

**CIVILIAN POLICE OVERSIGHT AGENCY BOARD
POLICY AND PROCEDURE REVIEW SUBCOMMITTEE**

Dr. William Kass - Chair

Tara Armijo-Prewitt

Eric Olivas

Edward Harness, CPOA Executive Director

**Thursday, April 1, 2021 at 4:30 p.m.
By Video Conference**

Members Present:

Dr. William Kass

Eric Olivas

Members Absent:

Tara Armijo-Prewitt

Others Present

Ed Harness, CPOA

Valerie Barela, CPOA

Ali Abbasi, CPOA

Deputy Cdr. Sean Waite, APD

Patricia Serna, APD

Tanya LaForce, APD

Kelly Mensah, CPC

Wanda Harrison, CPC

Minutes

- I. Welcome and Call to Order:** Chair Dr. Kass called to order the Policy and Procedure Review Subcommittee meeting at 4:32 p.m.
- II. Approval of the Agenda**
- a. Agenda approved.
- III. Approval of the Minutes from March 4, 2021**
- a. Minutes from March 4, 2021 approved.
- IV. Discussion Items:**
- a. **Policies presented at Policy and Procedure Unit (Formerly OPA)**
- March 10, 2021**
1. SOP 1-12 Volunteer and Internship Programs
 2. SOP 1-54 (Formerly 4-2) Honor Guard Team
 3. SOP 2-14 Use of Cell-Site Simulator Technology
 4. SOP 2-15 Small Unmanned Aircraft Systems (SUAS) Operations
 5. SOP 2-27 Rescue Task Force (For Deletion/Archival)

- i. Chair Dr. Kass reported on the policies presented at the March 10, 2021 Policy and Procedure Unit (formerly OPA) meeting.

b. Policies reviewed at PPRB March 17, 2021

1. SOP 1-50 Gun Violence Reduction Unit - Advanced (*see attached*)
2. SOP 2-64 Violence Intervention Program Custom Notification Deliveries – Advanced (*see attached*)
3. SOP 2-36 Police Press Relations and Release of Police ID Photographs – Advanced (*see attached*)
4. SOP 3-33 Performance Evaluation and Management System – Tabled at PPRB
 - i. Chair Dr. Kass reported on the following policies reviewed at the PPRB March 17, 2021 meeting to include SOP 1-50, SOP 2-64, SOP 2-36 and SOP 3-33.
 - ii. The Policy and Procedure subcommittee did not have any recommendations for SOP 1-50, SOP 2-64 or SOP 2-36 at this time.
 - iii. The Policy and Procedure subcommittee recommends to submit a “No Recommendation” recommendation for SOP 1-50, SOP 2-64 or SOP 2-36 to the Policy and Procedure Unit (formerly OPA) and will present it at next regularly scheduled CPOA Board meeting for approval.

c. Policy and Procedure Identified SOP's

1. SOP 3-52 Policy Development Process – Status update
 - i. Deputy Commander Sean Waite, APD provided a status update on SOP 3-52 and is waiting on City Legal to move forward with the policy.
 - ii. Ali Abbasi, CPOA Analyst mentioned a request he received by Policy and Procedure Unit (formerly OPA) to notify them when the CPOA Board does not have any recommendations on a policy during the 30-day review period.

- iii. The Policy and Procedure subcommittee discussed possible options on the process and recommends to move a written proposal on a submission process for “No Recommendation” recommendations to the Policy and Procedure Unit (formerly OPA) related to PPRB advanced policies to the next regularly scheduled CPOA Board meeting for approval.

V. Other business

- a. Kelly Mensah, CPC Liaison inquired into the policy recommendation process for the Community Policing Councils and Patricia Serna with APD’s Policy and Procedure Unit (Formerly OPA) provided Mr. Mensah with weblinks to utilize for submission of CPC recommendations.
- b. Chair Dr. Kass mentioned SOP 1-27 Cold Case Unit and provided an update on the policy.

VI. Next meeting May 6, 2021 at 4:30 p.m.

VII. Adjournment

- a. The meeting adjourned at 5:24 p.m.

APPROVED:



Dr. William Kass, Chair
Policy and Procedure Review Subcommittee

May 6, 2021

Date

CC: Julian Moya, City Council Staff
Ethan Watson, City Clerk
Cynthia Borrego, City Council President (via email)

Minutes drafted and submitted by:
Valerie Barela, Administrative Assistant

Attachments



1-50 GUN VIOLENCE REDUCTION UNIT

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

A. Related SOP(s)

- 2-64 Violence Intervention Program (VIP) Custom Notification Deliveries
- 2-70 Execution of Search Warrants
- 2-91 Investigation of Violent Crimes
- 5-1 Special Investigations Division (SID)

B. Form(s)

PD 3109 Pre-Planned Search Warrant Risk Assessment Matrix

C. Other Resource(s)

Gun Violence Reduction Unit (GVRU) Handbook

D. Rescinded Special Order(s)

None

1-50-1 Purpose

The purpose of this policy is to establish the duties, functions, and responsibilities of the Gun Violence Reduction Unit (GVRU) that is assigned to the Investigative Services Division (ISD), as well as outline the training requirements for GVRU sworn personnel. The GVRU assists all Field Services Bureau (FSB) personnel with all follow-up investigations on aggravated batteries involving a firearm, with bullet to skin contact.

1-50-2 Policy

It is the policy of the Albuquerque Police Department (Department) for GVRU sworn personnel to be responsible for the investigation of crimes that involve a firearm, in which a victim is struck by gunfire. It is also the policy for GVRU sworn personnel to conduct a thorough investigation, in order to successfully identify, locate, and apprehend criminal suspects driving gun violence.

N/A 1-50-3 Definitions

A. Life-threatening Injury

Any injury that involves serious physical harm that may result in significant or permanent disfigurement or the loss of a major bodily organ or function, including, but not limited to, the loss of a limb, paralysis, or the loss of eyesight; that may necessitate medical or surgical intervention to prevent permanent impairment; that could



potentially cause a significant reduction in the quality of life; or that has the likelihood of causing death.

B. Serious Crimes Call-Out

A serious crimes call-out is generated when an individual sustains a life-threatening injury.

7 1-50-4 Rules, Responsibilities, and Procedures

A. Investigations

1. GVRU sworn personnel shall:

- a. Investigate all aggravated batteries involving a firearm, with bullet to skin contact, except for:
 - i. Homicides;
 - ii. Shootings completed in the commission of a robbery; and
 - iii. Shootings involving domestic violence;
- b. Investigate all shootings in which an individual accidentally shot themselves;
- c. Conduct investigations with the purpose of successfully apprehending individuals who engage in gun violence. These individuals are identified as drivers of gun violence in the City of Albuquerque through open source information, data gathered by the Department, and law enforcement databases. Investigations shall be determined by:
 - i. Self-initiated investigations;
 - ii. Surveillance;
 - iii. Utilization of confidential informants;
 - iv. Department units; and
 - v. Outside agencies.
- d. Work closely with the District Attorney's Office (DA) to assist with investigations of criminal suspects identified by DA Special Agents; and
- e. Confer with Violence Intervention Program (VIP) personnel on investigations regarding individuals who may benefit from a VIP Custom Notification (VIP CN), consistent with SOP Violence Intervention Program (VIP) Custom Notification Deliveries.

2. Investigations shall be prioritized based on:

- a. Injuries;
- b. Criminal history;
- c. The propensity of violence;
- d. Gang affiliation; and
- e. Referrals from the DA.

- 6**
3. GVRU sworn personnel shall be prohibited from providing tactical responses to critical situations where a specialized tactical unit is required.



a. When GVRU sworn personnel must execute a pre-planned search warrant, they shall complete the Form Pre-Planned Search Warrant Risk Assessment Matrix.

4. GVRU sworn personnel shall be on-call for:

- a. Any call-outs related to aggravated batteries involving a firearm, with bullet to skin contact; and
- b. Serious crimes call-outs, consistent with SOP Investigation of Violent Crimes.

7 1-50-5 Training

A. The immediate supervisor for any sworn personnel in the unit GVRU shall ensure they complete:

~~A.1. Complete GVRU sworn personnel shall on~~ Complete new personnel orientation training within thirty (30) days of transferring into GVRU.

~~B.2. Complete GVRU sworn personnel shall on~~ Complete the required training, as deemed necessary by the GVRU supervisor, and consistent with the Gun Violence Reduction Unit (GVRU) Handbook; and.

~~C.3. GVRU sworn personnel shall on~~ Complete and maintain all specialized training, as deemed necessary by the ISD Commander.



2-64 VIOLENCE INTERVENTION PROGRAM (VIP) CUSTOM NOTIFICATION DELIVERIES

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

A. Related SOP(s)

None

B. Form(s)

None

C. Other Resource(s)

Violence Intervention Program (VIP) Demonstration Action – Call-In
Violence Intervention Program (VIP) Handbook

D. Rescinded Special Order(s)

None

2-64-1 Purpose

The purpose of this policy is to establish requirements when making contact with candidates identified by Violence Intervention Program (VIP) personnel, and to establish requirements for the delivery of a personalized gun violence intervention message, which is intended to reduce the likelihood of the candidate becoming a victim or perpetrator of gun violence.

2-64-2 Policy

It is the policy of the Albuquerque Police Department (Department) to seek out and directly communicate with individuals who are impacted by gun violence through a partnership of law enforcement, social service providers, and community stakeholders. Custom Notifications (CN) are primarily intended to be delivered to victims of gun violence, witnesses of gun violence, or individuals who have been associated with drivers of gun violence. The CN is comprised of three components: the community moral message explaining that the community wants them safe; the law enforcement message explaining the penalties; and the social services that extend resources.

2-64-3 Definitions

A. Focused Deterrence

Identifies individuals most likely to commit violent gun-involved crimes, offers them the authentic opportunity to change their behavior before violence occurs, and intervenes with severe prosecution if there is further violence.



B. Group/Gun Violence Intervention (GVI)

An intervention that seeks to reduce violence quickly and dramatically by influencing the behavior of groups or individuals identified to be drivers of gun violence. The GVI framework establishes direct communication with identified groups or individuals by a partnership of law enforcement, service providers, and community members.

C. Gun Violence Information Sharing (GVIS)

A meeting that is held between Department personnel and multi-agency law enforcement public safety partners that focuses on shooting with injury reviews, identifying groups and individuals that drive gun crimes, and intervention and enforcement strategies.

D. Influencer

A person who has a strong, influential relationship with a victim or perpetrator of gun violence, including but not limited to a spouse, parent, grandparent, or guardian.

E. Violence Intervention Program (VIP) Custom Notification (VIP CN) Delivery

An organized delivery of the gun violence intervention message to a high-risk individual, identified driver of violent crime, and/or gang/group member. These encounters/interactions are consensual and can be terminated by the individual at any time during the delivery.

F. Violence Intervention Program (VIP) Law Enforcement Lead

The Deputy Chief of the Investigative Bureau and/or their designee who is responsible for the law enforcement delivery of the VIP CN.

G. Violence Intervention Program (VIP) Program Manager

Department employee who is responsible for nurturing and maintaining the VIP partnership, coordinating among independent agencies and departments, and otherwise ensuring that the implementation goes smoothly by adding capacity where it is needed and engaging in collaborative problem solving.

2-64-4 Procedures for VIP CN Deliveries for Adults

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A. To be identified as a VIP CN candidate, Department personnel working with the VIP shall determine the candidate was:

1. A victim of a shooting;
2. Is an associate or influencer of an individual involved in a shooting;



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-64

CPOAB Draft 03/18/2021

3. A group member or individual identified during GVIS or shooting link analysis as connected to gun violence or potential gun violence; and
 4. Referred from Department personnel; an outside law enforcement agency the District Attorney's Office; or from outreach, faith- or community-based coalition team members.
- B. An individual who has pending charges for a crime involving a gun is ineligible for a VIP CN delivery.

7 C. Preparation for a VIP CN Delivery

1. When a VIP CN candidate is identified, the VIP Law Enforcement Lead shall:
 - a. Ensure a threat assessment and background check is completed on the candidate;
 - b. Draft a personalized VIP letter, when applicable or warranted, advising of the penalties specific to that candidate if they choose to be involved in a violent crime;
 - c. Coordinate the law enforcement personnel who shall deliver the VIP CN; and
 - d. Ensure that the identified law enforcement personnel delivering the VIP CN shall coordinate with the social services component of VIP for a collaborative VIP CN delivery.

7 D. Delivery of the VIP CN

1. Sworn personnel who are responsible for delivering a VIP CN shall:
 - a. Advise the Emergency Communications Center (ECC) or create a call for service through the Computer-Aided Dispatch (CAD);
 - b. Notate in the CAD the VIP CN candidate's location and identity;
 - c. Contact the VIP CN candidate to establish that the contact is a consensual meeting;
 - i. If the VIP CN candidate refuses to communicate with Department personnel or asks Department personnel to leave the property/residence, regardless of whether the VIP CN successfully has been delivered or not, Department personnel shall immediately leave the property/residence, terminating the consensual encounter.
 - d. Present the VIP letter, and deliver the GVI message; and
 - e. Remain on-scene to ensure the social services component of VIP successfully delivers their message and resources, if feasible.
2. Department personnel may present the VIP letter, and deliver the GVI message to a family member, influencer, or associate of the VIP candidate.

7 E. After-Action for a VIP CN Delivery



1. Department personnel shall advise the ECC of the outcome of the VIP CN delivery, and the results shall be noted in the Computer-Aided Dispatch (CAD) report.
2. The VIP Law Enforcement Lead shall ensure the VIP CN delivery is recorded in the VIP record management database.

2-64-5 Procedures for VIP CN Deliveries for Juveniles

A. To be identified as a VIP CN candidate who is a juvenile seventeen (17) years of age or younger, Department personnel working with VIP personnel shall determine the candidate was:

1. A victim of a shooting;
2. Is an associate of an individual involved in a shooting;
3. A driver of gun violence;
4. A group member or individual identified during GVIS or shooting link analysis as connected to gun violence or potential gun violence; and
5. Referred from Department personnel; an outside law enforcement agency; the District Attorney's Office; or from outreach, or faith- or community-based coalition team members.

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B. Preparation for a VIP CN Delivery

1. When a VIP CN candidate who is a juvenile is identified, the VIP Law Enforcement Lead shall:
 - a. Ensure a threat assessment and background check is completed on the candidate;
 - b. Contact the Juvenile Probation Office (JPO) to determine whether the juvenile is on probation and consider whether a VIP CN shall be delivered. This is determined by Juvenile Probation and/or Community Custody. Determination is made based on the consent of the parent/guardian and other factors Juvenile Probation has identified that may contribute to the success of the VIP CN;
 - c. If it is determined that a VIP CN shall be delivered, draft a personalized VIP letter advising the future legal penalties specific to that candidate, if they choose to be involved in a violent crime;
 - d. Coordinate the law enforcement personnel who shall deliver the VIP CN;
 - e. Ensure that the identified law enforcement personnel delivering the VIP CN shall coordinate with the social services component of VIP for a collaborative VIP CN delivery; and
 - f. The juvenile's parent or guardian must be present during the VIP CN delivery.



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C. Delivery of the VIP CN

1. Department personnel assigned to the VIP CN delivery shall:
 - a. Advise the ECC of the location of the VIP CN, the members of the VIP team delivering the VIP CN, and the identity of the VIP candidate;
 - b. Contact the VIP candidate and confirm that the VIP Department personnel, sworn personnel and social services, has their permission to talk with the candidate;
 - c. If the candidate consents to speak with VIP, present the VIP letter, and deliver the GVI message; and
 - d. Remain on-scene to ensure the social services component of VIP successfully delivers their message and resources, if feasible.
2. Department personnel may present the VIP letter, and deliver the GVI message to a family member, influencer, or associate of the VIP candidate.

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D. After-Action for a VIP CN Delivery

1. Department personnel shall advise the ECC of the outcome of the VIP CN delivery, and the results shall be noted in the Computer-Aided Dispatch (CAD) report.
2. The VIP Law Enforcement Lead shall ensure the VIP CN delivery is recorded in the VIP record management database.

2-64-6 Procedures for Identifying Sworn Personnel to Deliver VIP Custom Notifications

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- A. Command-level personnel are encouraged to deliver VIP CN's; however, any sworn personnel may deliver a VIP CN as long as the following requirements have been met:**
1. The officer has attended a Department-recognized training or workshop on Custom Notifications; and
 2. The officer has accompanied the VIP Law Enforcement Lead on a VIP CN delivery.



2-36 _____ POLICE PRESS RELATIONS AND RELEASE OF POLICE
_____ IDENTIFICATION PHOTOGRAPHS

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

A. Related SOP(s):

- 1-1 Personnel Code of Conduct
- 1-2 Social Media
- 2-33 Rights and Safety of Onlookers
- ~~1-1 Personnel Code of Conduct~~ None

B. Form(s)

~~PD 1010 Ride-Along Media Agreement~~ Media/Photographer Ride Along Agreement

C. Other Resource(s)

New Mexico Inspection of Public Records Act (IPRA)

D. Rescinded Special Order(s)

None

2-36-1 _____ Purpose

The purpose of this policy is to outline the rules and responsibilities that support the Albuquerque Police Department's (Department)'s commitment to the accurate and transparent dissemination of public information.

2-36-2 _____ Policy

It is the policy of the ~~Albuquerque Police Department~~ (Department) to work with the news outlets ~~media~~ to inform the public about its efforts to ~~the work of its officers sworn personnel~~ and efforts to keep the community safe.

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2-36-3 _____ Definitions

A. Communications Specialist

A civilian employee who oversees all external communications meant to inform the public.

~~A civilian employee who serves as a liaison between the Department and the news outlet/media.~~

B. A. Director of Communications



A civilian employee who serves as a liaison between the Department and the news outlets.

~~1. The Director of Communications is a civilian employee who oversees all external communications meant to inform the public.~~

C. ~~_____~~ B. Public Information Officer (PIO)

~~A1. The PIO may be sworn or non-sworn personnel, a sworn officer, employee or civilian employee (Communications Specialist) of the Department.~~

~~2. The PIO who serves as a liaison between the Department and the news outlets/media.~~

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2-36-4 Rules and Responsibilities

A. ~~Supervisors~~ The Director of Communications shall:

1. ~~Initial and routine news media contacts will be handled by the on scene supervisor highest ranking or designated supervisor/investigator at the scene of an incident, when possible. Coordinates with the Communications Specialist/PIO to provide responses to the news media outlets.~~

{N/

2. Coordinates with the Chief of Police, command staff, and subject matter experts on external communication about policy, personnel, and Department priorities; and the supervisor will furnish statements to the PIO and news media to inform them of initial factual information about the incident.

{N/A

~~3. Serves as the on-call Communications Specialist/PIO when necessary. Supervisors will immediately notify the PIO or on-call PIO on their release of information to the media and on all newsworthy events.~~

4. Supervisors will be responsible for immediately reporting all media contacts to the PIO through their Chain of Command up to their respective Deputy Chief.

~~5.3. Routine news media information such as traffic accidents, simple assaults, and batteries can be handled by the on scene supervisor.~~

B. The Communications Specialist/PIO or Communication Specialist shall:

~~Pre-arranged law enforcement activities and the media/photographers:~~

~~a. With the permission of the Chief, members of the media will be allowed to participate in ride-alongs.~~



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-36

CPOAB Draft 03/18/2021

~~b. A Department Ride-Along Request must be completed.~~

~~1. Supervisors: All Department employees (sworn and civilian) will not discuss or disseminate information to the media on incidents that they have no direct knowledge of or when their personnel are not involved. If the incident is of a serious nature, the matter will be referred to the PIO or Chiefs Office, appropriate Commander or Deputy Chief. Coordinates with the Director of Communications to provide initial and routine responses to the news outlets; media, which may include information about police responses to incidents;~~

~~2. Serve as the on-call Communications Specialist/PIO who is contacted through the Emergency Communications Center (ECC) about major incidents that may require the dissemination of public information through the news outlets; media; and~~

~~2. The PIO shall Contact the appropriate supervisor prior to releasing information pertaining to an on-going police incident or investigation.~~

~~3. Inquiries involving Department Policy will be referred to the appropriate Deputy Chief/Policy Manager of the Compliance Bureau.~~

~~B. Personnel~~

~~1. Personnel will not discuss or disseminate information to the media without specific authorization from a supervisor and/or PIO.~~

~~2.3. All civilian supervisors will refer news media contacts to their division commander.~~

~~C. SSupervisors shall inform their chain of command of news mediaoutlet inquiries, and actions taken with the Communications Specialist/PIO or Director of Communications to respond to inquiries.~~

~~D. On-scene supervisors shall:~~

~~1. COn scene supervisors shall coordinate with the on-call Communications Specialist/PIO and/or the Director of Communications to determine a response to news outlet-media inquiries; and~~

~~2. POn scene supervisors shall provide facts and details about and incident when contacted by the Communications Specialist/PIO and/or the Communications Director of Communications. On-sScene supervisors and/or their supervisors are responsible for determining whether details of an incident can be released to the public.~~

~~Supervisors shall inform their chain of command of media inquiries, and actions taken with the PIO or Director of Communications to respond to inquiries.~~

~~E. Release of Police Identification Photographs~~

~~c. The rRelease of Department personnel photographse shall be at the discretion of the Chief of Police and consistent with the New Mexico Inspection of Public Records Act. Release of Police Identification Photographs~~



~~Release of any Department employee photo will be at the discretion of the Police Chief~~

F. Media (and Public) Access to Crime Scenes and Critical Incidents

1. Department pPersonnel shall not discuss or disseminate information to the news outletsmedia without specific authorization from a supervisor and/or PIO, as consistent with SOP 4-4 Personnel Code of Conduct and SOP Social Media.

~~D. Department~~

2. pPersonnel shall ensure the news outletmedia representatives respects the established perimeters of the scene. e and shall not prohibit news gatheringnews gathering practices outside the
3. Department pPersonnel shall not prohibit news gathering practices outside the established perimeters, consistent with SOP Rights and Safety of Onlookers.
4. If a conflict arises regarding the location of the news outletmedia, the on-scene supervisor and/or Incident Commander (IC) shall have authority to resolve the conflict with the news outlet. The supervisor and/or incident commanderIC may contact the PIO, for assistance to resolve the conflict with the news outletnews.
5. The ICIncident Commander or PIO may grant the news outletsmedia closer access with approval of the Incident CommanderIC as long as it does not interfere with law enforcement operations.

~~1. The Incident CommanderIC shall establish perimeters.~~

~~a. If a conflict arises regarding the location of the media, personnel will notify an on-duty supervisor, who will be responsible for resolving the conflict with the media representative on scene.~~

~~b. If the responding supervisor is unable to resolve the conflict, The on scene supervisor will contact the PIO, who will be responsible for resolving the conflict with the news director of the affected media outlet.~~

~~2. The Incident Commander or PIO (with approval of the Incident Commander) may grant closer access to the media to the degree that it does not interfere with law enforcement operations.~~

~~3. The Incident Commander shall establish a news outletmedia briefing staging area and ensure the PIO is informed from the PIO.~~

~~6.~~

~~4.7. The PIO shall work in cooperation with the news outletsmedia to ensure live broadcasts do not disclose information that could endangering law enforcement personnel or, police tactics, or the general public.~~



E.G. Media Ride-Alongs

1. ~~Members of the media will only be allowed to participate in ride-alongs at the permission of the Chief of Police.~~ Requests for media ride-alongs must shall first be approved by the Director of Communications.
 - a. The request shall then be approved by the Deputy Chief.
2. ~~The person requesting a ride-along shall~~ must complete the Department Form Media/Photographer Ride Along Agreement ~~mm must be completed.~~
~~2. (PD 1010 Ride-Along Media Agreement)~~

F.H. Multi-Agency/Multi-Jurisdictional Investigations

1. The lead investigative agency ~~is responsible~~ will ~~shall~~ for providing or coordinating the release of public information.
2. The Communications Specialist/PIO or designee for the lead agency sh will share information with all involved agencies prior to release.

REVIEW