



# Force Review Board

**CHIEF'S  
REPORT**  
(P78F)

MARCH 25, 2021

TIME: 1002 TO 1201  
HOURS

APD HEADQUARTERS - CHIEF'S  
CONFERENCE ROOM (VIA  
TELECONFERENCE)

- FRB CHAIR**  
(P78) DCOP [REDACTED] (Management Services and Support Bureau) – via teleconference
- VOTING MEMBERS**  
(P78) DCOP [REDACTED] (Special Operations Bureau) – via teleconference  
DCOP [REDACTED] (Investigative Bureau) – via teleconference  
DCOP [REDACTED] (Field Services Bureau) – via teleconference  
Commander [REDACTED] (Valley Area Command) – via teleconference  
Lieutenant [REDACTED] (Training Academy) – via teleconference  
Judge Rod Kennedy (Legal) – via teleconference  
Lindsay Van Meter (City Legal) – via teleconference  
Edward Harness (CPOA Director) – via teleconference
- NON-VOTING MEMBERS**  
(P78) Lieutenant [REDACTED] (FRB Admin Personnel/IAFD) – via teleconference  
Julie Jaramillo (FRB Admin Personnel/AOD) – via teleconference  
A/ DCOP [REDACTED] (IAFD) – via teleconference  
A/Commander [REDACTED] (SOD) – via teleconference  
Lieutenant [REDACTED] (CIT) – via teleconference
- REPRESENTATIVES** A/ Lieutenant [REDACTED] (IAFD) – via teleconference  
Detective [REDACTED] (IAFD) – via teleconference  
Detective [REDACTED] (IAFD) – via teleconference  
Patricia Serna (OPA) – via teleconference  
Detective [REDACTED] (Presenter / IAFD) – via teleconference  
Commander [REDACTED] (CID) – via teleconference  
A/ Deputy Commander [REDACTED] (TDY – IAFD) – via teleconference  
A/ Deputy Commander [REDACTED] (TDY – IAFD) – via teleconference  
A/ Deputy Commander [REDACTED] (TDY – IAFD) – via teleconference
- OBSERVERS**  
(P78b) Sergeant [REDACTED] (IAFD) – via teleconference  
Detective [REDACTED] (IAFD) – via teleconference  
Elizabeth Martinez (USDOJ) – via teleconference  
Corey Sanders (USDOJ) – via teleconference  
Stephen Ryals (USDOJ) – via teleconference  
Yvonne Demmeritte (USDOJ) – via teleconference  
Phillip Coyne (IMT) – via teleconference

PREVIOUS MINUTES March 18, 2021

UNFINISHED BUSINESS • None

REFERRAL RESPONSE(S)					
CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS

20-0007881	9/17/2020	The Training Academy will create and conduct refresher training regarding the good faith exception and how it is addressed in NM along with applicable case law and officers articulating their known facts regarding search and seizure.	A/ Commander [REDACTED]	Sergeant [REDACTED] provided a memo requesting an extension to April 18, 2021.	Update due April 18, 2021
20-0010100	10/29/2020	The Training Academy will provide Officer [REDACTED] de-escalation tactics training, which may be facilitated by the Crisis Intervention Unit (CIU).	Lieutenant [REDACTED]	Sergeant [REDACTED] advised this training is completed.	Closed
20-0007132	12/10/2020	Commander [REDACTED] will create a task force to study best practices for communication between dispatch, specialized units, and field services during a critical incident.	Commander [REDACTED]	Commander [REDACTED] provided an update March 24, 2021; however, it was not provided to the board in time for review.	Update due March 31, 2021
20-0038551	1/14/2021	The Policy and Procedure Unit will assess whether deployment of a 40mm round through a window and/or portals should be considered a use of force. Additional assessment as to whether an explosive breach of a building should be classified as a use of force.	Policy and Procedure Manager Patricia Serna	Policy and Procedure Manager Patricia Serna provided a memo requesting an extension to April 7, 2021.	Update due April 7, 2021
Quarterly Report	1/21/2021	The Training Academy will create a video, which will define cruiser carry and provide a reminder of the proper manipulation of a rifle.	Lieutenant [REDACTED]	Sergeant [REDACTED] completed a memo advising the video is completed.	Closed

CASE #: 20-0024693      DATE OF INCIDENT: MARCH 18, 2020      LOCATION: [REDACTED]      TIMES: DISPATCH / ON SITE: 1948 HOURS

TYPE: LEVEL 3 (P78)

CASE PRESENTER		DETECTIVE [REDACTED]				
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> NOT APPLICABLE				
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?		<input type="checkbox"/> LEAD INVESTIGATOR NO LONGER IN UNIT <input type="checkbox"/> LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT <input type="checkbox"/> LEAD INVESTIGATOR WAS CASE PRESENTER <input checked="" type="checkbox"/> FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME <input type="checkbox"/> NOT AN IAFD PRESENTATION				
INJURIES SUSTAINED		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
DAMAGE TO PROPERTY		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? <small>(IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE" TO BE ANSWERED "YES".)</small>		FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT  ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT  INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT  TRAINING ACADEMY REPRESENTATIVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT  FIELD SERVICES COMMANDER REPRESENTATIVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT				
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:				
(P78d)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSSES
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<u>FOR TACTICAL ACTIVATIONS ONLY:</u> WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<u>FOR TACTICAL ACTIVATIONS ONLY:</u> ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P75a)
MAJORITY VOTE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78)
MAJORITY VOTE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT AN IAFD INVESTIGATION
DISCUSSION	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DISCUSSION TOPICS	<p>1. WERE ANY OF THE OFFICERS ON SCENE ECIT CERTIFIED?</p> <p>A. YES, OFFICER [REDACTED] IS ECIT. NOT ADVISED ON CAD DUE TO THIS PRACTICE BEING IMPLEMENTED AFTER THE DATE OF THIS INCIDENT</p>

2. ARE THERE ANY CONCERNS WITH OFFICERS PLACING THE INDIVIDUAL IN HANDCUFFS RIGHT AWAY?
  - A. DUE TO THE INFORMATION PROVIDED ON THE CALL (E.G. INDIVIDUAL "RAGGING", INTOXICATED, SUICIDAL, ETC.) RESPONSE WOULD BE APPROPRIATE.
  - B. UTILIZING ECIT SKILLS WHEN AN INDIVIDUAL IS AS INTOXICATED AS THIS INDIVIDUAL WAS, REPEATING INFORMATION TO THE PERSON IS THE ONLY THING THEY CAN DO.
  - C. IMPROVEMENT COULD BE TO BE TRANSPARENT WITH AN INDIVIDUAL AS TO WHAT ACTIONS THE OFFICER IS PLANNING DURING THE INCIDENT.
  - D. COMMENDED OFFICERS FOR FOCUSING ON THE MENTAL HEALTH ASPECT OVER THE CIVILIAN'S SUGGESTION TO ARREST THE INDIVIDUAL ON DISORDERLY CONDUCT.
3. WAS TAKING THE INDIVIDUAL TO THE UNIT THE BEST CHOICE?
  - A. YES, DUE TO HIS BEHAVIOR IT WAS THE BEST DECISION TO GET HIM OUT OF THE SITUATION AND AWAY FROM OTHERS.
4. WOULD IT HAVE HELPED THE SITUATION IF THE OFFICERS WOULD HAVE TOLD THE INDIVIDUAL THEIR PLANS?
  - A. THE OFFICERS DID NOT KNOW THE INDIVIDUAL'S HISTORY PRIOR TO CONTACT SO THEY WERE MAKING THE DECISIONS ON SCENE.
5. CONCERNS OVER THE OFFICERS' APPROACH TONE?
  - A. APPROPRIATE TO GAIN CONTROL OF THE INCIDENT FIRST, THEN BRING IN ECIT ASPECT.
6. IS THE ACADEMY TEACHING OTHER METHODS FOR GUIDING SOMEONE IN HANDCUFFS?
  - A. YES. HISTORICALLY, ESCORTING AND USING HANDCUFFS AS PAIN COMPLIANCE WAS A PRACTICED METHOD.
  - B. NEW USE OF FORCE POLICY TEACHES NEW TECHNIQUES.
  - C. ESCORTING AN INDIVIDUAL BY HANDCUFFS IS NOW OUT OF POLICY.
  - D. PAIN COMPLIANCE USING A WRISTLOCK IS A BETTER WAY TO MINIMIZE POSSIBLE INJURY.
  - E. NEW METHOD (WRISTLOCK) IS A LEVEL ONE USE OF FORCE, WHILE TWEAKING OF THE HANDCUFFS WOULD BE A LEVEL THREE.
  - F. THIS CALL OCCURRED PRIOR TO THE NEW METHODS BEING TAUGHT.
7. WHEN THE OFFICER APPLIED PRESSURE TO THE CHEEK PLATES OF THE HANDCUFFS, WAS HIS BEHAVIOR IN LINE WITH HOW THE INDIVIDUAL WAS ACTING THROUGHOUT THE CALL OR ONLY DURING THE APPLICATION OF FORCE?
  - A. BEHAVIOR OF THE INDIVIDUAL WAS CONSISTENT WITH HOW HE WAS ACTING THROUGHOUT THE CONTACT.

	<p>8. CONCERNS REFERENCE THE SUPERVISOR FIRST IDENTIFYING THE FORCE AS A LEVEL 1, THEN A 2, BUT NEVER A 3. NOT IDENTIFIED AS A LEVEL 3 UNTIL IAFD RESPONDED. WAS THIS REMEDIED WITH THE SUPERVISOR?</p> <p>A. YES THIS WAS REMEDIED WITH THE SUPERVISOR; HOWEVER, CURRENTLY LOOKING TO CHANGE IN POLICY TO ENSURE THE SUPERVISOR RECOGNIZES WHEN THEY COMPLETE THE INVESTIGATION VERSUS WHEN TO SUMMONS IAFD FOR THE INVESTIGATION.</p> <p>9. WHY COULD IAFD NOT FOLLOW-UP WITH THE INDIVIDUAL AT THE MENTAL HEALTH HOSPITAL?</p> <p>A. ONCE AN INDIVIDUAL IS IN LOCKDOWN, THE HOSPITAL IS RELUCTANT TO ALLOW OFFICERS IN THE BACK DUE TO HIPPA CONCERNS FOR THE OTHER PATIENTS.</p> <p>B. CURRENTLY THERE IS NOTHING IN POLICY TO ADDRESS THE FACT THAT A MENTAL HEALTH EVALUATION AND/OR MEDICAL. POLICY ONLY STATES IF OFFICERS DO NOT ATTEMPT TO COMPLETE AN INTERVIEW, THEY ARE IN VIOLATION OF THE POLICY.</p> <p>I. REFERRAL GENERATED.</p> <p>C. ALSO RECOGNIZING AN INDIVIDUAL AT THIS INTOXICATION LEVEL, OR ONE UNDER THE INFLUENCE OF NARCOTICS OR HAVING A MENTAL HEALTH CRISIS, CANNOT BE MIRANDIZED IN ORDER TO BE INTERVIEWED. ARE THERE TIMELINES FOR IAFD TO CONTACT AN INDIVIDUAL IN ORDER TO COMPLETE AN INTERVIEW AFTER THE INCIDENT?</p> <p>I. NO TIMELINES IN POLICY.</p> <p>10. HOW WAS IT DETERMINED THE OFFICER POINTING A FIREARM AT THE MOVING VEHICLE WAS NOT A SHOW OF FORCE?</p> <p>A. UNKNOWN IF THE OFFICER COVERED ANYONE IN THE VEHICLE WITH THE MUZZLE OF THE GUN.</p> <p>B. UNABLE TO CONTACT ANYONE INSIDE THE VEHICLE AS IT FLED AFTER THE OCCUPANTS FIRED ROUNDS.</p>
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<p>DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER?</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>DISCUSSION TOPICS</p>	<p>1. CONCERNS/QUESTIONS WERE COVERED BY THE BOARD.</p> <p>2. IN POLICY.</p>

<b>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>REFERRAL INFORMATION</b>
<b>TYPE OF REFERRAL(S):</b> (P78e)	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> POLICY VIOLATION (IAR) <input type="checkbox"/> TRAINING <input type="checkbox"/> SUPERVISION <input type="checkbox"/> EQUIPMENT <input type="checkbox"/> TACTICS <input type="checkbox"/> SUCCESS (IAR)
<b>REFERRAL(S):</b> (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. POLICY AND PROCEDURE MANAGER PATRICIA SERNA WILL COMPLETE A SPECIAL ORDER AND AMEND POLICY TO ENSURE MEDICAL CARE OF AN INDIVIDUAL TAKES PRECEDENCE OVER AN ADMINISTRATIVE INTERVIEW.
<b>EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S):</b> (P78e)	POLICY AND PROCEDURE MANAGER PATRICIA SERNA
<b>DEADLINE:</b> (P78e)	APRIL 26 2021

<b>CASE #:</b> 20-0055810  <b>TYPE:</b> IAFD – LEVEL 3 (P78)	<b>DATE OF INCIDENT:</b> AUGUST 4, 2020	<b>LOCATION:</b> [REDACTED]	<b>TIMES:</b> DISPATCH / ON SITE: 1104 HOURS
<b>CASE PRESENTER</b>	<b>DETECTIVE</b> [REDACTED]		
<b>DID THE LEAD DETECTIVE PRESENT THE CASE?</b> (P79b)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> NOT APPLICABLE		
<b>WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?</b>	<input type="checkbox"/> LEAD INVESTIGATOR NO LONGER IN UNIT <input type="checkbox"/> LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT <input type="checkbox"/> LEAD INVESTIGATOR WAS CASE PRESENTER <input checked="" type="checkbox"/> FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME <input type="checkbox"/> NOT AN IAFD PRESENTATION		
<b>INJURIES SUSTAINED</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
<b>DAMAGE TO PROPERTY</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
<b>DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING?</b>	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT  ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE		

<p>IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? TO BE ANSWERED. YES</p>		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT				
		<p>INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE</p> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT				
		<p>TRAINING ACADEMY REPRESENTATIVE</p> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT				
		<p>FIELD SERVICES COMMANDER REPRESENTATIVE</p> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT PRESENT				
<p>DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? P78a)</p>		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
<p>DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? P78c)</p>		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>		<p>DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:</p>				
P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?</p>		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
<p>PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)</p>		<p>N/A</p>				
<p>SOP TITLE OF VIOLATION</p>		<p>N/A</p>				
<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>		<p><u>FOR TACTICAL ACTIVATIONS ONLY:</u> WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?</p>				
<p>MAJORITY VOTE</p>		<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NOT A TACTICAL ACTIVATION				
<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>		<p><u>FOR TACTICAL ACTIVATIONS ONLY:</u> ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?</p>				
<p>MAJORITY VOTE</p>		<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NOT A TACTICAL ACTIVATION				



<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p><u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)</p>
<p>MAJORITY VOTE</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT AN IAFD INVESTIGATION</p>
<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p><u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)</p>
<p>MAJORITY VOTE</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT AN IAFD INVESTIGATION</p>
<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p><u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)</p>
<p>MAJORITY VOTE</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT AN IAFD INVESTIGATION</p>
<p>DISCUSSION</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DISCUSSION TOPICS</p>	<ol style="list-style-type: none"> <li>1. HOW DID DETECTIVE HOLET'S EXPLAIN HIS DECISION TO USE FORCE BASED ON THE INDIVIDUAL'S WILLINGNESS TO DESTROY PROPERTY?       <ol style="list-style-type: none"> <li>A. THIS WAS IN REFERENCE TO THE INDIVIDUAL DESTROYING THE GATES HE DROVE THROUGH.</li> </ol> </li> <li>2. IS THE AUTO THEFT UNIT USING OTHER AGENCIES TO DO THINGS APD IS UNABLE TO DO?       <ol style="list-style-type: none"> <li>A. NO. THEY HAVE NEVER ASKED NEW MEXICO STATE POLICE (NMSP) TO COMPLETE A TACTIC OR TECHNIQUE THAT IS OUT OF APD'S POLICY.</li> <li>B. IF NMSP HAS CHOSEN TO DO SO, APD'S OFFICERS ARE NOT ABLE TO PARTICIPATE IN SUCH ACTIONS.</li> <li>C. DEPARTMENT IS WORKING ON A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN APD AND NMSP TO ADDRESS ANY CONCERNS OF THE JOINT EFFORTS.           <ol style="list-style-type: none"> <li>I. REFERRAL GENERATED.</li> </ol> </li> </ol> </li> <li>3. HOW DOES NMSP PURSUIT AND/OR PIT POLICY COMPARE TO APD'S?       <ol style="list-style-type: none"> <li>A. THEIR PURSUIT POLICY IS VERY SIMILAR TO APD'S.</li> <li>B. THEIR PIT POLICY DIFFERS AND THIS INCIDENT MET NMSP'S PIT POLICY.</li> </ol> </li> <li>4. WOULD THIS INCIDENT HAVE MET APD'S PIT POLICY?       <ol style="list-style-type: none"> <li>A. YES AS LONG AS SPEEDS WERE UNDER 35 MPH.</li> </ol> </li> <li>5. ARE DETECTIVES TRAINED FOR DRIVING IN AN UNDERCOVER CAPACITY? (E.G. RUNNING RED LIGHTS)</li> </ol>

A. YES, THERE IS AN IMPORTANT DIFFERENCE BETWEEN PURSUING A VEHICLE VERSUS ROLLING SURVEILLANCE.

I. ROLLING SURVEILLANCE TRAINING COVERS COVERT FOLLOWS.

1. WHEN AIR SUPPORT ADVISES NO OFFICERS ARE FOLLOWING, THEY ARE REFERRING TO MARKED UNITS.

A. IF AN INDIVIDUAL DOES NOT KNOW THEY ARE BEING FOLLOWED BY ROLLING SURVEILLANCE, THEY WILL CONTINUE THE SURVEILLANCE IN ORDER TO BLEND IN DURING THE FOLLOW.

B. OFFICERS TRAINED IN ROLLING SURVEILLANCE ARE TRAINED TO COMPLETE ACTIONS, SUCH AS RUNNING RED LIGHTS, TO COMPLETE IN A SAFE MANNER.

5. VERIFYING IT WAS NMSP OFFICER WHO USED PROFANITY AND PLACED THEIR HAND ON THE BACK OF THE INDIVIDUAL'S NECK.

A. YES TO BOTH CONCERNS.

7. SPECIAL ORDER 20-16, WHAT IS THE TIMELINE FOR GETTING THIS INTO POLICY?

A. THE POLICY IS IN THE BEGINNING PROCESS FOR REVISION.

I. WILL ENSURE 20-16 IS ADDRESSED.

8. THE SPECIAL ORDER IS VERY VAGUE AS TO WHAT REQUIRES AN AFTER ACTION REPORT (AAR). CLARIFYING LANGUAGE IS NEEDED FOR WHAT CONSTITUTES A "CRITICAL INCIDENT".

A. AGREED AND NEED TO HAVE COMMANDER INVOLVED IN THE REVISION PROCESS.

9. SOP 2-8 COVERS MANDATORY RECORDING REQUIREMENTS.

10. POLICY ALSO STATES FOR OFFICERS TO ACTIVATE THEIR OBRDS WHEN THEY EXIT THEIR VEHICLE. CLARIFICATION OF WHEN TO ACTIVATE IS NEEDED.

A. CURRENT POLICY NOW STATES, "PRIOR TO CONTACT".

I. THIS LANGUAGE COULD DELAY THE ACTIVATION MORE.

11. DOES THE BOARD BELIEVE THESE INCIDENTS SHOULD BE RECORDED?

A. PURSUITS? YES.

I. THIS CALL WAS DETERMINED NOT TO BE A PURSUIT.

1. LONG TERM FOLLOWS WITH AIR SUPPORT CAN GO ON FOR HOURS.

A. RECOMMENDATION FOR ACTIVATING OBRDS WOULD BE IF A CHANGE TO THE

	<p>FOLLOW DEVELOPS (E.G. AGGRAVATED FLEEING). ACTIVATED OBRDS.</p> <p>12. NEED TO REVIEW POLICY TO ADDRESS CONCERNS. A. REFERRAL GENERATED.</p> <p>13. AN IAR WAS GENERATED FOR NOT WRITING A REPORT, ON THE RECRUIT LOGGED ON CALL. APPROPRIATE? A. CLARIFICATION – IAR GENERATED FOR NOT ACTIVATING OBRD. B. ACADEMY IS AGAINST IARS ON RECRUIT OFFICERS.</p> <p>I. ON-THE JOB TRAINING IS FOR THE LEARNING PROCESS. II. THE TRAINING OFFICER SHOULD RECEIVE AN IAR AS THEY ARE RESPONSIBLE FOR KNOWING POLICY AND TEACHING RECRUITS.</p> <p>14. COMMEND AUTO THEFT UNIT AND IAFD FOR USE OF FORCE NARRATIVES. AMOUNT OF DETAIL WAS EXCEPTIONAL.</p>
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<p>DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>DISCUSSION TOPICS</p>	<p>I. SOP 2-11 REQUIRES OBRD RECORDINGS FOR THE DEPLOYMENT OF A TIRE DEFLATION DEVICE. WAS THIS ADDRESSED DURING THE IAFD INVESTIGATION? A. YES, AN IAR WAS GENERATED.</p> <p>II. DISAPPOINTED WITH NMSP FOR NOT PROVIDING THEIR REPORTS TO APD FOR THE USE OF FORCE INVESTIGATION. III. IN POLICY.</p>

<p>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p>REFERRAL INFORMATION</p>
<p>TYPE OF REFERRAL(S): P7de1</p>	<p><input type="checkbox"/> POLICY <input type="checkbox"/> POLICY VIOLATION (IAR) <input type="checkbox"/> TRAINING <input type="checkbox"/> SUPERVISION <input type="checkbox"/> EQUIPMENT <input checked="" type="checkbox"/> TACTICS <input type="checkbox"/> SUCCESS (IAR)</p>
<p>REFERRAL(S): P7de1</p>	<p>THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO TACTICS. COMMANDER [REDACTED] WILL PROVIDE AN UPDATE ON</p>

	THE MOU LANGUAGE REGARDING THE COLLABORATION BETWEEN THE AUTO THEFT UNIT AND NEW MEXICO STATE POLICE
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): <small>(P78e)</small>	COMMANDER [REDACTED]
DEADLINE: <small>(P78e)</small>	APRIL 12 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	REFERRAL INFORMATION
TYPE OF REFERRAL(S): <small>(P78e)</small>	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> POLICY VIOLATION (JAR) <input type="checkbox"/> TRAINING <input type="checkbox"/> SUPERVISION <input type="checkbox"/> EQUIPMENT <input type="checkbox"/> TACTICS <input type="checkbox"/> SUCCESS (JAR)
REFERRAL(S): <small>(P78e)</small>	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. POLICY AND PROCEDURE MANAGER PATRICIA SERNA WILL COMPLETE A POLICY REVISION TO SOP 2-8 TO DETERMINE WHEN OBRD RECORDINGS ARE REQUIRED WHEN AN OFFICER IS FOLLOWING AND/OR PURSUING A VEHICLE
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): <small>(P78e)</small>	POLICY AND PROCEDURE MANAGER PATRICIA SERNA
DEADLINE: <small>(P78e)</small>	APRIL 26 2021

Next FRB Meeting: April 1 2021

Signed: [REDACTED] Chief of Police