adopt.

Official Data

Our analysis used data from 2014. There were 573,199 Taser videos uploaded to the EVIDENCE.com™ server in 2014. During the same year there were 723,172 calls for service. The large majority of videos were less than twenty minutes long and slightly more than 5% were 30 minutes long. The median duration was 5.44 minutes and the mean was 8.61 minutes long. A total of 684 individuals uploaded at least one video in 2014.

We found that male officers (56.6%) were slightly more likely than female officers (53.9%) to have video within the call time frame. Hispanic officers (55.3%) were the least likely to have video within the call, non-Hispanic, non-white officers (56.6%) were the most likely (Asian, Black, Indian, etc.), and White officers (55.4%) were in between the two. Officers with fewer years of service were more likely to have video within their calls for service compared to longer serving officers. Specifically, officers with 2-4.9 years of experience (64.3%) were the most likely to have video, while those with 15 years or more of service (47.3%) were the least likely to have video.

We found evidence that officers were more likely to turn on their cameras during the

Methodology

This research uses two methods to study the use of OBCS.

Review of official data. Five sources of information were provided by APD. The Calls For Service computer aided dispatch data (CAD) and the OBCS data is the backbone of our official data analysis. These data contain the primary number of the call, the time each call was created, the time dispatched to the officer, when the officer arrived on-scene, and when the officer closed each call. CAD also includes the type of call, the priority of the call, the address of the call, the beat of the primary officer on the call, as well as any other officer(s) answering the call.

The EVIDENCE.com™ website holds the Taser camera system video data and contains all the identifying information for the video recordings, EVIDENCE.com™ data was linked to CAD data.

The EVIDENCE.com™ data included the time and length of the call, the description of the call and report number, and also the officer identifying information.

Focus groups. We conducted focus groups with sworn staff from three different bureaus Field Service Bureau (FSB), Investigative Bureau (IB), and Special Service Bureau (SSB), including patrol officers, sergeants and lieutenants. There was variety in the age of the participants, years of service, and gender. Patrol officers, sergeants, and lieutenants contributed information about when cameras were actually being used, how camera equipment was used, the pros and cons about using the camera system, their approach to a new policy, and "out-of-the-box" suggestions for improving the OBCS. Moreover, they gave their opinions, regarding the review of video footage, realistic policies, auditing cameras usage, the benefits of OBCS, the impact of OBCS on officer performance, and police transparency.

Table 1. Percent and number of calls for service with video and percent and total number of calls for service by call types

Call Type	Percent of Calls for service with Video	Number of Calls for service with Video	Percent of Calls for service	Total Number of Calls for service
Auto Theft	70.2%	3,954	1.4%	5,630
DWI	69.5%	787	0.3%	1,133
Drugs	61.7%	451	0.2%	731
Other*	45.2%	24,388	13.7%	53,998
Properly	73.2%	22,267	7.7%	30,434
Public Order	61.0%	117,723	48.9%	192,911
Sex	64.1%	752	0.3%	1,174
Traffic	66.9%	56,118	21.3%	83,942
Violent	83.2%	18,210	5.6%	21,885
Weapons	34.5%	905	0.7%	2,626
Total	62.3%	245,555	100.0%	394,464

highest priority calls for service compared to lower priority calls for service. Specifically, we found 75.6% of priority 1 calls for service had video within the duration on scene, 63.7% for priority 2, and 52.4% for priority 3.

Table 1 presents the percent of call types with video within the call for services, the percent with video during the call for service for each type of call, the number of calls for service with video, the percent of calls for service, and the total number of calls for service. We found weapons calls for service (34.5%) displayed the lowest percent and violent calls for service (83.2%) had the highest percent with video. The public order calls accounted for 48.9% of all calls for service, traffic calls accounted for 21.3%, and other calls accounted for 13.7% of all calls. Together these calls accounted for 83.9% of all calls. The other call type accounted for the third highest percent of calls (13.7%) and the second lowest percent of calls matched with video (45.2%).

Focus Groups

Without exception participants whether they were patrol officers, sergeants, or lieutenants recognized that on body camera systems have become a regular piece of their police equipment.

Focus group participants supported the use of a camera system. This support varied among officers and the support was often tempered by a large variety of concerns. These concerns included reliability of the technology, how the video is released to and used by the media, how the video is used by the local court system, the current policy, privacy concerns, the current situation in the department regarding the settlement agreement with the federal Department of Justice, and morale.

There was variation in how officers noted they use their camera systems. This included the type of calls and situations in which they use their systems, when they turn on and turn off their camera systems during calls/situations, and what they video record. Despite this variation, there was general agreement that certain types of calls and situations should be routinely recorded.

The use of OBCSs in the Investigative Bureau (IB) are currently used in a more limited fashion and were seen as having a more limited use compared to use by uniform officers. This is primarily a function of the difference in how IB officers perform their job, their more limited contacts with citizens, and the variety of camera systems they use.

Participants almost unanimously, whether they were patrol officers, sergeants or lieutenants noted a policy should include mandatory aspects and discretionary aspects. Mandatory aspects centered on types of calls and situations. This included traffic calls, use of force situations, contacts that might lead to an arrest, warrant situations, violent crimes, and domestic disputes. Discretionary aspects were

more complicated and nuanced. Discretionary aspects not only included types of calls and situations (i.e. alarm call, commercial burglaries, and residential burglaries where the citizen is the only contact). Participants related incidents when they could not continue interviews because another agency, i.e., the Fire Department, asked the officer to leave since they were videotaping. Additionally, participants noted that since using camera they are more likely to write a citation for minor violations. Prior to the cameras participants noted they at times gave warnings for minor infractions and released the individual.

Participants also noted privacy issues regarding the use of camera systems. This includes places where there may be a greater expectation of privacy such as a person's home, the recording of juveniles, the recording of situations where there is no crime involved, and the recording of victims and witnesses.

In regard to future policy, participants in every focus group mentioned the previous APD belt tape/digital policy. This policy generally listed types of calls, contacts and situations (i.e. resisting arrest, disorderly conduct arrests, refusing to obey an officer arrests, search warrants, domestic violence calls, and contacts where there is reason to believe a complaint could result). Participants also suggested any future policy should cover the release of video, the use of video both in the department and outside of the department (i.e., the media and the courts), the technology, training on the equipment, and monitoring the policy. Responses regarding future OBCS policy prompted one distinctive idea. The suggestion was made for a "split policy." This term describes the suggestion that FSB officers would have an OBCS policy and IB officers would have an OBCS policy.

It was suggested that reviewing camera footage be used as not only a way to monitor officer performance, but also to monitor policy efficiency. Participants suggested that minor acts of misconduct not be the focus when reviewing footage, such as occasional vulgar language, especially when the act is unrelated to the reason for review. Participants also suggested that identifying the cause of recurring problems through reviewing camera footage could allow for proactive solutions, such as refresher trainings. Participants expressed that training would be

useful and currently there is a lack of training.

Generally participants agreed there are a variety of problems with the technology regarding the camera systems. This included upload times from the cameras to the cloud based website. According to participants it is often necessary to upload video during their off hours from their homes using their personal internet connections. Participants also noted the equipment sometimes malfunctions or breaks.

The release of video to the media was a large concern of participants. Participants noted video is released too quickly and readily to the media and there should be limitations. Suggestions included not releasing video while a court case was active.

Focus group participants discussed the impact of the court system on the camera systems. The discussion included how the lack of video can lead to dismissal of cases, how this impacts officers and morale, whether the lack of video should result in the dismissal of cases, and reasons for the lack of video.

Recommendations

We recommend the policy not mandate the camera system be used for every citizen contact. A policy mandating the videoing recording of all citizen contacts is not practical, or auditable. The policy should note when officers are prohibited from using their camera systems.

APD's OBCS policy should be comprehensive and allow for flexibility as the use of OBCS and technology changes. OBCS users as well as police administrators, and other criminal justice system stakeholders, need to have clear and consistent guidelines. The policy should also account for differences in how the system is used by various units. Specifically, FSB and IB officers use their camera systems differently and have somewhat varied needs. These differences need to be better understood and accounted for in policy.

The release of camera system video to the news media should be in policy. The manner in which local and state law provide for the release and decline of public records request needs to be fully explored and considered in the policy. Additionally, APD should have a policy that deals with the provision of camera system video to the local court system. The City of Albuquerque and the APD should work with the District Attorney, the Second Judicial District Court, and Public Defender to more completely study the impact of camera system video on court cases in the court system. Additionally, the City of Albuquerque, the Albuquerque Police Department and stakeholders in the local criminal justice system should develop a policy regarding how video is shared, when video is needed in court cases, how video is used in court cases, and how to deal with missing video.

To reduce the number of occasions users are not able to use their camera system because of broken or missing equipment, some type of malfunction, or any other reason we believe it would be useful to provide officers two complete systems. We believe this will also help with the issue of uploading data to the website.

OBCS users should receive regular and routine training on the use of their camera systems. This training should include new

and refresher training on the technology and a component on the benefits of the camera systems for law enforcement and the public.

APD should consider incorporating camera system videos into training that emphasizes the proper use of the camera systems in specific situations that are aligned with the policy.

The policy should take into account privacy issues regarding the video recording of citizens in situations and places where there is a consideration of privacy.

Via the focus groups we believe officers have changed how they interact with the public. The policy should account for casual encounters with members of the public.

APD should fully implement a method to document the video reviewed, the purpose of the review, and the result of the review. This method should be clear, consistent, and flexible.

The policy should include consistent and clear guidelines and language regarding missing video when video is mandated. A progressive method to deal with officers who consistently violate the policy should be developed.

Clear guidelines on how the policy will be monitored should be established. The policy must be flexible and include a system designed to improve compliance without relying on progressive discipline to enforce compliance. Focus group participants noted the policy could include educational aspects that would allow supervisors to instruct officers on minor acts of misconduct that are not part of the original purpose of reviewing the video. Rather, videos could be used as an opportunity to improve officer performance.

APD should consider using camera system data as part of an early warning system. Some participants suggested a few officers will not follow the policy for various reasons and often this is a symptom of a larger problem. APD should consider engaging an outside group to monitor the policy. The monitoring of the policy should be on-going, routine, and systematic.

The use of on-body camera systems is a complicated matter and this complexity should not be minimized. A clear and concise policy that can be routinely monitored is necessary. 🍌

About The Institute for Social Research

The Institute for Social Research is a research unit at the University of New Mexico. ISR conducts high quality research on local, state, national, and international subjects. Critical issues with which the Institute works includes traffic safety, DWI, crime, substance abuse treatment, education, and health care.