

CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

Thursday, April 10, 2025, at 5:00 PM
Vincent E. Griego Chambers

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

Members Present:

Zander Bolyanatz, Chair
Aaron Calderon, Vice Chair
Eduardo Budanauro
Rowan Wymark (late)

Members Absent:

Others Present In-Person:

Diane McDermott, CPOA
Ali Abbasi, CPOA
Katrina Sigala, CPOA
Valerie Barela, CPOA
Kelly Mensah, CPOA
Robert Kidd, Independent Counsel
Chris Sylvan, City Council
Lindsey Rosebrough, Managing City Atty.
Cmdr. Sean Waite, APD
Henry Landavazo, APD
Cmdr. Joshua Brown, APD
Cmdr. Paul Skotchdopole, APD
Lt. Troy Nicko, APD
Jeffery Bustamante, ACS
Anthony and Naomi DeFalco, Appellees
Audrey Medina, Appellee

Others Present via Zoom:

Deputy Cmdr. Mike Gardiner, APD
Dr. Ty Olubiyi, CCO
Douglas Feierman, CPOA

Minutes

- I. Welcome, Call to Order and Roll Call.** Chair Bolyanatz called the regular meeting of the Civilian Police Oversight Advisory Board to order at approximately 5:01 p.m., and a roll call of members present was taken. Members Bolyanatz, Budanauro, and Calderon were present.
- II. Pledge of Allegiance.** Chair Bolyanatz led the Pledge of Allegiance.
- III. Approval of the Agenda**
 - a. Motion.** A motion was made by Chair Bolyanatz to approve the agenda as written. Member Budanauro seconded the motion. The motion was carried by a unanimous vote.

For: Bolyanatz, Budanauro, Calderon

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

a. March 13, 2025

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

For: Bolyanatz, Budanauro, Calderon

V. Public Comment

- a. Tadeusz Niemyjski**

VI. Reports from City Departments:

a. APD

1. Internal Affairs Professional Standards (IAPS)– Commander Kenneth Johnston

- i.** A document titled APD Internal Affairs Professional Standards (IAPS) Division Monthly Report March 2025 was distributed to CPOA Board members electronically. *(See attached report)*
- ii.** Commander Paul Skotchdopole was present to answer questions from the Board.
- iii.** Chair Bolyanatz expressed interest in having the reporting on SOP 1-1 Code of Conduct analyzed for trend data. Commander Skotchdopole stated he would inform the APD Data Analytics division.

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

- i.** The APD Monthly Use of Force Report for March 2025 was distributed electronically to CPOA Board members. *(See attached report)*
- ii.** Deputy Commander Joshua Brown provided a verbal report highlighting Use of Force events by level.

b. ACS- Jefferey Bustamante, Deputy Director

- 1.** ACS Deputy Director for Policy and Administration Jeffrey Bustamante gave a verbal report on the following: *(See attached report summary)*
 - ACS calls for service/volume

- Suicidal ideation calls for service
 - ACS summer of non-violence
- c. **City Attorney-** *Lindsey Rosebrough, Managing Attorney*
1. Lindsey Rosebrough provided an update on the 21st IMR Report, the Court hearing date, and the monitor site visits.
- d. **City Council-** Chris Sylvan, Council Services
1. Chris Sylvan provided an update on filling the vacancy for the Board, noting that he is still working on the fulfillment.
- e. **CPC-** *Kelly Mensah, CPC Liaison*
1. CPC Liaison Kelly Mensah provided a verbal report on the following:
 - CPC meetings with Chief Medina and DA Bregman
 - CPC meetings with Mayor Keller and addressing the unhoused
 - CPC and CPC Youth memberships
 - CPC outreach efforts
- ***Member Wymark attended the meeting at approximately 5:26 pm*****
- f. **Mayor's Office-** *Doug Small, Director of Public Affairs*
1. No one present from the Mayor's Office
- g. **CPOA-** *Diane McDermott, Executive Director*
1. Executive Director Diane McDermott verbally reported on the following:
 - CPOA complaints and assignments for March 2025
 - APD commendations received for March 2025
 - IMR-21 draft report
 - Court hearing date of May 15, 2025, and Monitor Site visit
 - MOU between the CPOA and APOA
 - Special order concerning SOP 3-21
 - The Chief's response to SOP 1-78
 - CPOA mediation program
 - CPOA Staffing Study
 - CPOA Semi-annual report for July – December 2024
 - CPOA relocation to the new office location

VII. Serious Use of Force Case:

- a. No Serious use of force cases were presented.

VIII. Officer-Involved Shooting Case:

- a. No Officer-Involved Shooting cases were presented.

IX. Appeals

a. CPC 262-24

- i. Hearing on CPC #262-24
- ii. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act.
 1. Sayed Hameed Shams Mousavi was not present.
 2. **Motion.** A motion was made by Chair Bolyanatz to affirm and uphold the findings of the CPOA Director. Member Wymark seconded the motion. The motion was carried by a unanimous vote.

For: Bolyanatz, Budanauro, Calderon

b. CPC 010-23

- i. Hearing on CPC #010-23
 1. Independent Counsel Robert Kidd reviewed the rules and procedures that the Board and the appellant(s) will follow during the hearing process.
 2. Appellants Anthony and Naomi DeFlaco were provided 15 minutes to present their case.
 3. CPOA Executive Director McDermott was provided 10 minutes to speak.
 4. APD Commander Henry Landavazo was provided 10 minutes to speak.
 5. No APD officer was present.
 6. Appellants Anthony and Naomi DeFlaco were provided 5 minutes to speak.
- ii. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act
 1. **Motion.** A motion was made by Chair Bolyanatz that the Board convene into closed session as authorized by the administrative

adjudicatory proceedings exception to the open meeting act for a limited purpose of discussing the matters presented in CPC #010-23. The motion was seconded by Member Wymark. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

*****Closed session discussions on administrative adjudicatory proceedings for CPC #010-23 began at 6:25 p.m., and the meeting reconvened at 7:14 p.m.*****

2. **Motion.** Chair Bolyanatz made a motion to come out of deliberation. The motion was seconded by Member Wymark. The motion was passed unanimously by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

3. Chair Bolyanatz stated that the Board will review APD SOPs for case handoffs while on extended leaves of absence and suicide.
4. **Motion.** Chair Bolyanatz made a motion to uphold and affirm the findings of the Civilian Police Oversight Agency Director for CPC 010-23. Member Calderon seconded the motion. The motion passed by the following roll call vote:

For 3: Bolyanatz, Calderon, Wymark

Against 1: Budanauro

c. CPC 116-23

- i. Hearing on CPC #116-23
 1. Independent Counsel Robert Kidd reviewed the rules and procedures that the Board and the appellant(s) will follow during the hearing process.
 2. Appellant Audrey Medina was provided 15 minutes to present their case.
 3. CPOA Executive Director McDermott was provided 10 minutes to speak.
 4. APD Commander Henry Landavazo was provided 10 minutes to speak.
 5. No APD officer was present.

6. Appellant Audrey Medina was provided 5 minutes to speak.
- ii. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act
 1. **Motion.** A motion by Chair Bolyanatz that the Board convene into closed session as authorized by the administrative adjudicatory proceedings exception to the open meeting act for a limited purpose of discussing the matters presented in CPC #116-23. The motion was seconded by Member Wymark. The motion was passed unanimously by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

*****Closed session discussions on administrative adjudicatory proceedings for CPC #116-23 began at 7:54 p.m., and the meeting reconvened at 8:06 p.m.**

2. **Motion.** Chair Bolyanatz made a motion to come out of deliberations. The motion was seconded by Member Budanauro. The motion was passed unanimously by the following roll call vote:

For: Bolyanatz, Budanauro, Calderon, Wymark

3. **Motion.** Chair Bolyanatz made a motion to affirm and uphold the findings of the Civilian Police Oversight Agency Director for CPC 116-23. The motion was seconded by Member Calderon. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

X. Report from CPOAB Subcommittee:

a. Policy and Procedure Review Subcommittee – Aaron Calderon, Chair of Policy and Procedure Review Subcommittee

1. The meeting was held on April 3, 2025, at 3 p.m.
2. Report from Subcommittee
3. The next meeting is on May 1, 2025, at 3 p.m.
 - i. Chair of the Policy and Procedure Review Subcommittee Aaron Calderon summarized the subcommittee meeting held on April 3, 2025, at 3 p.m.

XI. Discussion and Possible Action:

a. Air Support Unit Presentation Request – Zander Bolyanatz, Chair

1. Chair Bolyanatz requested that CPOA coordinate with the Air Support Unit to provide a presentation to the Board, including data analytics and the program's benefits to the community.

b. Semi-Annual Audits - Zander Bolyanatz, Chair

1. Chair Bolyanatz discussed the Semi-Annual Audit requirement pursuant to the Police Oversight Ordinance and recommended establishing an Ad hoc Audit committee.
2. **Motion.** Chair Bolyanatz made a motion to create an Ad hoc Committee for semi-annual audits, and the members assigned will be Zander Bolyanatz and Eduardo Budanauro. The motion was seconded by Member Calderon. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

APD Policy

3. Recommendation(s):

A. SOP 1-41 Evidence Unit

- i. CPOA Deputy Director Ali Abbasi verbally presented policy recommendations for SOP 1-41.
- ii. **Motion.** A motion was made by Chair Bolyanatz to approve the recommendation for SOP 1-41 Evidence review. The motion was seconded by member Budanauro. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

B. SOP 2-3 (Formerly 2-22) Firearms and Ammunition Authorization

- i. CPOA Deputy Director Ali Abbasi verbally presented policy recommendations for SOP 2-3, noting that the CPOA forwarded the recommendation on behalf of the CPOAB.
- ii. Chair Bolyanatz noted that the CPOA Board did not have any additional recommendations to forward to APD at this time.

- C. SOP 2-78 (Formerly 4-25) Domestic Abuse Investigations
 - i. CPOA Deputy Director Ali Abbasi verbally presented policy recommendations for SOP 2-78 and read the recommendation verbatim.
 - ii. **Motion.** A motion was made by Chair Bolyanatz to approve the recommendation for SOP 2-78 (Formerly 4-25) Domestic Abuse Investigations. Member Budanauro seconded the motion. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

- D. SOP 2-92 Crimes Against Children Investigations
 - i. CPOA Executive Director McDermott verbally presented the policy recommendations for SOP 2-92 that was presented at the Policy and Procedure subcommittee on April 3, 2025.
 - ii. **Motion.** A motion by Vice-Chair Calderon that APD include language within the SOP 2-92 Crimes Against Children Investigations on the process and the standards on how they go to search children or investigate for physical abuse and markings, and that they create a formal documented process. Chair Bolyanatz seconded the motion. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

- E. SOP 2-103 Trespass Notifications
 - i. CPOA Executive Director McDermott verbally presented the policy recommendations for SOP 2-92 presented at the Policy and Procedure subcommittee on April 3, 2025.
 - ii. **Motion.** A motion by Vice-Chair Calderon that APD include language within the SOP 2-92 Crimes Against Children Investigations on the process and the standards on how they go to search children or investigate for physical abuse and markings, and that they create a formal documented process.

Chair Bolyanatz seconded the motion. The motion was passed unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

- iii. The CPOA will draft the specific language to submit, encompassing the motion language above.

4. No Recommendation(s):

- A. SOP 1-56 (Formerly 6-12) Horse Mounted Unit
 - i. There were no policy recommendations for SOP 1-56.
- B. SOP 1-65 Metropolitan Court Protection Unit
 - i. There were no policy recommendations for SOP 1-65.
- C. SOP 2-15 Small Unmanned Aircraft Systems (SUAS) Operations
 - i. There were no policy recommendations for SOP 2-15.
- D. SOP 2-43 Roadblocks and Checkpoints
 - i. There were no policy recommendations for SOP 2-43.
- E. SOP 2-51 Safe Driver Award Program
 - i. There were no policy recommendations for SOP 2-51.
- F. SOP 2-69 Informants
 - i. There were no policy recommendations for SOP 2-69.
- G. SOP 2-110 Facial Recognition Management System
 - i. There were no policy recommendations for SOP 2-110.
- H. SOP 3-51 Department Orders
 - i. There were no policy recommendations for SOP 3-51.

5. **APD Response to Policy Recommendation(s):**

A. SOP 1-2 Social Media

- i. Deputy Director Diane McDermott updated the Board on the response received for SOP 1-2.
- ii. **Motion.** A motion by Vice Chair Calderon to hold off making any further notifications to the Chief of Police for SOP 1-12 Social Media and to stand by until the normal review cycle. The motion was seconded by Chair Bolyanatz. The motion was carried by a unanimous vote.

For: Bolyanatz, Budanauro, Calderon, Wymark

B. SOP 1-11 Transit Safety Section (TSS)

- i. Deputy Director Diane McDermott updated the Board on the response received from APD for SOP 1-11.
- ii. **Motion.** A motion by Chair Bolyanatz that the Board hold off on any recommendations on any iterations for SOP 1-11. Vice Chair Calderon seconded the motion. The motion was carried unanimously.

For: Bolyanatz, Budanauro, Calderon, Wymark

C. SOP 2-7 Damage to Civilian Property

- i. Deputy Director Diane McDermott updated the Board on the response received from APD for SOP 2-7.
- ii. Chair Bolyanatz noted that the Board had no recommendations for SOP 2-7 Damage to Civilian Property.

XII. Other Business

- a. The Board discussed the timeliness of complaint investigations from the CPOA.
- b. Chair Bolyanatz requested that Board members review the Police Oversight Ordinance for modifications or improvements to the ordinance.
- c. The Board discussed the deployment of the National Guard in the City of Albuquerque.

XIII. Adjournment.

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

For: Bolyanatz, Budanauro, Calderon, Wymark

- b.** The meeting was adjourned at 9:25 p.m.

APPROVED:



Zander Bolyanatz, Chair
Civilian Police Oversight Advisory Board



Date

CC: Isaac Padilla, City Council Staff
Ethan Watson, City Clerk
Brook Bassan, City Council President (via email)

Minutes drafted and submitted by:
Valerie Barela, CPOA Administrative Assistant

ATTACHMENTS



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD
PUBLIC COMMENT
SIGN-IN SHEET

Thursday, April 10, 2025

NAME (PLEASE PRINT)

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



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

March 2025

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



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

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

Total Cases Opened

99

Investigations opened by
Internal Affairs Professional Standards

Total Cases Completed

104

Investigations completed by
Internal Affairs Professional Standards

Cases Opened

[By Area Commands]

50

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

Cases Completed

[By Area Commands]

55

Investigations completed by
the Area Commands

Pending Cases

156

Investigations pending completion

Average Days to Completion

65

Average days to completion for
investigations completed during
the month

Completed Cases with Sustained Findings

Total Cases: 75

72 % of all completed investigations had sustained findings



Discipline Imposed for Allegations with Sustained Finding

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

Files	Directives and SOPs	Discipline Imposed
I2024...	1.1. Personnel Code of Conduct	Terminated
	1.1. Personnel Code of Conduct	Terminated
	1.1. Personnel Code of Conduct	Terminated
	1.1. Personnel Code of Conduct	Terminated
I2024...	2.60. Preliminary and Follow-Up Criminal Investigations	Suspension
	1.1. Personnel Code of Conduct	Suspension
	2.60. Preliminary and Follow-Up Criminal Investigations	NDCA
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
	2.8. Use of on-Body Recording Devices	Verbal Reprimand
	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	1.1. Personnel Code of Conduct	Letter of Reprimand
I2024...	1.1. Personnel Code of Conduct	Termination-Resigned
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	1.1. Personnel Code of Conduct	Suspension
I2024...	1.1. Personnel Code of Conduct	Suspension
I2024...	2.76. Court	Suspension
I2024...	3.41. Complaints Involving Department Personnel	Suspension
	2.8. Use of on-Body Recording Devices	Letter of Reprimand
	3.41. Complaints Involving Department Personnel	Verbal Reprimand
I2024...	2.76. Court	Suspension
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	2.76. Court	Letter of Reprimand
I2024...	2.76. Court	Letter of Reprimand
I2024...	1.94. Training Division	NDCA
I2024...	1.94. Training Division	NDCA
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2024...	2.1. Uniforms	Letter of Reprimand
I2024...	3.41. Complaints Involving Department Personnel	NDCA



Discipline Imposed for Allegations with Sustained Finding

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

Files	Directives and SOPs	Discipline Imposed
I2024...	3.21. Scheduled and Unscheduled Leave	NDCA
I2024...	1.1. Personnel Code of Conduct	NDCA
I2024...	2.47. Crash Involving Police Vehicles	Letter of Reprimand
I2024...	1.1. Personnel Code of Conduct	Letter of Reprimand
I2024...	2.57. Use of Force: Review and Investigation by Department Personnel	Letter of Reprimand
I2024...	2.8. Use of on-Body Recording Devices	Suspension
I2024...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2025...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2025...	3.32. Performance Evaluations	Letter of Reprimand
I2025...	1.1. Personnel Code of Conduct	NDCA
I2025...	2.5. Department Vehicle	Verbal Reprimand
I2025...	2.76. Court	Verbal Reprimand
I2025...	3.32. Performance Evaluations	Letter of Reprimand
I2025...	3.32. Performance Evaluations	Verbal Reprimand
I2025...	2.47. Crash Involving Police Vehicles	NDCA
I2025...	2.76. Court	Letter of Reprimand
I2025...	2.5. Department Vehicle	Verbal Reprimand
I2025...	2.9. Use of Computer Systems	Letter of Reprimand
I2025...	2.8. Use of on-Body Recording Devices	Letter of Reprimand
I2025...	2.76. Court	Verbal Reprimand
I2025...	1.1. Personnel Code of Conduct	Letter of Reprimand
I2025...	2.8. Use of on-Body Recording Devices	NDCA
I2025...	2.5. Department Vehicle	Verbal Reprimand
I2025...	2.5. Department Vehicle	Verbal Reprimand
I2025...	2.5. Department Vehicle	Verbal Reprimand
I2025...	2.76. Court	NDCA
I2025...	2.57. Use of Force: Review and Investigation by Department Personnel	NDCA
I2025...	2.8. Use of on-Body Recording Devices	Letter of Reprimand



Standard Operating Procedures Reviewed in Completed Investigations

Directives and SOPs	Count
1.1. Personnel Code of Conduct	53
2.8. Use of on-Body Recording Devices	27
2.76. Court	17
2.5. Department Vehicle	13
2.54. Use of Force: Intermediate Weapon Systems	3
2.57. Use of Force: Review and Investigation by Department Personnel	3
3.32. Performance Evaluations	3
3.41. Complaints Involving Department Personnel	3
1.94. Training Division	2
2.47. Crash Involving Police Vehicles	2
2.60. Preliminary and Follow-Up Criminal Investigations	2
2.1. Uniforms	1
2.16. Reports	1
2.9. Use of Computer Systems	1
3.21. Scheduled and Unscheduled Leave	1

TOP 5 Standard Operating Procedures with Sustained Findings

Directives and SOPs	Count
2.8. Use of on-Body Recording Devices	23
1.1. Personnel Code of Conduct	18
2.76. Court	13
2.5. Department Vehicle	10
2.54. Use of Force: Intermediate Weapon Systems	3

Albuquerque Police Department Monthly Use of Force Report

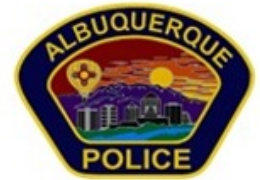
March 2025



Prepared by:

**Data Analytics Unit
April 7, 2025**

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



Total Use of Force Events - March 2025

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

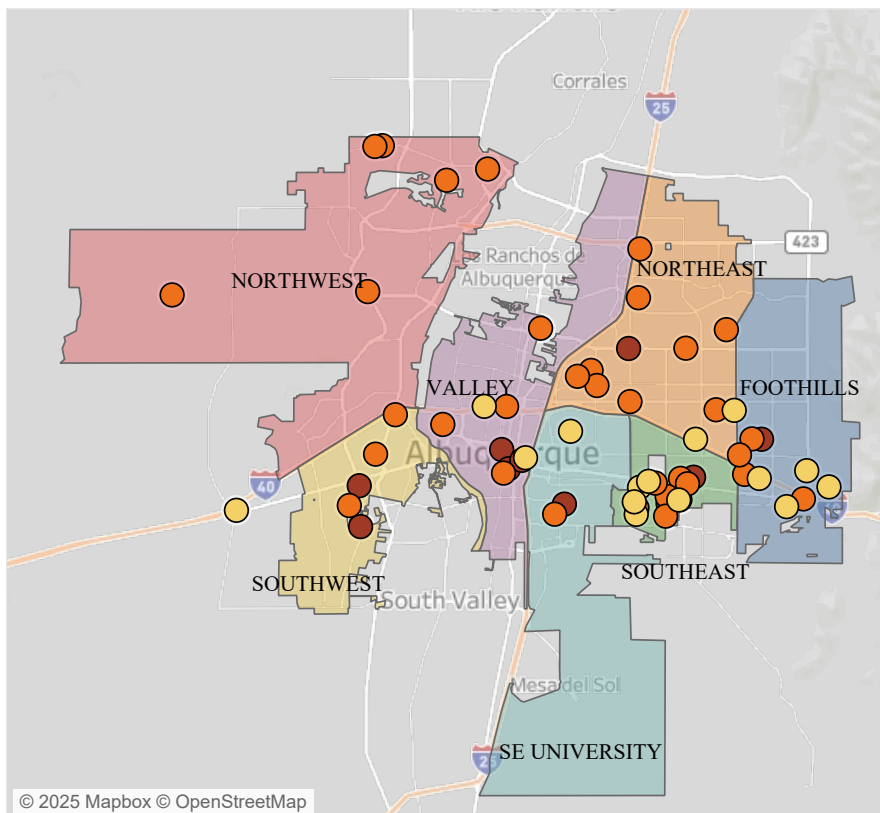
APD's jurisdiction includes the City of Albuquerque which is divided into six Area Commands. In the map below, Southeast Area Command is split into "SE University" and "Southeast". University Area Command is combined with Southeast Area Command in this report until updates to department databases are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

Force is categorized into three levels based on APD policy. For more information on APD's Standard Operating Procedures, see: <https://public.powerdms.com/COA>

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

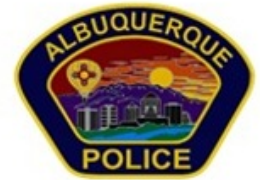
	Force Level			Grand Total
	Level 1	Level 2	Level 3	
Foothills	4	4	1	9
Northeast	2	9	1	12
Northwest	0	5	0	5
Southeast	6	8	3	17
Southwest	0	3	2	5
Valley	2	4	2	8
Out of Area	1	0	0	1
Grand Total	15	33	9	57

Locations of Use of Force Cases



- Force Level
- Level 1
- Level 2
- Level 3

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

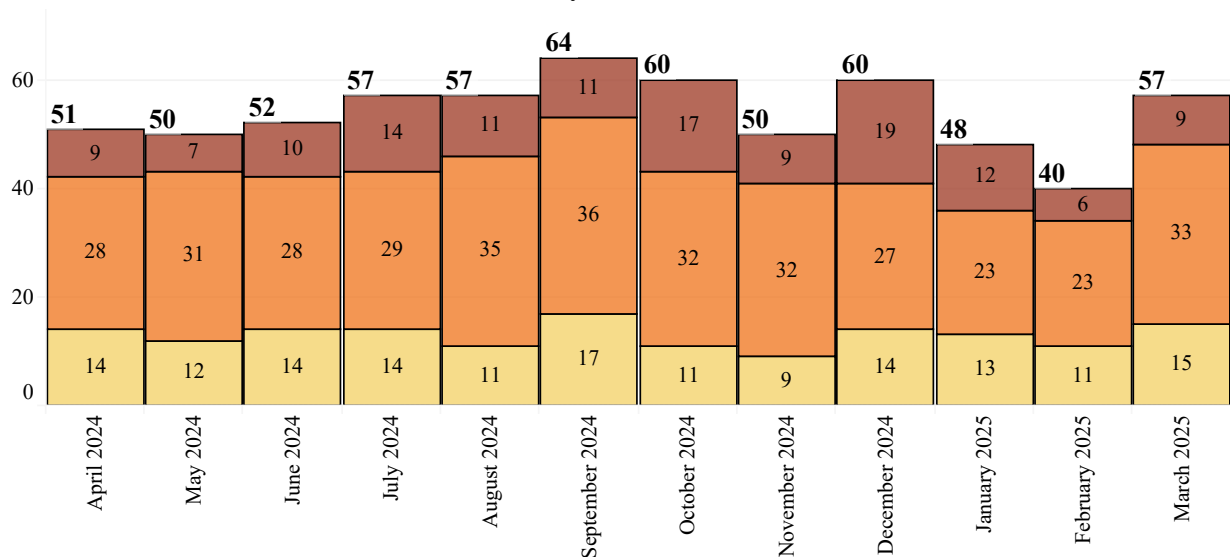


Use of Force Totals by Month - Past 12 Months

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

Force Level
 Level 3
 Level 2
 Level 1

Total Uses of Force by Month and Level of Force



Total Uses of Force by Month and Area Command

		April 2024	May 2024	June 2024	July 2024	August 2024	September 2024	October 2024	November 2024	December 2024	January 2025	February 2025	March 2025	Grand Total
Foothills	Level 1	1	2	3	1	1	4	0	0	0	3	1	4	20
	Level 2	1	2	2	3	2	1	1	3	1	0	5	4	25
	Level 3	2	0	0	1	1	0	1	2	3	1	2	1	14
Northeast	Level 1	2	1	1	2	1	0	0	0	4	4	3	2	20
	Level 2	2	3	6	3	9	8	4	6	2	4	6	9	62
	Level 3	2	1	2	1	3	3	4	1	7	1	3	1	29
Northwest	Level 1	0	0	1	1	0	1	0	2	2	0	0	0	7
	Level 2	1	3	2	3	2	1	6	2	3	0	4	5	32
	Level 3	0	0	1	0	1	1	0	0	1	0	0	0	4
Southeast	Level 1	3	5	6	3	7	1	1	3	3	1	2	6	41
	Level 2	11	13	6	11	9	16	10	8	11	12	3	8	118
	Level 3	1	2	1	3	3	2	10	0	4	3	0	3	32
Southwest	Level 1	2	0	1	2	1	2	2	2	1	1	2	0	16
	Level 2	5	7	4	1	3	2	3	6	4	3	2	3	43
	Level 3	0	2	3	1	0	2	0	2	3	1	1	2	17
Valley	Level 1	4	3	2	5	1	9	7	2	4	4	2	2	45
	Level 2	8	2	7	8	10	7	7	7	6	4	3	4	73
	Level 3	3	2	3	7	3	3	2	4	1	5	0	2	35
Out of Area	Level 1	2	1	0	0	0	0	1	0	0	0	1	1	6
	Level 2	0	1	1	0	0	1	1	0	0	0	0	0	4
	Level 3	1	0	0	1	0	0	0	0	0	1	0	0	3
Grand Total		51	50	52	57	57	64	60	50	60	48	40	57	646



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

Officers are required to only use force when necessary to achieve a lawful objective. When officers have more contacts with individuals, it is likely that there will be more uses of force. To control for factors that may contribute to higher or lower uses of force in a given month, this page shows the number of uses of force relative to the number of calls for service and the number of arrests made. For a detailed discussion of the method used on this page, see APD's 2023 Annual Use of Force Report. Total force counts on this page may be higher than the previous page if a case involves more than one use of force in different Area Commands.

Calls for Service

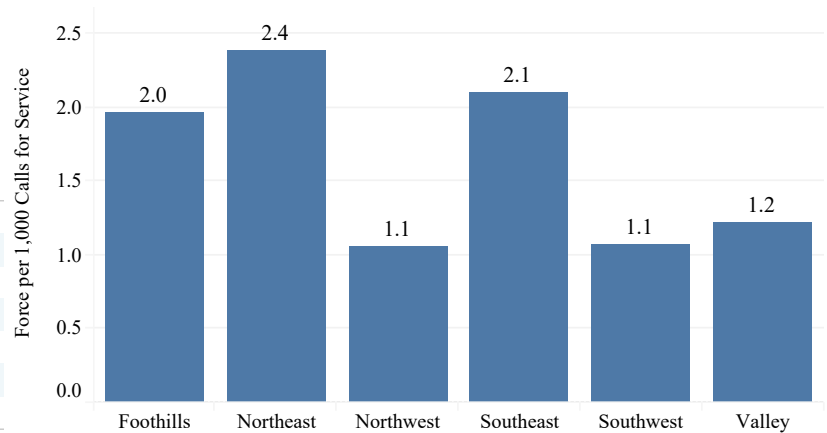
Total Calls for Service for Area Commands

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

CAD Calls by Area Command, March 2025

Area Command	Total Force Cases	Total CAD Calls	Force per 1,000 Calls
Foothills	9	4,597	2.0
Northeast	12	5,034	2.4
Northwest	5	4,728	1.1
Southeast	17	8,112	2.1
Southwest	5	4,662	1.1
Valley	9	7,413	1.2
Out of Area	1		

Force Rate per 1,000 Calls For Service



Arrests

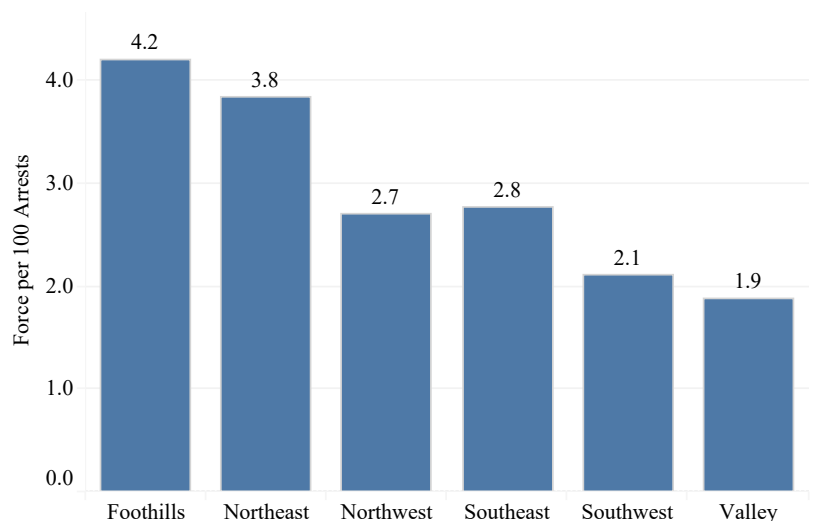
Total Arrests for Area Commands

Arrests include custodial arrests and summonses.

Force per Arrest by Area Command, March 2025

Area Command	Total Force Cases	Total Arrests	Force Per 100 Arrests
Foothills	9	214	4.2
Northeast	12	312	3.8
Northwest	5	185	2.7
Southeast	17	613	2.8
Southwest	5	237	2.1
Valley	9	481	1.9
Unknown	0	47	0.0
Out of Area	1	35	2.9

Force Rate per 100 Arrests

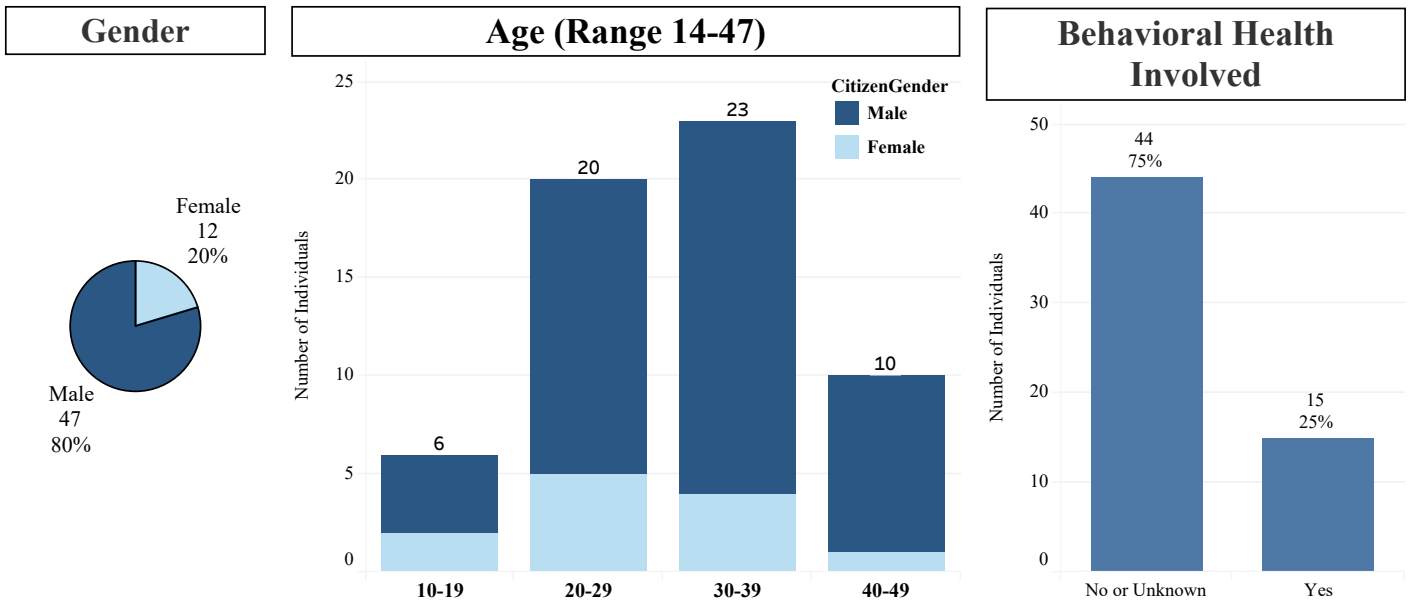




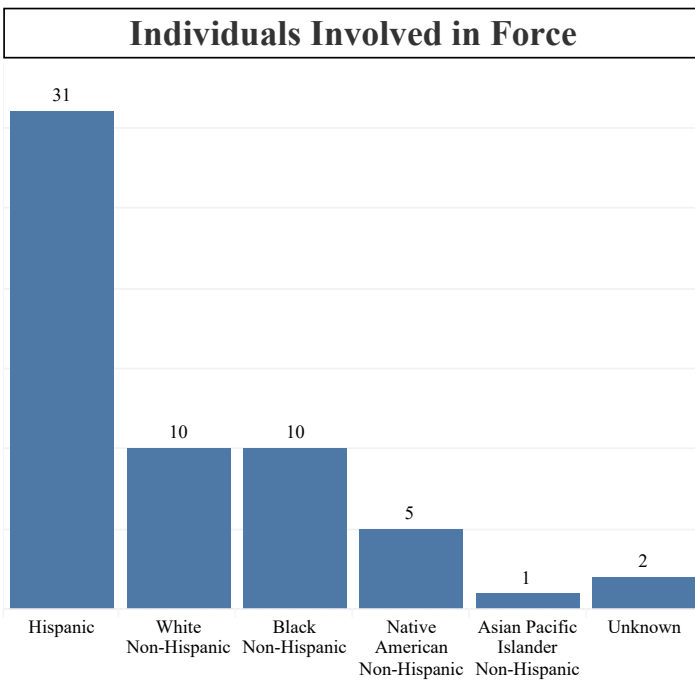
Demographics of Individuals Involved in Force - March 2025

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

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



Race and Ethnicity



Force Rate per 100 Arrests, March 2025

Race/Ethnicity	Total Force	Total Arrests	Force Rate per 100 Arrests
Hispanic	31	868	3.6
White Non-Hispanic	10	708	1.4
Black Non-Hispanic	10	183	5.5
Native American Non-Hispanic	5	224	2.2
Asian Pacific Islander Non-Hispanic	1	14	7.1
Unknown	2	127	1.6

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



Final Call Types and Types of Force Used - March 2025

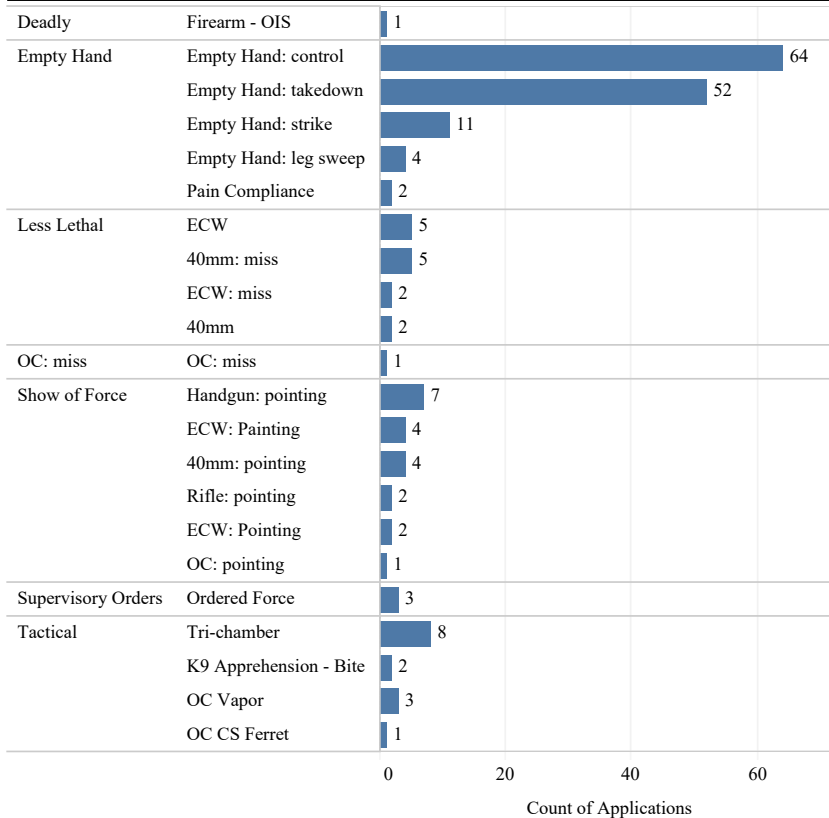
Officers are dispatched to calls for service and the original and final type of call for service are tracked. The table on the right shows the final call types for all calls involving force during the month.

Below, the total number of force applications for each type of force is shown. In any single force case, multiple officers are usually involved and each time a force technique is used, it is counted. For instance, if three officers were involved in a takedown technique with one person, that would be counted as three applications of an "Empty Hand: takedown".

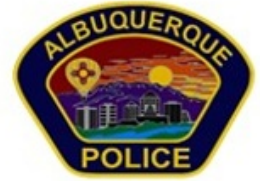
Final Call Types Associated with Force Events

Aggravated Assault/Battery	1
Auto Theft	1
Automated License Plate Reader	2
Behavioral Health	1
Burglary Commercial	1
Burglary Residence	1
Disturbance	10
Family Dispute	7
Fight In Progress	2
Narcotics	1
Shoplifting	2
Stolen Vehicle Found	1
Suicide	2
Suspicious Person(s)/Vehicle(s)	17
SWAT	1
Theft/Fraud/Embezzlement	1
Traffic Accident No Injuries	1
Vandalism	1
Wanted Person	4
Grand Total	57

Total Force Applications for Each Type of Force Used



During March 2025, there were 57 Force Cases with a total of 186 Force Applications.



Completed Force Investigations - March 2025

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

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

Level 1 Unit		IAFD (Level 2 and Level 3)	
Total Completed Investigations		Total Completed Investigations	
13		41	
Average Days to Completion		Average Days to Completion	
12.8		83.9	
Minimum Days to Completion	Maximum Days to Completion	Minimum Days to Completion	Maximum Days to Completion
8	17	76	112

All Force Cases

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

Dispositions of Force Investigations Completed in March 2025

	Total Force Cases
In Policy	51
Out of Policy	3
Grand Total	54

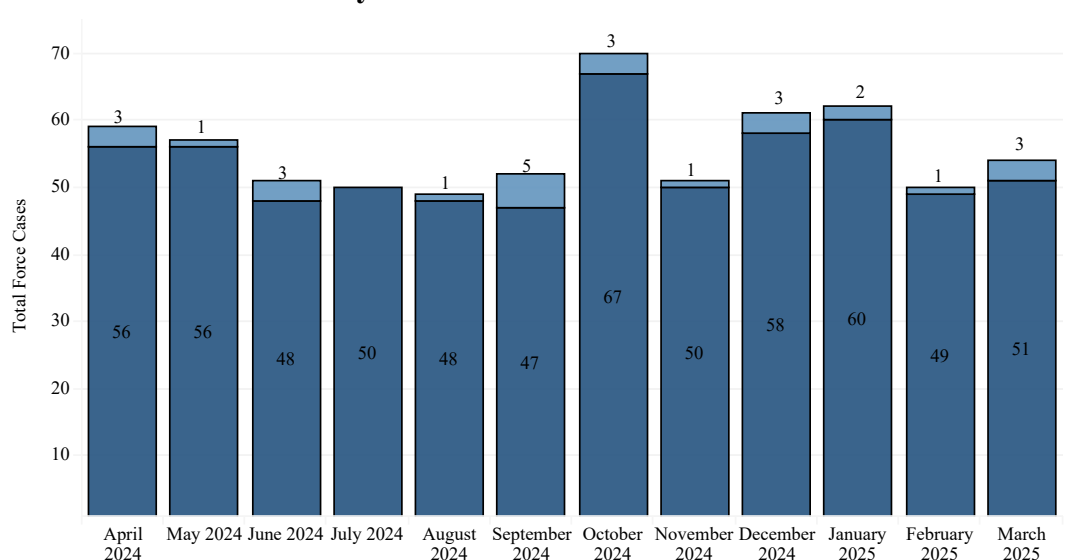
Out of Policy Force Cases by Area Command

Northeast	2
Southeast	1
Grand Total	3

Case Disposition

- Out of Policy
- In Policy

Policy Outcomes Prior 12 Months





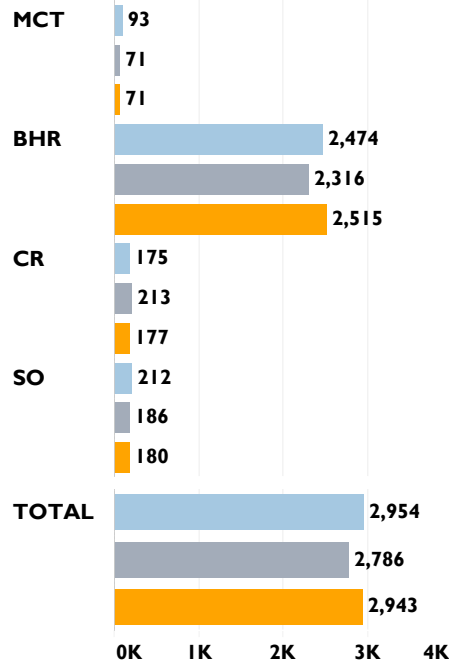
ALBUQUERQUE COMMUNITY SAFETY

MONTHLY INFORMATIONAL REPORT

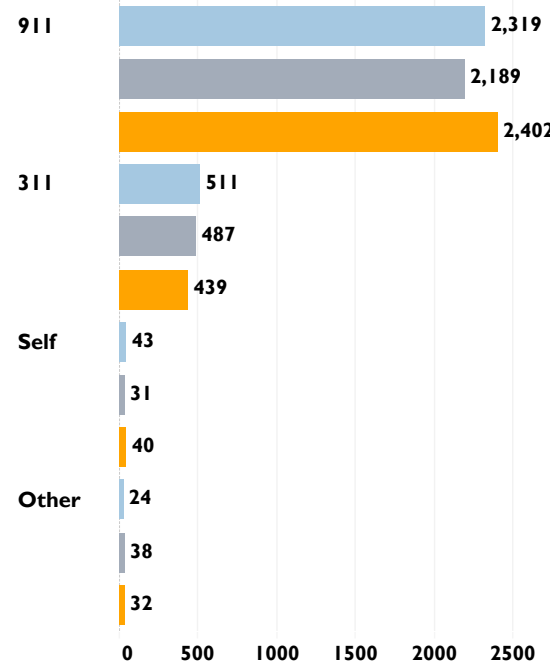
March 2025



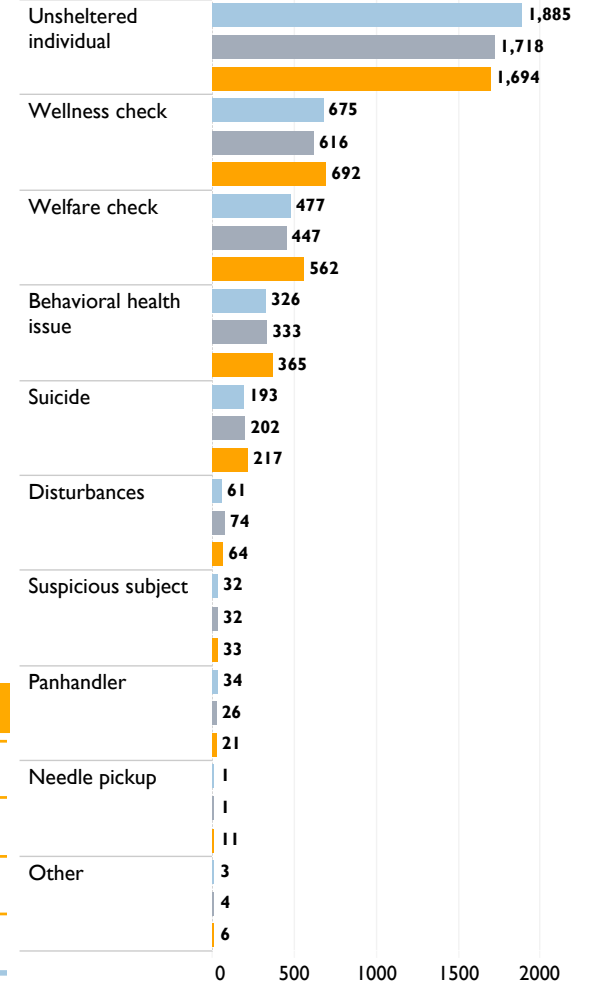
CFS BY PROGRAM



CFS BY REFERRAL SOURCE*



CFS BY CALL TYPE*



JANUARY
FEBRUARY
MARCH



FISCAL YEAR TO DATE CALLS FOR SERVICE

Mobile Crisis Team 843

Behavioral Health Response 22,333

Community Response 1,343

Street Outreach Response 2,686

TOTAL CFS 27,205

*Does not include MCT data, which is currently tracked by APD



ALBUQUERQUE COMMUNITY SAFETY

MONTHLY INFORMATIONAL REPORT

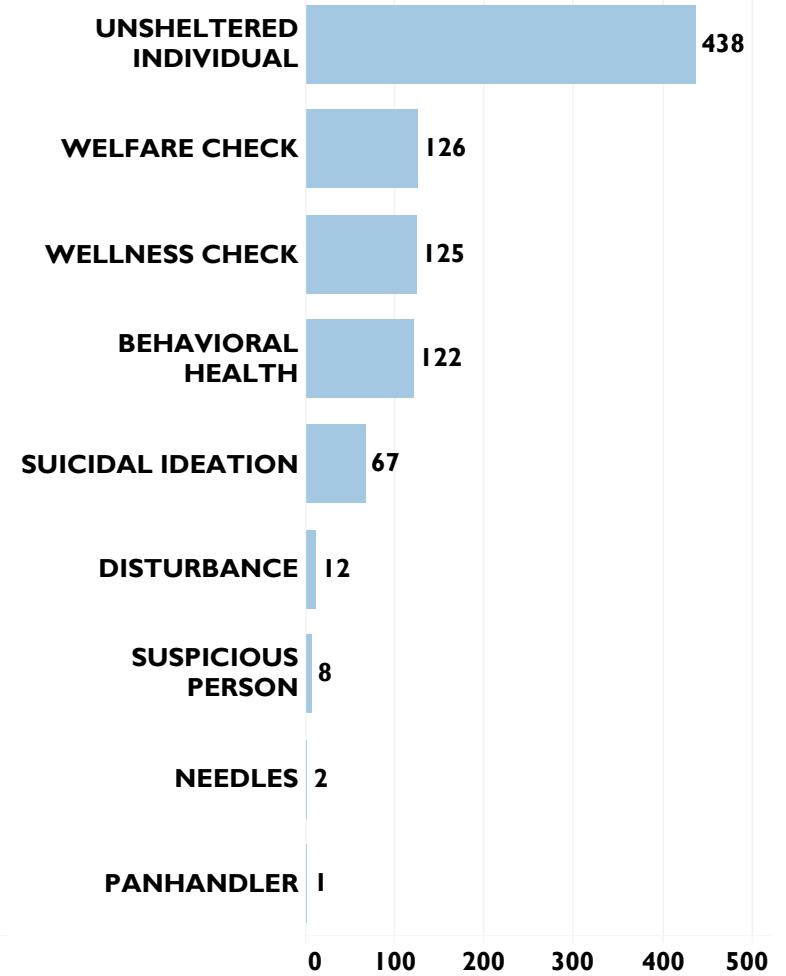
March 2025

GRAVEYARD SHIFT REPORT

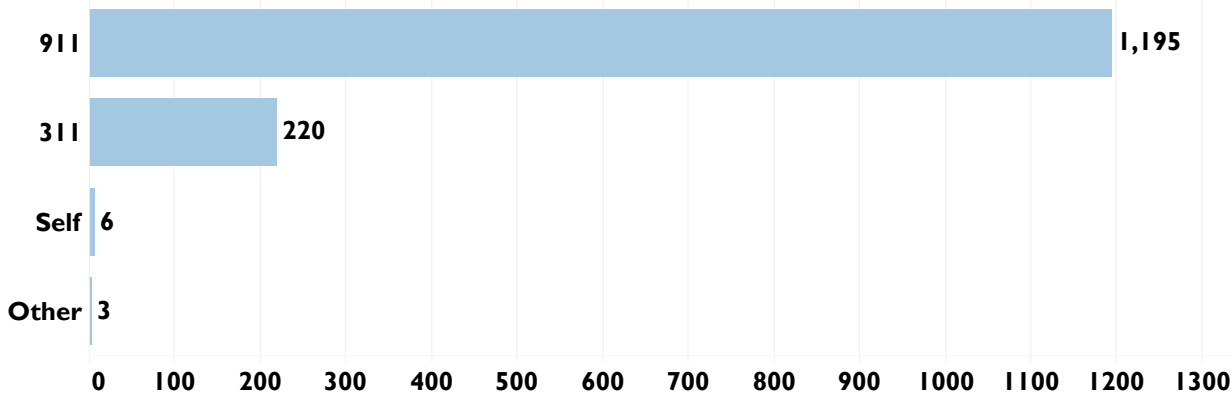
ACS now operates 24/7.
A graveyard response is between 8pm and 7am.



CFS BY CALL TYPE

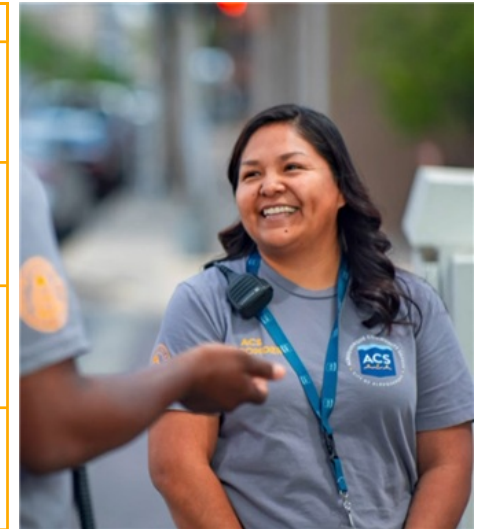


REFERRAL SOURCE

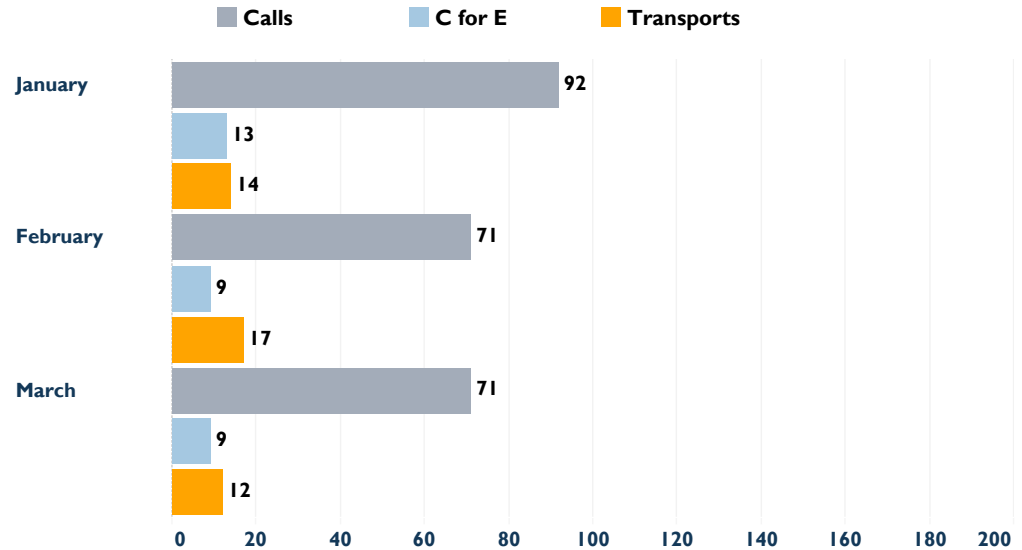


BHR RESPONSE TIMES (Calls with Priorities of 2, 3,4, and 5)

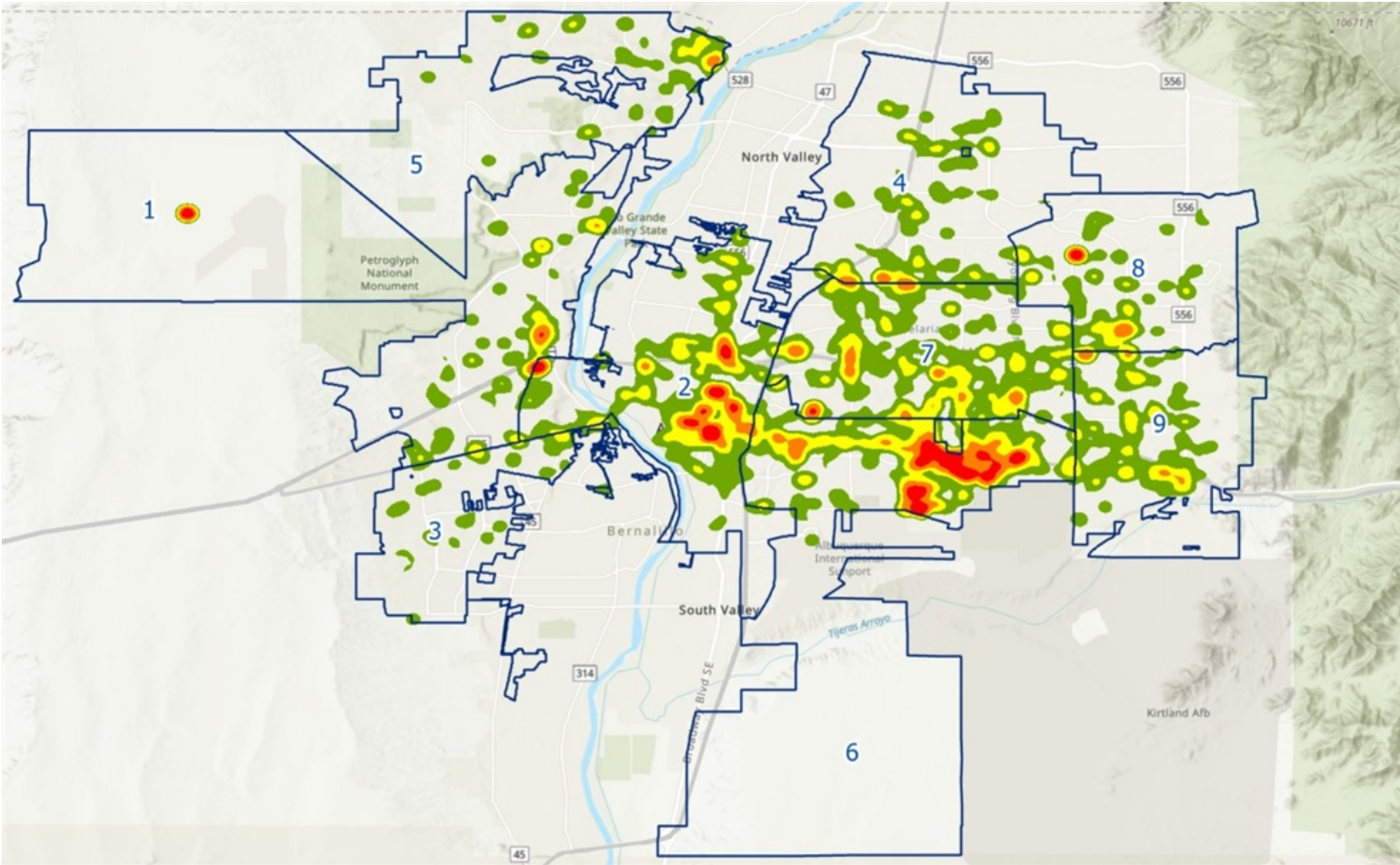
	JAN	FEB	MAR	FYTD
Entry to Dispatch (in the queue)	02:57:19	02:59:23	03:21:07	03:15:15
Dispatch to On-Scene (travel time)	00:20:31	00:21:38	00:26:32	00:23:55
On-scene to Clear (time on the call)	00:21:24	00:22:47	00:22:44	00:22:42
Create to Clear (total time to address call)	03:40:34	03:45:35	04:11:22	04:03:19



MCT CALLS, CERTIFICATES FOR EVALUATION, AND TRANSPORTS



ACS CALLS FOR SERVICE BY COUNCIL DISTRICT



Council District	
1-Sanchez	206
2-Baca	590
3-Peña	75
4-Bassan	184
5-Lewis	113
6-Rogers	808
7-Fiebelkorn	503
8-Champine	174
9-Grout	223

APD Policy
Recommendation(s)



1-41 EVIDENCE UNIT

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

A. Related SOP(s)

2-73 Collection, Submission, and Disposition of Evidence and Property (Formerly 2-08)

B. Form(s)

None

C. Other Resource(s)

NMSA 1978, §§ 7-8A-1 through 7-8A-31 Uniform Unclaimed Property Act
NMSA 1978, § 29-1-13 Unclaimed Property; Inventory
NMSA 1978, § 29-1-14 Unclaimed Property; Authority to Sell; Notice of Sale; Deadly Weapons, Controlled Substances, and Other Contraband Excepted
NMSA 1978, § 29-1-15 Proceeds of Sale; Title to Property Vests in Purchaser
Resource Conservation and Recovery Act of 1976

D. Rescinded Special Order(s)

SO 25-14 Amendment to SOP 1-41 Evidence Unit

1-41-1 Purpose

The purpose of this policy is to outline the procedures for Albuquerque Police Department (Department) personnel to maintain the integrity of all evidence and non-evidentiary items, to protect the chain of custody, to protect evidence from degradation, and to ensure that evidence is maintained in the condition that it was received in when it was submitted to the Evidence Unit.

1-41-2 Policy

It is the policy of the Department to maintain the integrity of all evidence and non-evidentiary items in the evidence warehouse, to comply with the legal standards for evidence handling and storage, and to maintain the chain of custody.

N/A 1-41-3 Definitions

None



7 1-41-4 **Responsibilities**

A. Evidence Unit personnel shall:

1. Properly handle all evidence and non-evidentiary items within the evidence warehouse to comply with the legal standards for evidence handling and storage and to maintain chain of custody;
2. Properly research assigned cases in a timely manner;
3. Provide prompt, courteous service at the evidence counter, evidence warehouse service window, and over the phone;
4. Accurately enter and update any item(s) of evidence they handle during their duties into the property evidence management system as soon as possible, but no later than the end of the employee's shift; and
- 5** 5. Be responsible for the security of the evidence warehouse and all evidence and non-evidentiary items by ensuring that physical access is limited to authorized personnel and that they enforce all security measures.

1 B. Evidence Unit personnel shall be the only personnel authorized to be in the evidence warehouse during the time they are scheduled to work.

1. An Evidence Unit Supervisor must provide prior authorization to Evidence Unit personnel for after-hours access to the evidence warehouse.

1 2. Evidence Unit personnel who admit anyone into the evidence warehouse without a supervisor's prior approval are grounds for disciplinary action, up to and including termination.

C. Public Relations

1. All Evidence Unit personnel shall attempt to assist requestor(s) in resolving any inquiry before referring them to another unit or employee.
 - a. Evidence Unit personnel shall make every effort to assist requesters who come to the Evidence Unit without making an appointment in advance.
 - b. Evidence Unit personnel shall make every effort to assist the requester even if they do not have pertinent information, such as a case number.

5 D. Security

1. Only authorized Evidence Unit personnel shall have unescorted access to the evidence warehouse.



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- a. Evidence Unit personnel shall escort all other persons who are in the evidence warehouse at all times.
2. An Evidence Unit employee shall immediately report any breach in security to an Evidence Unit Supervisor. Breaches in security include, but are not limited to:
 - a. When Evidence Unit personnel or non-Evidence Unit personnel gain access to an area they are not authorized to be in; or
 - b. When another Evidence Unit employee mishandles or tampers with evidence.
3. Failure to report a security breach as outlined in this Standard Operating Procedure (SOP) shall result in disciplinary action.
4. All Evidence Unit personnel are issued a personal locker with a key lock in the locker room to secure the facility.
 - a. Evidence Unit personnel shall secure all personal belongings, including, but not limited to, purses, backpacks, and workout bags in their locker.
 - b. Evidence Unit personnel shall be aware that there is no expectation of privacy in the lockers.
 - i. An Evidence Unit Supervisor shall be authorized to search the lockers at any time.
5. Evidence Unit personnel shall escort visitors and be physically present with the visitor(s) during their visit to the evidence warehouse.
 - a. Evidence Unit personnel shall document in the visitor's log book the time the visitor enters and exits the area by placing the exit time and the Evidence Unit employee's initials in the appropriate box adjacent to the visitor's signature and the purpose of their visit.
 - b. Evidence Unit personnel shall document the reason for the visitor's visit in the visitor's log book and place their initials at the entry in the visitor's log book.
6. At no time shall there be fewer than two (2) Evidence Unit Technicians in the evidence warehouse during regular working hours to ensure accountability and safety.
7. The Evidence Unit Supervisor or their designee shall activate/deactivate the evidence warehouse alarm at the beginning and end of each day.

E. Evidence Warehouse Safety Rules

1. Department personnel shall only use safety steps or ladders for climbing while working with evidence to help reduce the risk of injury.
 - a. Department personnel shall not stand on or use shelving, boxes, or bins as stepping or climbing tools.



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2. Evidence Unit personnel shall store and secure evidence so that it does not fall, slide, or strike against other evidence to protect the safety of personnel and prevent evidence from being damaged.
3. All Evidence Unit personnel shall be familiar with building evacuation in case of a bomb threat, fire, or other emergencies.
4. Department personnel shall not bring food and/or drinks into the vaults, fire room, or freezers. This protects evidence from contamination and protects Department personnel from potential pathogens.

F. Records and Administration

1. Evidence Unit personnel shall assist with the maintenance of electronic records and files.
 - a. Electronic records and files shall reflect the status of all property held by the Evidence Unit.

2. Evidence Unit Database Use

- a. Evidence Unit personnel shall use the appropriate property evidence management system to ensure an accurate chain of custody is maintained for every item of evidence through an electronic tracking system.
 - i. If the tracking system is not functioning for any reason, the Evidence Unit supervisor may authorize alternative methods of tracking evidence until the situation is resolved.
 - ii. Once the evidence management system is available, Evidence Unit personnel shall immediately enter the records into the tracking system.
- b. Evidence Unit personnel shall use the property evidence management system to maintain an indefinite file of approved user access and change requests, which shall be maintained by proper Evidence Unit personnel.
 - i. User requests shall be directed to the Evidence Unit Supervisor for approval.
 1. The Evidence Unit Supervisor or their designee shall approve user access and change requests.

N/A

3. Evidence Files and Logs

- a. Evidence Unit personnel shall maintain electronic evidence logs.
- b. Evidence Unit personnel shall use the property evidence management system to update, reference, and maintain all court orders, Brady bill checks, disposition letters, and other records relating to evidentiary and non-evidentiary items stored within the evidence warehouse.

4. Inventories, Inspections, and Audits



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N/A

- a. Evidence Unit personnel shall maintain an up-to-date inventory of all property held within the evidence warehouse through the property evidence management system.
- b. Evidence Unit personnel shall conduct annual bin audits to ensure quality control of items stored within the bins.
 - i. The Evidence Unit supervisor shall house these audits.
- c. A Department supervisor who is not routinely or directly connected to the Evidence Unit shall conduct an annual audit of the evidence stored to ensure that the Evidence Unit is maintained in a clean and orderly fashion and that the integrity of the property is maintained.
- d. Performance Metrics Unit (PMU) personnel may conduct unannounced inspections of the Evidence Unit at the direction of the Chief of Police.
 - i. All Evidence Unit personnel shall fully cooperate with Compliance and Oversight Division personnel.
- e. Evidence Unit personnel shall request PMU personnel to conduct any audits of evidence before disposal or destruction.

G. Categories of Property or Evidence

1. Found Items

- a. When Department personnel tag property or evidence designated as a "Found Item," Evidence Unit personnel shall store the item for a minimum of ninety (90) days.
 - i. After the ninety (90) days, the Evidence Unit Technician shall send a letter on City of Albuquerque letterhead advising the finder that the item(s) must be claimed within the following ninety (90) days and that the Evidence Unit will hold the item for a total of one-hundred and eighty (180) days.
 - ii. If the property is not claimed after one-hundred and eighty (180) days, it shall be properly disposed of, pursuant to NMSA 1978, §§ 29-1-13 through 29-1-15.
 - iii. If the property is not claimed by the owner within the first ninety (90) days, it may be released to the finder during the second ninety (90) day period, pursuant to NMSA 1978, §§ 7-8A-1 through 7-8A-31.
 1. Firearms, ammo, and contraband are exempt.

2. Return to Owner

- a. When Department personnel tag property or evidence designated as a "Return to Owner" item, they shall list the owner and the owner's contact information in the property evidence management system.
 - i. Evidence Unit personnel shall store all property designated as "Return to Owner" for ninety (90) days.
 - ii. Evidence Unit personnel shall send a letter on City of Albuquerque letterhead to the owner requesting that they retrieve the property.
 - iii. Evidence Unit personnel shall make every reasonable effort to contact the property owner to inform them of the property's location and the necessity to



pick up the property designated as "Return to Owner." If other means or avenues of contacting the property owner are available, Evidence Unit personnel shall attempt to contact them using those means.

1. Evidence Unit personnel shall include in the notification that the property owner has ninety (90) days from the date the item was tagged to pick up their property.
2. If the owner fails to retrieve their property, Evidence Unit personnel shall dispose of it consistent with this Standard Operating Procedure (SOP) and NMSA 1978, §§ 29-1-13 through 29-1-15.

3. Misdemeanor/Felony Evidence

- a. Evidence Unit personnel shall retain all property tagged as misdemeanor/felony evidence until the Evidence Unit is notified by the case agent, a designated supervisor, a signed court order, or the District Attorney (DA)'s Office of the completion of the case or if it has met statutory requirements.

H. Evidence Handling

1. Packaging

N/A

- a. Department personnel shall package all evidence or property consistent with SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence and Property for sanction classifications and additional duties).
- b. The Evidence Unit Technician shall immediately notify a supervisor if the item's packaging is compromised.
 - i. The supervisor and the Evidence Unit Technician shall reseal the item, initial and date the packaging, and make a notation in the property evidence management system.
- c. The Evidence Unit Technician shall notify their supervisor immediately and call a firearms expert from the Metropolitan Forensic Science Center (MFSC) or sworn personnel who are trained in handling a firearm to render a weapon safe and/or unload the weapon if a weapon is found to be loaded.

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2. Rejected Evidence and Property

- a. When Evidence Unit Technicians collect evidence or property from an off-site tagging location, and the items have been improperly tagged or otherwise require rejection, they shall take the item to the MFSC, where it will be stored.
- b. Department personnel shall fix rejected evidence within five (5) working days.
 - i. If the employee tagged the item fails to fix the rejected evidence within five (5) days, Evidence Unit personnel shall email the employee's immediate supervisor.

3. Storing Property



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- a. Evidence Unit personnel shall:
 - i. Take all property to the MFSC, where it shall be stored in designated areas depending on the item type;
 - ii. Store items requiring extra security measures, such as firearms, narcotics, cash, and jewelry, in their respective vaults;
 1. Items that require extra security measures shall remain in their vaults until they are properly disposed of.
 - iii. Store all other evidence or property in bins or shelf areas depending on their size; and
 - iv. Store only authorized items outside the evidence warehouse.

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I. Releasing Evidence and Property

1. Evidence Unit personnel shall ensure that Department personnel who inquire about evidence present documentation such as Case Agent, tagging officer, or outside agency identification to ensure that they have the authority over the case to release or dispose of evidence/property.
 - a. If the Evidence Unit Technician does not recognize the officer, they shall ask for official identification.
2. Evidence Unit personnel shall only release evidence under the following circumstances:
 - a. By a court order that has been signed by a judge;
 - b. By authorization of the submitting officer, investigating officer, or their respective supervisor; or
 - c. By authorization of the City Attorney or the Department's legal counsel.
3. If Evidence Unit personnel have reason to question the authenticity of a court document, they shall request for the Evidence Unit supervisor or their designee to review copies of the documents authorizing the release or disposition of any items of evidence including, but not limited to, court orders and DA's Office letters.
 - a. Court orders shall have the case number, inventory, or amount of money to be released and the judge's signature authorizing the release.
 - i. Evidence Unit personnel shall retain the original court order on file, and a copy shall be given to the requestor.
4. Evidence Unit personnel shall capture all information about the release of evidence or property in the property evidence management system, including scanning court orders, DA's Office letters, and/or the signature of the releasing person and the person receiving the item.
5. The Evidence Unit supervisor shall respond to any escalated inquiries regarding the release of evidence or property.

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J. Requests for Audio/Video Copies and Reproduction

1. All internal and external audio and video copy requests shall be submitted through the Evidence Unit email at apdevidence@cabq.gov. Speed letters must be included when applicable.
2. Requests for copies of on-body recording device footage shall be shared via Evidence.com.
- N/A 3. If requested by an authorized entity, including but not limited to the District Attorney, the City Attorney's Office, or the Civilian Police Oversight Agency (CPOA), Evidence Unit personnel may modify the scheduled auto-deletion for non-evidentiary videos to prevent its deletion.
- N/A 4. The disposition of evidentiary videos shall follow the same policy as other evidence, consistent with SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence for sanction classifications and additional duties).

K. Final Disposition of Property/Evidence

1. Evidence Unit personnel shall follow guidelines pursuant to NMSA 1978 §§ 29-1-13 through 29-1-15 and shall require written disposition authority from the DA's Office, the City Attorney's Office, the investigating officer, a Department/Bernalillo County Sheriff's Office sergeant, or above, or an Evidence Unit supervisor as appropriate before the disposition of property/evidence is held by the Department.
2. Evidence Unit personnel shall complete the final disposition for found items, recovered, and evidentiary property as soon as possible after all legal requirements have been satisfied.
 - a. Any auction, destruction, or transfers shall be done in compliance with NMSA 1978, §§ 29-1-13 through 29-1-15.
3. Evidence Unit personnel shall verify the proper and legal final disposition of the items before disposing of any item in their custody.
4. PMU personnel have the authority to conduct a physical inspection of the items being disposed of during the disposition process and shall be notified of the final disposition.
 - a. PMU personnel shall have the authority to stop any destruction process because of discrepancies in the evidence destruction list or the inspection of the items.
 - b. The Evidence Unit shall be responsible for documenting all destructions/disposals and forwarding this report to the Inspections Unit.



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5. The Evidence Unit shall not return any contraband to any party involved in the seizure of the items without proper authorization. The Evidence Unit's policy is to dispose of these items by destroying them after receiving a court order.
6. Evidence Unit personnel shall dispose of drug lab chemicals, equipment, or biohazard items that are not needed for prosecution consistent with the Resource Conservation and Recovery Act of 1976.
7. Weapons not claimed by or otherwise returned to the owner shall be disposed of as follows:
 - a. After obtaining a court order, Evidence Unit personnel shall place all weapons that are designated as usable by the MFSC in the MFSC forensic firearms armory/library for future reference and investigative purposes;
 - i. Evidence Unit personnel shall ensure that all investigative and court orders related to the weapons have been met prior to transferring the weapon.
 - b. Evidence Unit personnel shall transfer all weapons that do not meet Department standards of serviceability and are needed for ballistics information to Firearms Unit personnel; and
 - i. Evidence Unit personnel shall transfer the weapons after all legal requirements have been completed.
 - c. Evidence Unit personnel shall destroy any firearm that does not fit the above categories. This includes, but is not limited to, machine guns, sawed-off shotguns, rifles, firearms with obliterated serial numbers, and other crime-involved firearms.
8. Evidence Unit personnel shall give property conversion requests to the Scientific Evidence Division (SED) Commander for final approval.



1-41 EVIDENCE UNIT

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

A. Related SOP(s)

2-73 Collection, Submission, and Disposition of Evidence and Property (Formerly 2-08)

B. Form(s)

None

C. Other Resource(s)

NMSA 1978, §§ 7-8A-1 through 7-8A-31 Uniform Unclaimed Property Act
NMSA 1978, § 29-1-13 Unclaimed Property; Inventory
NMSA 1978, § 29-1-14 Unclaimed Property; Authority to Sell; Notice of Sale; Deadly Weapons, Controlled Substances, and Other Contraband Excepted
NMSA 1978, § 29-1-15 Proceeds of Sale; Title to Property Vests in Purchaser
Resource Conservation and Recovery Act of 1976

D. Rescinded Special Order(s)

SO 25-14 Amendment to SOP 1-41 Evidence Unit None

1-41-1 Purpose

The purpose of this policy is to outline the procedures for Albuquerque Police Department (Department) personnel to maintain the integrity of all evidence and non-evidentiary items, to protect the chain of custody, to protect evidence from degradation, and to ensure that evidence is maintained in the condition that it was received in when it was submitted to the Evidence Unit.

1-41-2 Policy

It is the policy of the Department to maintain the integrity of all evidence and non-evidentiary items in the evidence warehouse, to comply with the legal standards for evidence handling and storage, and to maintain the chain of custody.

N/A 1-41-3 Definitions

None



7 1-41-4 Responsibilities

A. Evidence Unit personnel shall:

1. Properly handle all evidence and non-evidentiary items within the evidence warehouse to comply with the legal standards for evidence handling and storage and to maintain chain of custody;
2. Properly research assigned cases in a timely manner;
3. Provide prompt, courteous service at the evidence counter, evidence warehouse service window, and over the phone;
4. Accurately enter and update any item(s) of evidence they handle during their duties into the property evidence management system as soon as possible, but no later than the end of the employee's shift; and
- 5** 5. Be responsible for the security of the evidence warehouse and all evidence and non-evidentiary items by ensuring that physical access is limited to authorized personnel and that they enforce all security measures.

1 B. Evidence Unit personnel shall be the only personnel authorized to be in the evidence warehouse during the time they are scheduled to work.

1. An Evidence Unit Supervisor must provide prior authorization to Evidence Unit personnel for after-hours access to the evidence warehouse.

1 2. Evidence Unit personnel who admit anyone into the evidence warehouse without a supervisor's prior approval are ~~is~~ grounds for disciplinary action, up to and including termination.

C. Public Relations

1. All Evidence Unit personnel shall attempt to assist requestor(s) in resolving any inquiry before referring them to another unit or employee.
 - a. Evidence Unit personnel shall make every effort to assist requesters who come to the Evidence Unit without making an appointment in advance.
 - b. Evidence Unit personnel shall make every effort to assist the requester even if they do not have pertinent information, such as a case number.

5 D. Security

1. Only authorized Evidence Unit personnel shall have unescorted access to the evidence warehouse.



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- a. Evidence Unit personnel shall escort all other persons who are in the evidence warehouse at all times.
2. An Evidence Unit employee shall immediately report any breach in security to an Evidence Unit Supervisor. Breaches in security include, but are not limited to:
 - a. When Evidence Unit personnel or non-Evidence Unit personnel gain access to an area they are not authorized to be in; or
 - b. When another Evidence Unit employee mishandles or tampers with evidence.
3. Failure to report a security breach as outlined in this Standard Operating Procedure (SOP) shall result in disciplinary action.
4. All Evidence Unit personnel are issued a personal locker with a key lock in the locker room to secure the facility.
 - a. Evidence Unit personnel shall secure all personal belongings, including, but not limited to, purses, backpacks, and workout bags in their locker.
 - b. Evidence Unit personnel shall be aware that there is no expectation of privacy in the lockers.
 - i. An Evidence Unit Supervisor shall be authorized to search the lockers at any time.
5. Evidence Unit personnel shall escort visitors and be physically present with the visitor(s) during their visit to the evidence warehouse.
 - a. Evidence Unit personnel shall document in the visitor's log book the time the visitor enters and exits the area by placing the exit time and the Evidence Unit employee's initials in the appropriate box adjacent to the visitor's signature and the purpose of their visit.
 - b. Evidence Unit personnel shall document the reason for the visitor's visit in the visitor's log book and place their initials at the entry in the visitor's log book.
6. At no time shall there be fewer than two (2) Evidence Unit Technicians in the evidence warehouse during regular working hours to ensure accountability and safety.
7. The Evidence Unit Supervisor or their designee shall activate/deactivate the evidence warehouse alarm at the beginning and end of each day.

E. Evidence Warehouse Safety Rules

1. Department personnel shall only use safety steps or ladders for climbing while working with evidence to help reduce the risk of injury.
 - a. Department personnel shall not stand on or use shelving, boxes, or bins as stepping or climbing tools.



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2. Evidence Unit personnel shall store and secure evidence so that it does not fall, slide, or strike against other evidence to protect the safety of personnel and prevent evidence from being damaged.
3. All Evidence Unit personnel shall be familiar with building evacuation in case of a bomb threat, fire, or other emergencies.
4. Department personnel shall not bring food and/or drinks into the vaults, fire room, or freezers. This protects evidence from contamination and protects Department personnel from potential pathogens.

F. Records and Administration

1. Evidence Unit personnel shall assist with the maintenance of electronic records and files.
 - a. Electronic records and files shall reflect the status of all property held by the Evidence Unit.

2. Evidence Unit Database Use

- a. Evidence Unit personnel shall use the appropriate property evidence management system to ensure an accurate chain of custody is maintained for every item of evidence through an electronic tracking system.
 - i. If the tracking system is not functioning for any reason, the Evidence Unit supervisor may authorize alternative methods of tracking evidence until the situation is resolved.
 - ii. Once the evidence management system is available, Evidence Unit personnel shall immediately enter the records into the tracking system.
- b. Evidence Unit personnel shall use the property evidence management system to maintain an indefinite file of approved user access and change requests, which shall be maintained by proper Evidence Unit personnel.
 - i. User requests shall be directed to the Evidence Unit Supervisor for approval.
 1. The Evidence Unit Supervisor or their designee shall approve user access and change requests.

N/A

3. Evidence Files and Logs

- a. Evidence Unit personnel shall maintain electronic evidence logs.
- b. Evidence Unit personnel shall use the property evidence management system to update, reference, and maintain all court orders, Brady bill checks, disposition letters, and other records relating to evidentiary and non-evidentiary items stored within the evidence warehouse.

4. Inventories, Inspections, and Audits



N/A

- a. Evidence Unit personnel shall maintain an up-to-date inventory of all property held within the evidence warehouse through the property evidence management system.
- b. Evidence Unit personnel shall conduct annual bin audits to ensure quality control of items stored within the bins.
 - i. The Evidence Unit supervisor shall house these audits.
- c. A Department supervisor who is not routinely or directly connected to the Evidence Unit shall conduct an annual audit of the evidence stored to ensure that the Evidence Unit is maintained in a clean and orderly fashion and that the integrity of the property is maintained.
- d. Performance Metrics Unit (PMU) personnel may conduct unannounced inspections of the Evidence Unit at the direction of the Chief of Police.
 - i. All Evidence Unit personnel shall fully cooperate with Compliance and Oversight Division personnel.
- e. Evidence Unit personnel shall request PMU personnel to conduct any audits of evidence before disposal or destruction.

G. Categories of Property or Evidence

~~1. Destruction~~

- ~~a. When Department personnel tag property or evidence designated as contraband and tagged as an item to "Destroy," Evidence Unit personnel shall retain the property or evidence for a minimum of ninety (90) days before destroying it to ensure that the property does not possess evidentiary value.~~

~~2.1. Found Items~~

- a. When Department personnel tag property or evidence designated as a "Found Item," Evidence Unit personnel shall store the item for a minimum of ninety (90) days.
 - i. After the ninety (90) days, the Evidence Unit Technician shall send a letter on City of Albuquerque letterhead advising the finder that the item(s) must be claimed within the following ninety (90) days and that the Evidence Unit will hold the item for a total of one-hundred and eighty (180) days.
 - ii. If the property is not claimed after one-hundred and eighty (180) days, it shall be properly disposed of, pursuant to NMSA 1978, §§ 29-1-13 through 29-1-15.
 - iii. If the property is not claimed by the owner within the first ninety (90) days, it may be released to the finder during the second ninety (90) day period, pursuant to NMSA 1978, §§ 7-8A-1 through 7-8A-31.
 - 1. Firearms, ammo, and contraband are exempt.
 - iv. ~~Department personnel shall use this category instead of the Destruction category, when applicable.~~

~~3.2. Return to Owner~~



- a. When Department personnel tag property or evidence designated as a “Return to Owner” item, they shall list the owner and the owner’s contact information in the property evidence management system.
 - i. Evidence Unit personnel shall store all property designated as “Return to Owner” for ninety (90) days.
 - ii. Evidence Unit personnel shall send a letter on City of Albuquerque letterhead to the owner requesting that they retrieve the property.
 - iii. Evidence Unit personnel shall make every reasonable effort to contact the property owner to inform them of the property’s location and the necessity to pick up the property designated as “Return to Owner.” If other means or avenues of contacting the property owner are available, Evidence Unit personnel shall attempt to contact them using those means.
 - 1. Evidence Unit personnel shall include in the notification that the property owner has ninety (90) days from the date the item was tagged to pick up their property.
 - 2. If the owner fails to retrieve their property, Evidence Unit personnel shall dispose of it consistent with this Standard Operating Procedure (SOP) and NMSA 1978, §§ 29-1-13 through 29-1-15.

4.3. Misdemeanor/Felony Evidence

- a. Evidence Unit personnel shall retain all property tagged as misdemeanor/felony evidence until the Evidence Unit is notified by the case agent, a designated supervisor, a signed court order, or the District Attorney (DA)’s Office of the completion of the case or if it has met statutory requirements.

H. Evidence Handling

1. Packaging

N/A

- a. Department personnel shall package all evidence or property consistent with SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence and Property for sanction classifications and additional duties).
- b. The Evidence Unit Technician shall immediately notify a supervisor if the item’s packaging is compromised.
 - i. The supervisor and the Evidence Unit Technician shall reseal the item, initial and date the packaging, and make a notation in the property evidence management system.
- c. The Evidence Unit Technician shall notify their supervisor immediately and call a firearms expert from the Metropolitan Forensic Science Center (MFSC) or sworn personnel who are trained in handling a firearm to render a weapon safe and/or unload the weapon if a weapon is found to be loaded.

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2. Rejected Evidence and Property



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- a. When Evidence Unit Technicians collect evidence or property from an off-site tagging location, and the items have been improperly tagged or otherwise require rejection, they shall take the item to the MFSC, where it will be stored.
- b. Department personnel shall fix rejected evidence within five (5) working days.
 - i. If the employee tagged the item fails to fix the rejected evidence within five (5) days, Evidence Unit personnel shall email the employee's immediate supervisor.

3. Storing Property

- a. Evidence Unit personnel shall:
 - i. Take all property to the MFSC, where it shall be stored in designated areas depending on the item type;
 - ii. Store items requiring extra security measures, such as firearms, narcotics, cash, and jewelry, in their respective vaults;
 1. Items that require extra security measures shall remain in their vaults until they are properly disposed of.
 - iii. Store all other evidence or property in bins or shelf areas depending on their size; and
 - iv. Store only authorized items outside the evidence warehouse.

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I. Releasing Evidence and Property

1. Evidence Unit personnel shall ensure that Department personnel who inquire about evidence present documentation such as Case Agent, tagging officer, or outside agency identification to ensure that they have the authority over the case to release or dispose of evidence/property.
 - a. If the Evidence Unit Technician does not recognize the officer, they shall ask for official identification.
2. Evidence Unit personnel shall only release evidence under the following circumstances:
 - a. By a court order that has been signed by a judge;
 - b. By authorization of the submitting officer, investigating officer, or their respective supervisor; or
 - c. By authorization of the City Attorney or the Department's legal counsel.
3. If Evidence Unit personnel have reason to question the authenticity of a court document, they shall request for the Evidence Unit supervisor or their designee to review copies of the documents authorizing the release or disposition of any items of evidence including, but not limited to, court orders and DA's Office letters.
 - a. Court orders shall have the case number, inventory, or amount of money to be released and the judge's signature authorizing the release.

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i. Evidence Unit personnel shall retain the original court order on file, and a copy shall be given to the requestor.

4. Evidence Unit personnel shall capture all information about the release of evidence or property in the property evidence management system, including scanning court orders, DA's Office letters, and/or the signature of the releasing person and the person receiving the item.
5. The Evidence Unit supervisor shall respond to any escalated inquiries regarding the release of evidence or property.

J. Requests for Audio/Video Copies and Reproduction

1. All internal and external audio and video copy requests shall be submitted through the Evidence Unit email at apdevidence@cabq.gov. Speed letters must be included when applicable.
2. Requests for copies of on-body recording device footage shall be shared via Evidence.com.
3. If requested by an authorized entity, including but not limited to the District Attorney, the City Attorney's Office, or the Civilian Police Oversight Agency (CPOA), Evidence Unit personnel may modify the scheduled auto-deletion for non-evidentiary videos to prevent its deletion.

N/A

N/A

4. The disposition of evidentiary videos shall follow the same policy as other evidence, consistent with SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence for sanction classifications and additional duties).

K. Final Disposition of Property/Evidence

1. Evidence Unit personnel shall follow guidelines pursuant to NMSA 1978 §§ 29-1-13 through 29-1-15 and shall require written disposition authority from the DA's Office, the City Attorney's Office, the investigating officer, a Department/Bernalillo County Sheriff's Office sergeant, or above, or an Evidence Unit supervisor as appropriate before the disposition of property/evidence is held by the Department.
2. Evidence Unit personnel shall complete the final disposition for found items, recovered, and evidentiary property as soon as possible after all legal requirements have been satisfied.
 - a. Any auction, destruction, or transfers shall be done in compliance with NMSA 1978, §§ 29-1-13 through 29-1-15.
3. Evidence Unit personnel shall verify the proper and legal final disposition of the items before disposing of any item in their custody.



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4. PMU personnel have the authority to conduct a physical inspection of the items being disposed of during the disposition process and shall be notified of the final disposition.
 - a. PMU personnel shall have the authority to stop any destruction process because of discrepancies in the evidence destruction list or the inspection of the items.
 - b. The Evidence Unit shall be responsible for documenting all destructions/disposals and forwarding this report to the Inspections Unit.
5. The Evidence Unit shall not return any contraband to any party involved in the seizure of the items without proper authorization. The Evidence Unit's policy is to dispose of these items by destroying them after receiving a court order.
6. Evidence Unit personnel shall dispose of drug lab chemicals, equipment, or biohazard items that are not needed for prosecution consistent with the Resource Conservation and Recovery Act of 1976.
7. Weapons not claimed by or otherwise returned to the owner ~~shall~~ may be disposed of as follows:
 - a. After obtaining a court order, Evidence Unit personnel shall place all weapons that are designated as usable by the MFSC in the MFSC forensic firearms armory/library for future reference and investigative purposes;
 - i. Evidence Unit personnel shall ensure that all investigative and court orders related to the weapons have been met prior to transferring the weapon.
 - b. Evidence Unit personnel shall transfer all weapons that do not meet Department standards of serviceability and are needed for ballistics information to Firearms Unit personnel; and
 - i. Evidence Unit personnel shall transfer the weapons after all legal requirements have been completed.
 - c. Evidence Unit personnel shall destroy any firearm that does not fit the above categories. This includes, but is not limited to, machine guns, sawed-off shotguns, rifles, firearms with obliterated serial numbers, and other crime-involved firearms.
8. Evidence Unit personnel shall give property conversion requests to the Scientific Evidence Division (SED) Commander for final approval.

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2-3 FIREARMS AND AMMUNITION AUTHORIZATION

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

A. Related SOP(s)

3-30 Line Inspection Process (Formerly 3-42)

B. Form(s)

PeopleSoft Monthly Line Inspection Form

C. Other Resource(s)

City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement (CBA)
Firearms Range Handbook
NMSA 1978, § 30-7-3 Unlawful Carrying of a Firearm in Licensed Liquor Establishments

D. Rescinded Special Order(s)

None

2-3-1 Purpose

The purpose of this policy is to set forth the expectations for sworn personnel who are authorized to carry Department-approved firearms and to use Department-approved ammunition.

2-3-2 Policy

It is the policy of the Albuquerque Police Department (Department) to provide sworn personnel with a duty handgun, a less-than-lethal beanbag shotgun, or a 40-mm less-than-lethal munition. Sworn personnel who are authorized to carry a firearm may be issued a patrol rifle, 12-gauge shotgun, or an enhanced shotgun after successfully completing additional training and obtaining the required certification. Specialty units who are authorized to carry a firearm may be issued additional firearms and ammunition after successfully completing additional training. Furthermore, it is the policy of the Department to provide the necessary training and ammunition for all Department-issued firearms used by sworn personnel.



N/A 2-3-3

Definitions

A. Accessory

An addition to a firearm, which does not require a permanent modification to the firearm and serves to accommodate an individual officer's stature and ergonomics for usability.

B. Critical Firearm Discharge

A discharge of an off-duty or on-duty firearm by sworn personnel, excluding range practice and training firings, destruction of animals, and off-duty, accidental discharges of a personally owned weapon where no person is struck.

C. Modification

Any change to a firearm that affects the internal function of the firearm from its original factory state. Any modifications to Department-issued firearms must be completed by the Department Armorer and approved by the Chief of Police.

D. Plainclothes

An on-duty sworn officer not wearing their Department-issued uniform but carrying their Department-issued badge and firearm.

E. Range Master-Approved List

A list of equipment approved for use while on duty, which is drafted and maintained by the Range Master and approved by the Chief of Police.

F. Range Master-Authorized List

A list of modifications to Department-issued firearms that are carried while on duty, which is authorized and approved by the Department Armorer or their designee and the Chief of Police.

G. Tactical Units

A unit consisting of Special Weapons and Tactics (SWAT), Canine (K-9), and Explosive Ordinance Disposal Unit (EOD/Bomb Squad).

H. Undercover Officer

Any on-duty sworn personnel whose identity as a law enforcement officer is concealed or whose assignment requires them to work incognito while investigating individuals or organizations. The officer is working pursuant to an undercover operation, as approved by the Bureau Deputy Chief of Police, designed to obtain information about



the criminal activity of individuals or organizations through the development of ongoing relationships with those individuals, organizations, or associates.

5 2-3-4 Department-Approved Firearms and Ammunition

A. Safe Handling and Carrying of Firearms

1. Sworn personnel shall use due care and sound judgment when handling and carrying Department-approved firearms while on duty or off duty.
2. Sworn personnel shall adhere to the following rules of firearm safety at all times:
 - a. Always handle firearms as if they are loaded;
 - b. Never let the muzzle cover anything that they are not willing to shoot;
 - c. Keep their finger off the trigger until their sights are on the target; and
 - d. Be sure of their target and what lies beyond it.

B. General Rules for Firearms

1. Sworn personnel shall:
 - a. Carry or use only Department-approved firearms while on-duty;
 - b. Ensure they are timely qualified on a Range Master-approved firearm as described in this Standard Operating Procedure (SOP);
 - c. Ensure they are qualified to use their firearm and ensure each type of firearm that they will carry is approved by the Range Master as described in this SOP;
 - d. While on-duty, including while working in a plainclothes capacity, at a minimum, carry their duty handguns, spare magazine, badge, identification card, on-body recording device (OBRD), and a means of communication;
 - e. Qualify annually with their firearm(s) in both daylight and low light;
 - f. Maintain their Department-approved firearms in safe and working condition; and
 - g. Clean and inspect their firearms before returning to duty any time they discharge the firearm.
2. Sworn personnel shall be prohibited from using holsters with retention device(s) that prevent the officer from the gripping of their firearm.
3. On-duty sworn personnel may carry firearms into liquor establishments when responding to a call or on other official assignments.
4. Off-duty sworn personnel may carry a Department-approved firearm into a licensed liquor establishment only under the following conditions, unless responding to an emergency pursuant to NMSA 1978, § 30-7-3 as follows:
 - a. The officer shall not consume alcohol in any quantity;
 - b. The establishment shall not be a business whose primary business is the sale of liquor, such as a bar or package liquor store; and



c. The officer shall carry a firearm with which they are qualified, and the officer shall carry their badge and identification card.

N/A

5. Supervisors shall inspect firearms for each officer under their command and shall complete the Monthly Line Inspection Form for each officer under their command (refer to SOP Line Inspection Process for sanction classifications and additional duties).

6. Property Unit personnel shall maintain up-to-date information on each officer's firearm and qualifications. Records shall include:

- a. A list by type and serial number of each officer's Department-approved firearm and any Department-approved, personally-owned firearm that may be used as a backup handgun or an off-duty handgun;
- b. Qualification dates for each officer's firearms;
- c. Qualification information regarding any other firearms; and
 - i. The Range Master and Academy Division personnel shall maintain the history of an officer's qualification scores in the officer's training file throughout their career.
- d. Any modifications performed with the approval of the Department Armorer or their designee.

C. Rules by Type of Firearm

1. Duty Handgun

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- a. Sworn personnel shall only carry Department-issued and Department-approved handguns and handgun optics as a primary duty handgun.
- b. The Range Master shall approve all duty handguns and note their approval on the officer's inventory card. Prior to approval, the Range Master shall inspect and approve the officer's proposed holster and associated gear.

2. Patrol Rifle

- a. Sworn personnel shall only carry Department-issued and Department-approved rifles while on duty.
- b. Patrol Rifle Optics:
 - i. The Range Master shall maintain a Range Master-Approved List of approved patrol rifle optics at the Department Firearms Range, consistent with the Firearms Range Handbook;
 - ii. Sworn personnel shall only carry Department-issued and Department-approved patrol rifle optics;
 - 1. Sworn personnel may carry personally owned patrol rifle optics if approved prior to the publication of this SOP. All new rifles shall use Department-issued optics.
 - iii. Sworn personnel shall receive training and must qualify to use patrol rifle optics prior to using them while on duty;



- iv. When mounted, the location of patrol rifle optics shall not impede the iron sights from being employed in the event the patrol rifle optic ceases to function. If the patrol rifle optic is equipped with an etched reticule, there is no need for iron sights; and
 - v. Tactical Units may deviate from the Range Master-Authorized List by issuing a different brand and design of patrol rifle optical sight approved, in writing, by the SOD Commander. The SOD Commander shall ensure that sworn personnel receive proper training prior to deployment of firearms not included on the Department's Range Master-Authorized List of approved firearms.
- c. Magnified Optics
- i. The officer shall attend and pass the Department's magnified optic course prior to using magnified optics.
 - ii. Sworn personnel shall only carry Department-issued and Department-approved magnified optics.
 - 1. Sworn personnel may carry personally owned magnified optics if approved prior to the publication of this SOP. All new rifles shall use Department magnified optics.
 - iii. Tactical magnified optics shall have the ability to vary from no magnification to a magnification power of six (6x).
- d. Patrol rifles must be equipped with a weapon-mounted light and a two (2) point sling.
3. 12-Gauge Shotgun (Buckshot)
- a. Sworn personnel shall carry only Department-approved 12-gauge shotguns with which they have successfully qualified.
 - b. The shotgun shall be issued with a two (2) point sling and additional ammunition, including a side saddle-type or stock shell carrier.
4. Less-Lethal Shotgun (Beanbag)
- a. Sworn personnel shall carry only Department-approved less-lethal shotguns.
 - b. The less-lethal shotgun shall be issued with a two (2) point sling and an additional ammunition carrier.
 - c. Sworn personnel shall be trained in the use of less-lethal shotguns.
 - d. Sworn personnel who are issued a less-lethal shotgun shall carry the firearm in their vehicle.
 - e. The less-lethal shotgun shall be plainly marked with high visibility yellow or orange tape or paint on the buttstock and muzzle area of the barrel.
 - f. Sworn personnel shall never load lethal rounds in their less-lethal shotgun.
5. Enhanced Shotgun with Slug Ammunition
- a. Special Operations Division and Open Space Section sworn personnel shall carry only Department-Issued and Department-approved enhanced shotguns.



- b. The enhanced shotgun shall be issued as a pump or semi-automatic type action.
 - c. The enhanced shotgun shall have:
 - i. Ghost ring or rifle sights;
 - ii. A side saddle-type or stock shell carrier;
 - iii. A two (2) point sling;
 - iv. An extended magazine tube; and
 - v. A weapon-mounted light.
6. Department Issued Primary Back-up Handgun
- a. Sworn personnel are authorized to carry a Department issued backup handgun while on duty. Those who are working in a plainclothes or undercover capacity, or are in an administrative/training role and not responding to dispatched calls for service may be allowed to carry the Department issued primary backup handgun as their primary weapon.
 - b. Sworn personnel who use a tactical load-bearing vest while on duty shall not stow their Department-issued backup handgun on their vest.
 - c. The Firearms Training and Property Unit personnel shall approve all Department issued backup handguns and note them on the officer's property card. Prior to approval, the Range Master shall review the officer's proposed holster and concealment for compliance with this SOP.
 - d. Physical Requirements:
 - i. For the purposes of concealment, the on-duty backup handgun shall have a barrel length of four inches (4") or less.
 - ii. It shall be a semi-automatic.
 - iii. It shall have a minimum ammunition load of five (5) rounds.
 - iv. It shall be a .9mm caliber.
7. Personally-Owned On-Duty Backup Handgun
- a. Sworn personnel are authorized to carry a personally-owned backup handgun while on duty. The on-duty backup handgun is not a second-duty handgun. The on-duty backup handgun is for emergency situations only. Sworn personnel shall be allowed to maintain two (2) personally-owned handguns as a backup handgun while on and off duty. This shall be in addition to being able to carry their primary duty handgun while on and off duty.
 - b. Sworn personnel who use a tactical load-bearing vest while on duty shall still secure their on-duty backup handgun in an out-of-sight method.
 - c. Property Unit personnel shall approve on-duty backup handguns and note them on the officer's property card. Prior to approval, the Range Master shall review the officer's proposed holster and concealment for compliance with this SOP.
 - d. Distinction:
 - i. On-duty backup handguns and off-duty handguns are carried at different times and, therefore, serve a different purpose. Some off-duty handguns may not be carried as an on-duty backup handgun due to their barrel length and overall size.



- e. Physical Requirements:
 - i. For the purposes of concealment, the on-duty backup handgun shall have a barrel length of less than four inches (4”).
 - ii. It may be a semi-automatic or a revolver.
 - iii. It shall have a minimum ammunition load of five (5) rounds.
 - iv. It shall be a .380/.38 or larger caliber.
 - v. Sworn personnel shall select the caliber and the physical size of the on-duty backup handgun based on the officer’s ability to conceal the firearm.

8. Off-Duty Handguns

- a. This subsection is not intended to limit the rights of an officer to carry firearms while off-duty in the same manner as unrestricted community members, but rather to define the authorization to carry a firearm as acceptable by law.
- b. If an officer carries a handgun while off duty, they shall also have their badge and identification card.
- c. Sworn personnel may carry an on-duty backup handgun as an off-duty handgun. The off-duty handgun may be a Department-approved handgun or a personally-owned handgun.
- d. The Range Master shall approve off-duty handguns and note them on the officer’s property card. Before approval, the Range Master shall review the officer’s off-duty holster and concealment for compliance with this SOP.
- e. Physical qualification requirements with approved off-duty carry firearms:
 - i. The off-duty handgun may be a semi-automatic or revolver;
 - ii. The minimum caliber will be .380/.38; and
 - iii. The off-duty handgun shall be carried secured in a holster, out of sight of the public.

D. Issuance of Firearms

- 1. Duty Handgun: The Department shall issue each officer a duty handgun. Sworn personnel shall maintain their qualification with this handgun as a primary duty handgun.
- 2. Second Duty Handgun: The commander of specialized units may authorize specific sworn personnel to be issued a second duty handgun for specific operational needs, such as for undercover operations or specialized directed activities. The authorization and reason shall be documented in writing by Property Unit personnel in the Department’s property-tracking database.
- 3. Patrol Rifle: An officer’s immediate supervisor shall register the officer for the class in the Department’s training schedule system. The Range Master shall send the roster from the Department’s training scheduling software to Property Unit personnel. Once Property Unit personnel receive the roster, the officer is approved to pick up their rifle in preparation for patrol rifle school.



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PROCEDURAL ORDERS

SOP 2-3 (Formerly 2-22)

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4. 12-Gauge Shotgun (Buckshot): Sworn personnel in a specialty unit who wish to carry a 12-gauge shotgun may be issued a shotgun from Property Unit personnel once they have successfully qualified to use the firearm.

5. Enhanced Shotgun with Slug Ammunition

- a. Enhanced shotguns with slug ammunition shall no longer be carried by sworn personnel except for qualified specialized units.
- b. Specialized units shall request enhanced shotguns from their supervisor with the approval of their commander.

6. Personally-Owned On-Duty Backup Handguns: Personally-Owned On-duty backup handguns are not issued by the Department.

- a. The Range Master or the Department Armorer shall inspect all on-duty backup handguns.
- b. The Range Master or the Department Armorer shall complete an on-duty backup handgun form.
- c. The Range Master shall keep the completed on-duty backup handgun form in the officer's personnel file and shall forward a copy of the form to Property Unit Personnel. Property Unit personnel shall add the personally-owned backup handgun to the officer's property card.

E. Modifications to Firearms

1. There shall be no modifications to the internal parts or functions of a Department-issued firearm, other than precision rifles assigned to SOD personnel.
2. The Department Armorer shall authorize, where appropriate, modifications to the internal parts and functions of precision rifles assigned to SOD personnel after receiving approval from the SOD Commander and after notifying the Chief of Police in writing.
3. The modifications shall be performed by the Department Armorer if certified to make such modifications or by a licensed designee as approved by Firearms Range personnel.
4. All Department-issued firearms shall remain in compliance with federal regulations governed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) at all times.

F. Accessories for Firearms

1. Firearms Range personnel shall keep a list of approved accessories at the range in the Firearms Range Handbook, which is approved by the Chief of Police.



2. Accessories that require the removal of parts from the firearm for the purpose of installation (i.e., handgun sight and patrol rifle grips) shall be done at the Department Firearms Range by the Department Armorer or their designee.

G. Firearms Held for Evidence

1. Personally-owned on-duty backup handguns and off-duty handguns, accessories, and optics that are held for evidence as part of an officer-involved shooting (OIS) shall be replaced immediately by the Department with the exact make and model or similar item.
2. Operations Review Section personnel shall be responsible to assist sworn personnel in purchasing replacement items, when such replacement items are needed based on required Department actions.
3. After replacement, the original items shall become the property of the Department.

H. Exceptions to the Firearms and Ammunition Authority SOP

1. Due to the unique assignments of some detectives, there may be specific exceptions to the duty-firearm policy, which shall be approved and documented in an Interoffice Memorandum by the detective's Division Commander.
 - a. The detective's Division Commander shall forward the Interoffice Memorandum to Property Unit personnel.
 - b. Upon receipt of the Interoffice Memorandum, Property Unit personnel shall update the detective's property card.
2. There shall be no exception to the firearm modification rules as outlined in this SOP.

6

I. Ammunition

3

1. Sworn personnel shall carry and use only Department-approved ammunition in conjunction with their Department-approved firearm.
 - a. Sworn personnel shall not carry or use ball ammunition in their backup handgun while on duty.
 - b. Sworn personnel shall use only factory ammunition with an expanding projectile (i.e., hollow-point or soft-point ammunition).
2. Sworn personnel shall maintain a full magazine of ammunition in their duty handgun and rifle. For rifle ammunition, sworn personnel shall maintain two (2) rounds less than the capacity of ammunition in their rifle magazine. For instance, twenty-eight (28) rounds of rifle ammunition shall be loaded into a thirty (30) round rifle magazine in order to be considered full capacity.



3. The Range Master shall maintain the approved manufacturer, bullet weight, and projectile type of ammunition at the Department Firearms Range, if other than a 9-mm, 40 S&W, or a 45 ACP.
4. The Department shall issue ammunition for practice, duty, and initial training for Department-approved firearms. The Range Master shall maintain control over this inventory.
5. Practice ammunition shall be used only for practice at the Department Firearms Range, unless the officer will be taking a course from an outside vendor.
 - a. Sworn personnel in need of training ammunition for a course from an outside vendor shall submit an Interoffice Memorandum, through their chain of command, to the Range Master for approval.
6. The Range Master shall maintain records of names of sworn personnel and number of boxes of practice ammunition used. Duty ammunition shall be issued as needed by the Range Master, with a documented explanation of any lost or damaged ammunition. Duty ammunition shall be changed out every two (2) years or sooner if damaged, visibly corroded, or otherwise unusable.
7. Consistent with the CBA, the Department shall issue ammunition for certain pistol calibers and M-4-type rifles. For pistol calibers for which the Department issues duty ammunition, sworn personnel shall be limited to carrying only Department-approved duty ammunition.
8. Only the Range Master or their designee shall be authorized to order and receive ammunition to be distributed to sworn personnel.
9. All training ammunition shall be stored at the Firearms Range, with the exception of the SWAT team, who are responsible for storing their own ammunition.

5 2-3-5 Firearms Inspections and Repairs

- A. Firearms Range personnel, Department supervisors, the chain of command, and Performance Metrics Unit personnel may inspect any firearm at any time.
 1. Sworn personnel shall cooperate with all firearm inspections.
 2. Any firearm that is determined to be unsafe or that has out-of-policy modifications shall not be fired or carried while on-duty or off-duty until the Department Armorer has verified that the firearm is safe.
- B. Department-approved firearms that are taken out of service by the Department Armorer must be left at the Department Firearms Range.
 1. Property Unit personnel shall issue the officer a replacement duty firearm.



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2. The Department Armorer shall document when a firearm is taken out of service in an Interoffice Memorandum, with a copy to Property Unit personnel and the officer, and shall maintain a copy at the Department Firearms Range.
- C. The Department Armorer shall repair only Department-approved firearms.
1. Repairs conducted by designated Firearms Range personnel or a licensed designee include the replacement of broken parts or worn barrels with new factory replacement parts. The Department shall consider such repairs as maintenance and not modifications.

REDLINED



2-3 FIREARMS AND AMMUNITION AUTHORIZATION

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

A. Related SOP(s)

- ~~1-62 Internal Affairs Professional Standards (IAPS) Division (Formerly 7-1)~~
- ~~2-56 Use of Force: Reporting by Department Personnel~~
- ~~2-57 Use of Force: Review and Investigation by Department Personnel~~
- 3-30 Line Inspection Process (Formerly 3-42)

B. Form(s)

PeopleSoft Monthly Line Inspection Form

C. Other Resource(s)

City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement (CBA)
Firearms Range Handbook
NMSA 1978, § 30-7-3 Unlawful Carrying of a Firearm in Licensed Liquor Establishments

D. Rescinded Special Order(s)

~~SO 22-85 Amendment to SOP 2-3 Firearms and Ammunition Authorization~~ None

2-3-1 Purpose

The purpose of this policy is to set forth the expectations for sworn personnel who are authorized to carry Department-approved firearms and to use Department-approved ammunition.

2-3-2 Policy

It is the policy of the Albuquerque Police Department (Department) to provide sworn personnel with a duty handgun, a less-than-lethal beanbag shotgun, or a 40-mm less-than-lethal munition. Sworn personnel who are authorized to carry a firearm may be issued a patrol rifle, 12-gauge shotgun, or an enhanced shotgun after successfully completing ~~successfully~~ additional training and obtaining the required certification. Specialty units who are authorized to carry a firearm may be issued additional firearms and ammunition after successfully completing additional training. Furthermore, it is the policy of the Department to provide the necessary training and ammunition for all Department-issued firearms used by sworn personnel.



N/A 2-3-3 Definitions

A. Accessory

An addition to a firearm, which does not require a permanent modification to the firearm and serves to accommodate an individual officer's stature and ergonomics for usability.

B. Critical Firearm Discharge

A discharge of an off-duty or on-duty firearm by sworn personnel, excluding range practice and training firings, destruction of animals, and off-duty, accidental discharges of a personally owned weapon where no person is struck.

C. Modification

Any change to a firearm ~~that~~ which affects the internal function of the firearm from its original factory state. Any modifications to Department-issued firearms must be completed by the Department Armorer and approved by the Chief of Police.

D. Plainclothes

An on-duty sworn officer not wearing their Department-issued uniform but carrying their Department-issued badge and firearm.

E. Range Master-Approved List

A list of equipment approved for use while on-duty, which is drafted and maintained by the Range Master and approved by the Chief of Police.

F. Range Master-Authorized List

A list of modifications to Department-issued firearms that are carried while on-duty, which is authorized and approved by the Department Armorer or their designee and the Chief of Police.

G. Tactical Units

A unit consisting of Special Weapons and Tactics (SWAT), Canine (K-9), and Explosive Ordinance Disposal Unit (EOD/Bomb Squad).

H. Undercover Officer



Any on-duty sworn personnel whose identity as a law enforcement officer is concealed or whose assignment requires them to work incognito while investigating individuals or organizations. The officer is working pursuant to an undercover operation, as approved by the Bureau Deputy Chief of Police, designed to obtain information about the criminal activity of individuals or organizations through the development of ongoing relationships with those individuals, organizations, or associates.

5 2-3-4 Department-Approved Firearms and Ammunition

A. Safe Handling and Carrying of Firearms

1. Sworn personnel shall use due care and sound judgment when handling and carrying Department-approved firearms while on-duty or off-duty.
2. Sworn personnel shall adhere to the following rules of firearm safety at all times:
 - a. Always handle firearms as if they are loaded;
 - b. Never let the muzzle cover anything that they are not willing to shoot;
 - c. Keep their finger off the trigger until their sights are on the target; and
 - d. Be sure of their target and what lies beyond it.

B. General Rules for Firearms

1. Sworn personnel shall:
 - a. Carry or use only Department-approved firearms while on-duty;
 - b. Ensure they are timely qualified on a Range Master-approved firearm as described in this Standard Operating Procedure (SOP);
 - c. Ensure they are qualified to use their firearm and ensure each type of firearm that they will carry is approved by the Range Master as described in this SOP;
 - d. While on-duty, including while working in a plainclothes capacity, at a minimum, carry their duty handguns, spare magazine, badge, identification card, on-body recording device (OBRD), and a means of communication;
 - e. Qualify annually with their firearm(s) in both daylight and low light;
 - f. Maintain their Department-approved firearms in safe and working condition; and
 - g. Clean and inspect their firearms before returning to duty any time they discharge the firearm.
2. Sworn personnel shall be prohibited from using holsters with retention device(s) that prevent the officer from the gripping of their firearm.
3. On-duty sworn personnel may carry firearms into liquor establishments when responding to a call or on other official assignments.
4. Off-duty sworn personnel may carry a Department-approved firearm into a licensed liquor establishment only under the following conditions, unless responding to an emergency pursuant to NMSA 1978, § 30-7-3 as follows:



- a. The officer shall not consume alcohol in any quantity;
- b. The establishment shall not be a business whose primary business is the sale of liquor, such as a bar or package liquor store; and
- c. The officer shall carry a firearm with which they are qualified, and the officer shall carry their badge and identification card.

N/A

5. Supervisors shall inspect firearms for each officer under their command and shall complete the Monthly Line Inspection Form for each officer under their command (refer to SOP Line Inspection Process for sanction classifications and additional duties).
6. Property Unit personnel, shall maintain up-to-date information on each officer's firearm and qualifications. Records shall include:
 - a. A list by type and serial number of each officer's Department-approved firearm and any Department-approved, personal ~~any~~-owned firearm that may ~~can~~ be used as a back-up handgun or an off-duty handgun;
 - b. Qualification dates for each officer's firearms;
 - c. Qualification information regarding any other firearms; and
 - i. The Range Master and Academy Division personnel shall maintain the history of an officer's qualification scores in the officer's training file throughout their career.
 - d. Any modifications performed with the approval of the Department Armorer or their designee.

C. Rules by Type of Firearm

1. Duty Handgun

3

- a. Sworn personnel shall only carry Department-issued and Department-approved handguns and handgun optics as a primary duty handgun.
- b. The Range Master shall approve all duty handguns and note their approval on the officer's inventory card. Prior to approval, the Range Master shall inspect and approve the officer's proposed holster and associated gear.

2. Patrol Rifle

- a. Sworn personnel shall only carry Department-issued and Department-approved rifles while on -duty.
- b. Patrol Rifle Optics:
 - i. The Range Master shall maintain a Range Master-Approved List of approved patrol rifle optics at the Department Firearms Range, consistent with the Firearms Range Handbook;
 - ii. Sworn personnel shall only carry Department-issued and Department-approved patrol rifle optics;



1. Sworn personnel may carry personally owned patrol rifle optics if approved prior to the publication of this SOP. All new rifles shall use Department-issued optics.
 - ~~ii.~~iii. Sworn personnel shall receive training and must qualify to use patrol rifle optics prior to using them while on duty. ~~Prior to use, the Range Master shall inspect patrol rifle optics for compliance with this SOP and note approval of any optics on the Range Master-Approved List;~~
 - ~~iii.~~iv. When mounted, the location of patrol rifle optics shall not impede the iron sights from being employed in the event the patrol rifle optic ceases to function. If the patrol rifle optic is equipped with an etched reticule, there is no need for iron sights; and
 - ~~iv.~~v. Tactical Units may deviate from the Range Master-Authorized List by issuing a different brand and design of patrol rifle optical sight approved, in writing, by the SOD Commander. The SOD Commander shall ensure that sworn personnel receive proper training prior to deployment of firearms not included on the Department's Range Master-Authorized List of approved firearms.
 - c. Magnified Optics
 - i. The officer shall attend and pass the Department's magnified optic course prior to using magnified optics.
 - ii. Sworn personnel shall only carry Department-issued and Department-approved magnified optics. ~~who have successfully completed the magnified optics class may purchase a personally owned magnified optic for use on a Department-approved firearm.~~
 - ~~ii.~~1. Sworn personnel may carry personally owned magnified optics if approved prior to the publication of this SOP. -All new rifles shall use Department magnified optics.
 - ~~iii.~~ Authorized magnified optic sights shall be limited to models named on the Range Master-Approved List. ~~Prior to use, the Range Master shall inspect magnified optics for compliance with this SOP and note approval of any magnified optics on the Range Master-Approved List.~~
 - ~~iv.~~iii. Tactical magnified optics shall have the ability to vary from no magnification to a magnification power of six (6x).
 - d. Patrol rifles must be equipped with a weapon-mounted light and a two (2) point sling.
3. 12-Gauge Shotgun (Buckshot)
 - a. Sworn personnel shall carry only Department-approved 12-gauge shotguns with which they have successfully qualified.
 - b. The shotgun shall be issued with a two (2) point sling and additional ammunition, including a side saddle-type or stock shell carrier.
 4. Less-Lethal Shotgun (Beanbag)
 - a. Sworn personnel shall carry only Department-approved less-lethal shotguns.



- b. The less-lethal shotgun shall be issued with a two (2) point sling and an additional ammunition carrier.
- c. Sworn personnel shall be trained in the use of less-lethal shotguns.
- d. Sworn personnel who are issued a less-lethal shotgun shall carry the firearm in their vehicle.
- e. The less-lethal shotgun shall be plainly marked with high visibility yellow or orange tape, or paint on the buttstock and muzzle area of the barrel.
- f. Sworn personnel shall never load lethal rounds in their less-lethal shotgun.

5. Enhanced Shotgun with Slug Ammunition

- a. Special Operations Division and Open Space Section sworn personnel shall carry only Department-Issued and Department-approved enhanced shotguns.
- b. The enhanced shotgun shall be issued as a pump or semi-automatic type action.
- c. The enhanced shotgun shall have:
 - i. Ghost ring or rifle sights;
 - ii. A side saddle-type or stock shell carrier;
 - iii. A two (2) point sling sling;
 - iv. An extended magazine tube; and
 - v. A weapon-mounted light.

6. Department Issued Primary Back-up Handgun

- a. Sworn personnel are authorized to carry a Department issued back-up handgun while on duty. Those who are working in a plainclothes or undercover capacity, or are in an administrative/training role and not responding to dispatched calls for service may be allowed to carry the Department issued primary back-up handgun as their primary weapon.
- b. Sworn personnel who use a tactical load-bearing vest while on-duty shall not stow their Department-issued back-up handgun on their vest.
- c. The Firearms Training and Property Unit personnel shall approve all Department issued back-up handguns and note them on the officer's property card. Prior to approval, the Range Master shall review the officer's proposed holster and concealment for compliance with this SOP.
- d. Physical Requirements:
 - i. For the purposes of concealment, the on-duty back-up handgun shall have a barrel length of four inches (4") or less.
 - ii. It shall be a semi-automatic.
 - iii. It shall have a minimum ammunition load of five (5) rounds.
 - iv. It shall be a .9mm caliber.

7. Personally-Owned On-Duty Back-up Handgun

- a. Sworn personnel are authorized to carry a personally-owned back-up handgun while on-duty. The on-duty back-up handgun is not a second-duty handgun. The on-duty back-up handgun is for emergency situations only. Sworn



personnel shall be allowed to maintain two (2) personally-owned handguns as a ~~back-up handgun while on and off-duty~~ backup handgun while on and off duty. This shall be in addition to being able to carry their primary duty handgun while on and off-duty.

- b. Sworn personnel who use a tactical load-bearing vest while on-duty shall still secure their on-duty back-up handgun in an out-of-sight method.
- c. Property Unit personnel shall approve on-duty back-up handguns and note them on the officer's property card. Prior to approval, the Range Master shall review the officer's proposed holster and concealment for compliance with this SOP.
- d. Distinction:
 - i. On-duty back-up handguns and off-duty handguns are carried at different times and, therefore, serve a different purpose. Some off-duty handguns may not be carried as an on-duty back-up handgun due to their barrel length and overall size.
- e. Physical Requirements:
 - i. For the purposes of concealment, the on-duty back-up handgun shall have a barrel length of less than four inches (4").
 - ii. It may be a semi-automatic or a revolver.
 - iii. It shall have a minimum ammunition load of five (5) rounds.
 - iv. It shall be a .380/.38 or larger caliber.
 - v. Sworn personnel shall select the caliber and the physical size of the on-duty back-up handgun based on the officer's ability to conceal the firearm.

8. Off-Duty Handguns

- a. This subsection is not intended to limit the rights of an officer to carry firearms while off-duty in the same manner as unrestricted community members, but rather to define the authorization to carry a firearm as acceptable by law.
- b. If an officer carries a handgun while off-duty, they shall also have their badge and identification card.
- c. Sworn personnel may carry an on-duty back-up handgun as an off-duty handgun. The off-duty handgun may be athe Department-approved handgun or a personally-owned handgun.
- d. The Range Master shall approve off-duty handguns and note them on the officer's property card. Before approval, the Range Master shall review the officer's off-duty holster and concealment for compliance with this SOP.
- e. Physical qualification requirements with approved off-duty carry firearms:
 - i. The off-duty handgun may be a semi-automatic or revolver;
 - ii. The minimum caliber will be .380/.38; and
 - iii. The off-duty handgun shall be carried secured in a holster, out of sight of the public.

D. Issuance of Firearms



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1. Duty Handgun: The Department shall issue each officer a duty handgun. Sworn personnel shall maintain their qualification with this handgun as a primary duty handgun.
2. Second Duty Handgun: The commander of specialized units may authorize specific sworn personnel to be issued a second duty handgun for specific operational needs, such as for undercover operations or specialized directed activities. The authorization and reason shall be documented in writing by Property Unit personnel in the Department's property-tracking database.
3. Patrol Rifle: An officer's immediate supervisor shall register the officer for the class in the Department's training schedule system. The Range Master shall send the roster from the Department's training scheduling software to Property Unit personnel. Once Property Unit personnel receive the roster, the officer is approved to pick up their rifle in preparation for patrol rifle school.
4. 12-Gauge Shotgun (Buckshot): Sworn personnel in a specialty unit who wish to carry a 12-gauge shotgun may be issued a shotgun from Property Unit personnel once they have successfully qualified to use the firearm.
5. Enhanced Shotgun with Slug Ammunition
 - a. Enhanced shotguns with slug ammunition shall no longer be carried by sworn personnel except for qualified specialized units.
 - b. Specialized units shall request enhanced shotguns from their supervisor with the approval of their commander.
 - b.
6. Personally-Owned On-Duty Back-up Handguns and Off-Duty Handguns: Personally-Owned On-duty back-up handguns and off-duty handguns are not issued by the Department.
 - a. The Range Master or the Department Armorer shall inspect all on-duty ~~and off-duty~~ back-up handguns.
 - b. The Range Master or the Department Armorer shall complete an on-duty back-up handgun form.
 - c. The Range Master shall keep the completed on-duty back-up handgun form in the officer's personnel file and shall forward a copy of the form to Property Unit Personnel. Property Unit personnel shall add the personally-owned back-up handgun to the officer's property card.

E. Modifications to Firearms

1. There shall be no modifications to the internal parts or functions of a Department-issued firearm, other than precision rifles assigned to SOD personnel.
2. The Department Armorer shall authorize, where appropriate, modifications to the internal parts and functions of precision rifles assigned to SOD personnel after



receiving approval from the SOD Commander and after notifying the Chief of Police in writing.

3. The modifications shall be performed by the Department Armorer if certified to make such modifications or by a licensed designee as approved by Firearms Range personnel.
4. All Department-issued firearms shall remain in compliance ~~at all times~~ with federal regulations governed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) at all times.

F. Accessories for Firearms

1. Firearms Range personnel shall keep a list of approved accessories at the range in the Firearms Range Handbook, which is approved by the Chief of Police.
2. Accessories that require the removal of parts from the firearm for the purpose of installation (i.e., handgun sight and patrol rifle grips) shall be done at the Department Firearms Range by the Department Armorer or their designee.

G. Firearms Held for Evidence

1. Personally-owned on-duty back-up handguns and off-duty handguns, accessories, and optics that are held for evidence as part of an officer-involved shooting (OIS) shall be replaced immediately by the Department with the exact make and model or similar item.
2. Operations Review Section personnel shall be responsible to assist sworn personnel in purchasing replacement items, when such replacement items are needed based on required Department actions.
3. After replacement, the original items shall become the property of the Department.

H. Exceptions to the Firearms and Ammunition Authority SOP

1. Due to the unique assignments of some detectives, there may be specific exceptions to the duty-firearm policy, which shall be approved and documented in an Interoffice Memorandum by the detective's Division Commander.
 - a. The detective's Division Commander shall forward the Interoffice Memorandum to Property Unit personnel.
 - b. Upon receipt of the Interoffice Memorandum, Property Unit personnel shall update the detective's property card.
2. There shall be no exception to the firearm modification rules as outlined in this SOP.



I. Ammunition

3

1. Sworn personnel shall carry and use only Department-approved ammunition in conjunction with their Department-approved firearm.
 - a. Sworn personnel shall not carry or use ball ammunition in their back-up handgun while on-duty.
 - b. Sworn personnel shall use only factory ammunition with an expanding projectile (i.e., hollow-point or soft-point ammunition).
2. Sworn personnel shall maintain a full magazine of ammunition in their duty handgun and rifle. For rifle ammunition, sworn personnel shall maintain two (2) rounds less than the capacity of ammunition in their rifle magazine. For instance, twenty-eight (28) rounds of rifle ammunition shall be loaded into a thirty (30) round rifle magazine in order to be considered full capacity.
3. The Range Master shall maintain the approved manufacturer, bullet weight, and projectile type of ammunition at the Department Firearms Range, if other than a 9-mm, 40 S&W, or a 45 ACP.
4. The Department shall issue ammunition for practice, duty, and initial training for Department-approved firearms. The Range Master shall maintain control over this inventory.
5. Practice ammunition shall be used only for practice at the Department Firearms Range, unless the officer will be taking a course from an outside vendor.
 - a. Sworn personnel in need of training ammunition for a course from an outside vendor shall submit an Interoffice Memorandum, through their chain of command, to the Range Master for approval.
6. The Range Master shall maintain records of names of sworn personnel and number of boxes of practice ammunition used. Duty ammunition shall be issued as needed by the Range Master, with a documented explanation of any lost or damaged ammunition. Duty ammunition shall be changed out every two (2) years or sooner if damaged, visibly corroded, or otherwise unusable.
7. Consistent with the CBA, the Department shall issue ammunition for certain pistol calibers and M-4-type rifles. For pistol calibers for which the Department issues duty ammunition, sworn personnel shall be limited to carrying only Department-approved duty ammunition.
8. Only the Range Master or their designee shall be authorized to order and receive ammunition to be distributed to sworn personnel.
9. All training ammunition shall be stored at the Firearms Range, with the exception of the SWAT team, who are responsible for storing their own ammunition.



5 ~~2-3-5~~ **Qualifications**

~~A. General Qualification Requirements~~

- 3**
- ~~1. Sworn personnel shall not possess, carry, or use firearms while on-duty unless they are qualified on the specified firearm.~~
 - ~~2. Sworn personnel shall qualify on the course of fire with their duty handgun(s) established by the New Mexico Department of Public Safety (NMDPS).~~
 - ~~3. Sworn personnel shall qualify each calendar year with every firearm currently carried while on-duty, including all personally owned back-up handguns. If sworn personnel carry an off-duty handgun, they shall qualify with that handgun annually.~~
 - ~~4. Special Weapons and Tactics (SWAT) and K-9 Unit personnel shall qualify quarterly.~~
 - ~~5. The qualification methodology shall be designated by the Department and include the NMDPS daylight and low light qualification.~~
 - ~~6. Sworn Honor Guard Team personnel who use shotguns shall not be required to qualify with the shotguns because they are not intended to be used as a duty firearm and are tools for display only.~~
 - ~~7. Sworn personnel are encouraged to wear the gear they normally wear during duty hours during their qualification.~~

~~B. Qualification by Type of Firearm~~

~~1. Duty Handgun~~

- ~~a. For a duty handgun, sworn personnel shall qualify, at a minimum, once annually on the NMDPS daylight and low light qualification.~~
- ~~b. A passing score of eighty percent (80%) or greater is required.~~

~~2. Second Duty Handgun~~

- ~~a. If the second duty handgun is the same platform as the primary duty handgun, sworn personnel shall be required to shoot a platform qualification with their second duty handgun.~~
- ~~b. If the platform of the second duty handgun differs, then sworn personnel shall be required to shoot and pass a NMDPS daylight and low light qualification on both firearms.~~

~~3. Patrol Rifle~~



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- a. ~~To qualify to carry a patrol rifle, sworn personnel shall have successfully qualified on their duty handgun.~~
 - b. ~~The officer shall attend and successfully pass the Department's patrol rifle course, scoring ninety percent (90%) or greater on the final qualification on the NMDPS daylight and low light qualification.~~
 - c. ~~In order to continue to use their patrol rifle, sworn personnel shall qualify annually and maintain a ninety percent (90%) score or greater on their NMDPS daylight and low light rifle qualifications.~~
4. ~~Department Issued Back-up Handgun~~
- a. ~~For a Department issued back-up handgun, sworn personnel shall pass the Department handgun platform qualification successfully.~~
 - b. ~~A passing score of eighty percent (80%) or greater is required.~~
5. ~~12-Gauge Shotgun (Buckshot)~~
- a. ~~Each officer who carries a 12-gauge shotgun shall qualify, at a minimum, once annually on the Department shotgun qualification process, with a passing score of eighty percent (80%) or greater.~~
6. ~~Breaching Shotgun~~
- a. ~~Prior to being issued and carrying a breaching shotgun, sworn personnel who work in a specialized capacity shall complete a ballistic breaching class.~~
 - b. ~~Sworn personnel who are assigned to FSB are prohibited from using a breaching shotgun and ammunition.~~
7. ~~Less Lethal Shotgun (Beanbag)~~
- a. ~~Sworn personnel who use a less-lethal shotgun shall fire a two (2) round less-lethal shotgun maintenance course during the NMDPS daylight qualification. Any officer who elects not to conduct the two (2) round less-lethal shotgun maintenance course is ineligible to deploy with a less-lethal shotgun.~~
 - b. ~~Sworn personnel shall fire the two (2) rounds at seven (7) yards and shall be preceded by the verbal statement, "Beanbag, beanbag, beanbag."~~
 - c. ~~Sworn personnel shall display proper manipulations of the less-lethal shotgun and correct statements and shall not strike in a lethal area in order to qualify.~~
8. ~~Enhanced Shotgun with Slug Ammunition~~
- a. ~~Only sworn personnel who complete the enhanced shotgun course shall be authorized to carry the shotgun and use slug ammunition.~~
 - b. ~~Sworn personnel who are issued an enhanced shotgun shall complete the training course at the Department Firearms Range prior to carrying the enhanced shotgun while on-duty.~~



- c. ~~Each officer who carries an enhanced shotgun shall qualify, at a minimum, once annually by shooting the Department daylight and low light enhanced shotgun qualification course.~~
- d. ~~A passing score of ninety percent (90%) or greater is required.~~

9. ~~Personally Owned On-Duty Back-up Handgun~~

- a. ~~For a personally owned on-duty back-up handgun, sworn personnel shall pass the Department back-up handgun qualification successfully.~~
- b. ~~A passing score of eighty percent (80%) or greater is required.~~
- c. ~~During annual qualifications, if the firearm malfunctions three (3) or more times, Firearms Range personnel shall remove the firearm from the line until it has been repaired.~~

C. ~~Qualification Failures~~

1. ~~Handgun Failures~~

- a. ~~Sworn personnel who fail to qualify on their primary duty handgun on the date of their qualification shall be provided remedial training, as determined by Department Firearms personnel.~~
 - i. ~~If sworn personnel score between seventy percent (70%) and seventy-nine percent (79%), Department Firearms personnel shall provide immediate remedial training, and sworn personnel shall be given a second opportunity to qualify.~~
 - 1. ~~Sworn personnel, regardless of rank, who fail to score over seventy-nine percent (79%) on their second attempt shall be immediately placed in an administrative assignment at the Department Firearms Range and shall relinquish their Department-approved police vehicle and Department-approved handgun to Department Firearms personnel.~~
 - A. ~~The Firearms Range Sergeant or their designee shall notify the affected officer's chain of command, up to and including the affected officer's Deputy Chief, Operations Review, and Human Resources, of the second failure and the mandatory administrative assignment.~~
 - B. ~~Firearms Range personnel shall develop a practice schedule for the officer who failed to qualify and this practice schedule will be designed to correct deficiencies and improve qualification scores. The Firearms Range Sergeant or their designee shall provide the sworn personnel's supervisor with the training schedule by the close of the Firearms Range Sergeant's current shift for the day of the failure.~~
 - ii. ~~If sworn personnel score below seventy percent (70%) on their first attempt, they shall be placed on administrative assignment at the Department Firearms Range, until they are successfully able to pass the qualification.~~
 - 1. ~~Sworn personnel who are on administrative assignment at the Department Firearms Range shall relinquish their Department police vehicle and Department-approved handgun to Department Firearms personnel.~~



- ~~2. The Firearms Range Sergeant or their designee shall immediately notify the affected personnel's chain of command of the failure and the administrative assignment.~~
- ~~3. Firearms Range personnel shall develop a practice schedule that is designed to correct deficiencies and improve qualification scores. The Firearms Range Sergeant or their designee shall provide the personnel's supervisor with the training schedule.~~
- ~~iii. Sworn personnel who fail to qualify within thirty (30) calendar days of their second attempt shall be subject to administrative and/or disciplinary action, up to and including termination of employment.~~
- ~~iv. Sworn personnel who require remediation on two (2) or more subsequent years with a handgun shall be required to complete mandatory training developed by Firearms Range personnel.~~
 - ~~1. The officer's immediate supervisor shall initiate a Performance Evaluation and Management System (PEMS) Monitoring Plan to ensure that the officer's training plan is adhered to.~~

~~2. Optional Firearm Systems~~

- ~~a. If sworn personnel score between eighty percent (80%) and eighty nine percent (89%) for the patrol rifle or enhanced shotgun qualification, Department Firearms personnel shall provide immediate remedial training and sworn personnel shall be given a second opportunity to qualify.~~
- ~~b. If sworn personnel score below eighty percent (80%), Department Firearms personnel shall take possession of the optional firearm system. Sworn personnel shall have thirty (30) days to return to the Department Firearms Range for additional remedial training and shall be given an opportunity to qualify.~~
- ~~c. The buckshot shotgun is evaluated as a pass/fail qualification.~~
- ~~d. If sworn personnel have failed the patrol rifle, buckshot shotgun, or the enhanced shotgun qualification on the second attempt, they shall lose authorization to carry or use that firearm until they attend formal remedial training at the Department Firearms Range and pass the required qualification course of fire.~~
 - ~~i. This remedial training and qualification must occur within thirty (30) calendar days of the initial failure.~~
 - ~~ii. If sworn personnel do not complete the remedial training and qualification, they shall lose the authorization to carry or use that firearm.~~
 - ~~1. Sworn personnel who fail on the second attempt shall have the optional firearm systems removed from their possession by the Range Master or their designee.~~
 - ~~2. If sworn personnel have an optional firearm taken from them two (2) consecutive years in a row, they shall lose the authorization to carry that weapon system.~~
 - ~~3. To regain authorization, sworn personnel shall complete the entire platform certification training course for that firearm.~~



- iii. ~~Failing a qualification with a rifle, buckshot shotgun, or enhanced shotgun does not require sworn personnel to be placed on administrative assignment at the Department Firearms Range.~~
- e. ~~Sworn personnel who fail to score ninety percent (90%) or above with their patrol rifle shall be mandated to attend practice sessions a minimum of once every two (2) months until they complete their next annual firearm qualification.~~
 - i. ~~Sworn personnel who fail to attend mandatory practice sessions shall immediately relinquish their patrol rifle for a period of one (1) year.~~
 - ii. ~~After one (1) year, sworn personnel shall be required to attend the patrol rifle school in order to carry the patrol rifle.~~

6

~~D. Qualification Exemptions~~

- 1. ~~Academy Division personnel shall review qualifications, at least annually, and determine, in coordination with Payroll Section personnel, whether there is good cause to delay qualifications, such as military leave or leave under the Family Medical Leave Act (FMLA).~~
- 2. ~~Sworn personnel requiring an exemption from qualification shall request an exemption in writing through their chain of command. The Chief of Staff or Deputy Chief shall be authorized to approve the request.~~
 - a. ~~Exemptions shall be granted for good cause and shall be within a length of time that is appropriate to address such cause. Academy Division personnel shall maintain exemption requests and approvals in the officer's training file.~~

~~E. Platform Qualifications~~

~~1. OIS Platform Qualification~~

- a. ~~Sworn personnel returning to work after being involved in an OIS shall be issued a new duty handgun, and shall pass the OIS Platform Qualification.~~
- b. ~~After an OIS, an officer shall report to Advanced Training Unit personnel at the Academy Division.~~
 - i. ~~Advanced Training Unit personnel shall review the known totality of the circumstances of the OIS and shall ensure that any immediate training, tactics, equipment concerns, or deficiencies are addressed before sending the officer to the Department Firearms Range.~~
- c. ~~After an OIS, the officer shall demonstrate to Firearms Range personnel that they can still operate the firearm and that the sights of the new firearm are aligned properly. The officer shall use the same make and model of firearm they shot during their last annual qualification.~~
- d. ~~Firearms Range personnel and Behavioral Sciences Section (BSS) personnel shall evaluate and determine whether the officer is ready to shoot the OIS Platform Qualification.~~

~~2. Return-to-Duty Platform Qualification~~



- ~~a. Sworn personnel returning to duty shall be allowed to practice shooting prior to attempting the NMDPS Return-to-Duty Platform Qualification.~~
- ~~3. Sworn personnel who are issued a replacement duty firearm shall be required to pass a firearm platform qualification when their firearm has been stolen, broken, or taken out of service.~~

9.

N/A 2-3-6 Reporting Requirements

- ~~A. All sworn personnel who have been involved in a critical firearm discharge, including accidental discharges that occur while on-duty and off-duty, shall follow the Department's mandatory reporting requirements (refer to SOP Use of Force: Reporting by Department Personnel for sanction classifications and additional duties).~~
- ~~B. All supervisors shall report a critical firearm discharge (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanction classifications and additional duties).~~
- ~~C. Internal Affairs Professional Standards (IAPS) Division personnel shall investigate all critical firearm discharges (refer to SOP Internal Affairs Professional Standards (IAPS) Division for sanction classifications and additional duties).~~

5 2-3-57 Firearms Inspections and Repairs

- A. Firearms Range personnel, Department supervisors, the chain of command, and Performance Metrics Unit personnel may inspect any firearm at any time.
 - 1. Sworn personnel shall cooperate with all firearm inspections.
 - 2. Any firearm that is determined to be unsafe or that has out-of-policy modifications shall not be fired or carried while on-duty or off-duty until the Department Armorer has verified that the firearm is safe.
- B. Department-approved firearms that are taken out of service by the Department Armorer must be left at the Department Firearms Range.
 - 1. Property Unit personnel shall issue the officer a replacement duty firearm.
 - 2. The Department Armorer shall document when a firearm is taken out of service in an Interoffice Memorandum, with a copy to Property Unit personnel and the officer, and shall maintain a copy at the Department Firearms Range.
- C. The Department Armorer shall repair only Department-approved firearms.



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1. Repairs conducted by designated Firearms Range personnel or a licensed designee include the replacement of broken parts or worn barrels with new factory replacement parts. The Department shall consider such repairs as maintenance and not modifications.

REDLINED



2-78 DOMESTIC ABUSE INVESTIGATIONS

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

A. Related SOP(s)

- 1-26 Special Victims Section (Formerly 5-4)
- 1-35 Crime Scene Specialists Unit (Formerly 5-8)
- 1-59 Impact Teams (Formerly 4-1 and 4-4)
- 2-16 Reports (Formerly 1-05)
- 2-19 Response to Behavioral Health Issues
- 2-59 Extreme Risk Firearm Protection Order
- 2-104 Civil Disputes (Formerly 3-14 and 4-24)
- 3-41 Complaints Involving Department Personnel

B. Form(s)

Law Enforcement Domestic Violence Questionnaire
PD 3011 Domestic Violence Packet
Application for an Emergency Order of Protection
Return of Service Form

C. Other Resource(s)

NMSA 1978, §§ 30-3-10 to 30-3-18 Crimes Against Household Members Act
NMSA 1978, § 31-1-7 Arrest without Warrant; Liability
NMSA 1978, §§ 40-13-1 to 40-13-13 Family Violence Protection Act

D. Rescinded Special Order(s)

None

2-78-1 Purpose

The purpose of this policy is to outline the requirements for deadlines for investigating a domestic abuse incident. It provides guidance on conducting investigations, identifying the predominant aggressor, restraining orders, and ensuring the safety of the victim and related parties.

2-78-2 Policy

It is the policy of this law enforcement agency to provide a proactive, victim-centered approach when responding to domestic abuse. Additionally, it is the policy of this law enforcement agency to take a position of zero tolerance for domestic abuse. Any domestic abuse incident will be thoroughly investigated, to include when law enforcement officers or individuals in positions of power or influence are involved in domestic abuse.



N/A 2-78-3 Definitions

A. Domestic Abuse

Domestic abuse is a pattern of behavior in which one person in an intimate relationship uses violence, threats, or coercion to exert power and control over the other person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, coerce, threaten, or injure someone.

B. Domestic Abuse Response Team (DART)

Sworn personnel who have received additional training and duties as field services officers in responding to domestic abuse calls and providing victims with additional services.

C. Exigent Circumstances

An emergency situation(s) requiring swift action to prevent imminent danger to life, to forestall the imminent escape of an individual, or the destruction of evidence.

D. Household Member

A spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child, or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member.

E. Order of Protection (Restraining Order)

If the judicial officer hearing the facts finds that an act(s) of domestic abuse has occurred, the temporary restraining order (TRO) may be extended for a period of time as directed by court order and is now considered an "order of protection" or a "restraining order".

F. Predominant Aggressor

The person determined to be the most significant, rather than the first aggressor. In identifying the predominant aggressor, the officer shall consider the intent of the law to protect victims of domestic abuse between the persons involved and whether either person acted in self-defense.

G. Temporary Emergency Restraining Order (TERO)

A court order issued after normal court hours when the facts are sworn by a sworn law enforcement officer to a District Court judge, which can be done telephonically. Once a TERO reviewed and approved by the District Court Judge it is valid for seventy-two (72) hours, or until the next day the courts are open to account for holidays, etc.,



whichever is longer. A TERO is only approved when the respondent's (offender) location is known so they can be served.

H. Temporary Restraining Order (TRO)

A court order that may be issued in response to a petition filed in the Domestic Relations court alleging act(s) of domestic abuse against the Petitioner. The petition is reviewed by a judicial officer and, if approved, is countersigned by a District Court judge. Because the process is ex-parte, a hearing is scheduled, usually within two (2) weeks, at which time both parties (petitioner and respondent) may present evidence to the court. The TRO is not considered active until the respondent has been personally served.

6 2-78-4 Procedures

A. Response to Domestic Abuse Call for Service

1. If available, DART sworn personnel should be primarily responsible for responding to domestic abuse calls.
2. Sworn personnel that respond to a call for service for domestic violence shall:
 - a. Take whatever steps are reasonably necessary to protect the victim(s) from further domestic abuse;
 - b. Conduct an investigation to determine who the predominant aggressor is and whether the individual must be arrested;
 - c. Make a lawful arrest of the individual alleged to have committed an act of domestic abuse where it has been determined arrest is reasonably necessary to protect the victim(s) from further domestic abuse;
 - d. Enforce the provisions of any valid Order of Protection, if one exists, as outlined in this Standard Operating Procedure (SOP);
 - e. Advise the victim of the procedures and remedies available under the Family Violence Protection Act, including but not limited to, the right to file a written statement or request for an arrest warrant, and the availability of domestic abuse shelters, medical care, counseling, other services, and the importance of preserving evidence; and
 - f. Upon request of the victim, arrange for their transportation to a shelter, safe refuge, or medical facility. When it is possible, and the Bernalillo County Sheriff's Office (BCSO) is available, sworn personnel may make arrangements for transportation to destinations substantially outside the City of Albuquerque limits but within Bernalillo County. A reasonable effort to resolve the safety of the persons involved locally is sufficient until other arrangements can be made at a more appropriate time.
3. Upon request of the victim, sworn personnel may accompany them to their residence to gather their clothing and personal effects required for immediate needs and the clothing and personal effects of any children in their care.



4. When determining whether to issue a summons or make a lawful arrest, sworn personnel shall:
 - a. Make a custodial arrest of the predominant aggressor if the officer can establish that assault or battery against a household member had occurred and when the safety of the victim cannot be guaranteed by any other means. In all other situations where probable cause has been found, felony cases shall be sent to the Impact Unit for follow-up, and misdemeanor cases shall be summoned through Metropolitan Court;
 - b. When interacting with individuals who may be affected by a behavioral health disorder or in a behavioral health crisis, refer to SOP Response to Behavioral Health Issues;
 - c. When an arrest has been made, but the individual is taken to a medical facility for treatment, stay with the individual until they can be transported to the Metropolitan Detention Center (MDC) or Prisoner Transport Center (PTC) to be booked. Sworn personnel shall not request medical facility personnel to hold an individual who was arrested under the Family Violence Protection Act, even when the applicable charges involve only misdemeanor offenses. The transporting officer is responsible for remaining with and guarding the individual; and
 - d. Complete a Uniform Incident Report on all domestic abuse incidents.

5. Criminal Complaint

When an individual is arrested for domestic abuse involving a household member, arresting sworn personnel shall list the charge in the criminal complaint for all cases of domestic abuse.

6. Documentation of Domestic Abuse Call for Service

- a. Sworn personnel shall not offer or accept any waivers of prosecution in any domestic abuse case.
- b. When possible, sworn personnel shall obtain statements from the victim(s) and witness(s) at the scene.
- c. Sworn personnel shall document all reported injuries relating to the incident.
 - i. Sworn personnel, a supervisor, or a Crime Scene Specialist (CSS), consistent with SOP Crime Scene Specialists Unit, should capture video using their on-body recording device (OBRD) or photograph any visible injuries in order to meet this requirement.
 1. Department personnel should ensure the photo/video accurately depicts the injury and consider calling a CSS when needed.
- d. Sworn personnel shall have available and provide to victims the necessary Domestic Abuse Packet for their completion. The Domestic Abuse Packet shall be available in both English and Spanish.
- e. Sworn personnel should use the following guidelines in determining the need to locate and arrest an offender in domestic abuse.



- i. If the individual who is suspected of domestic abuse is still at or near the scene, the officer shall, when an arrest is reasonably necessary to protect the victim from further domestic abuse, make every reasonable attempt to place the individual under arrest, rather than merely issuing a criminal summons, where there is probable cause to believe that the person has committed an assault or a battery upon a household member.
- ii. If the individual who is suspected of domestic abuse has fled the scene of a domestic abuse case, before the officer arrives, and cannot be located at or near the scene of the domestic abuse, a summons or warrant shall be issued for the offender.
- f. Sworn personnel shall take whatever steps that are reasonably necessary to protect the victim from further domestic abuse, which may include writing an arrest warrant.
- g. Sworn personnel shall use the "Domestic Violence Coordinator" label in Mark43 before submitting any Uniform Incident reports by labeling all Domestic Abuse reports, regardless of misdemeanor or felony, to the Domestic Violence Liaison in Mark43.
- h. On all domestic abuse calls for service, when an officer requests authorization to change the call to something other than a domestic abuse call, the supervisor shall conduct a thorough investigation before granting the change. The officer shall supply sufficient remarks in the e (CAD) system to justify the change in the status of the call.

7. When responding to domestic abuse calls for service involving individuals with behavioral health issues, sworn personnel shall abide by the requirements outlined in SOP Response to Behavioral Health Issues.

B. Victim Notification

1. The arresting officer at the scene of a domestic abuse incident shall ask the victim the following:
 - a. The telephone number and email address where they may be contacted personally;
 - b. If a telephone number is not available, a telephone number where a message may be left for the victim to provide notification of the offender's release; and
 - c. The address at which the notification can be made.
2. Domestic abuse victims will be instructed to go to <https://vinelink.vineapps.com/state/NM/ENGLISH> and sign up for notifications of an offender's custody changes and/or release. Victims may also call 1-877-551-8463 to register for notification services. The victim may opt to be notified by VINELink, email, text message, phone call, TTY, or all that have been listed. The below QR code may be used as a link to the VINELink site.



3. The arresting officer shall complete the Pre-Booking Worksheet.
4. Upon notification by MDC to the Emergency Communications Center (ECC) that the offender is released from custody, ECC personnel shall make every reasonable attempt to notify the victim in accordance with the information provided by the arresting officer.
5. In the rare case where no telephone number for the victim is available, ECC personnel shall request a welfare check and dispatch an officer to make a notification at the victim's location.

C. Social Support for Victims

1. Sworn personnel shall advise the victim of the procedures and remedies available under the Family Violence Protection Act.
2. Sworn personnel may refer a victim who is thirteen (13) years of age and older to the Special Victims Section Advocacy Unit to connect them with resources consistent with SOP Special Victims Section.
3. Sworn personnel may request assistance from the Department's contracted on-call victim's advocates through ECC to coordinate services for the victim.
4. Upon the request of the victim, sworn personnel shall provide or make reasonable efforts to arrange for transportation to a shelter, safe refuge, or a medical facility.
5. When it is possible, and BCSO personnel are available, sworn personnel may make arrangements for transportation to destinations substantially outside the City limits but within Bernalillo County. A reasonable effort to resolve the situation locally is sufficient until other arrangements can be made at a more appropriate time.
6. Upon request of the victim, sworn personnel may accompany the victim to the victim's residence to retrieve their clothing and personal effects that are required



for immediate needs and the clothing and personal effects of any children in the care of the victim.

D. Emergency Order of Protection (EOP)

1. Sworn personnel are authorized to obtain an EOP after regular business hours. Sworn personnel responding to a domestic abuse incident shall complete an application for an EOP when appropriate, adhering to the following guidelines:
 - a. Probable cause exists when an act of domestic abuse has occurred.
 - b. The victim wants an order of protection issued.
 - c. The victim and/or children are in danger of or believe they are in danger of receiving additional acts of domestic abuse.
2. If the conditions above exist, sworn personnel shall complete Sections 1 through 4 of the EOP.
3. Sworn personnel shall contact a district court judge for approval.
 - a. Permanent numbers to all district court judges may be obtained through the ECC or the on-call victim's advocate.
 - b. Sworn personnel shall provide the judge a brief description of the facts surrounding the incident.
 - c. Sworn personnel shall provide the judge with viable reasons/facts as to why the EOP should be granted.
 - d. If the EOP is denied, sworn personnel shall indicate in the Uniform Incident Report the name of the judge and the reason for denial.
4. After approval by the judge, sworn personnel shall complete Sections 7 through 9 in the EOP indicating the judge's approval.
5. Sworn personnel shall distribute the EOP as required.
6. If the individual suspected of domestic abuse is not present, sworn personnel shall leave the EOP with the victim or protected party.
7. If sworn personnel are responding to a call where an EOP has already been approved by a judge and the individual suspected of domestic abuse is present but has not been served, sworn personnel shall:
 - a. Obtain the EOP from the victim or protected party and serve the individual;
 - b. Complete a Return of Service Form. These forms should be available at all area commands;
 - c. Immediately email the original Return of Service to the BCSO Warrants Section; and
 - d. Attach and submit a copy with their Uniform Incident Report.



E. Temporary Order of Protection

1. Initial Temporary Order of Protection is granted as non-mutual and applies to only one party; therefore, can only be violated by the restrained party. Initial orders are valid until the listed date; then, a hearing is held on whether the order should be extended for six months or more.
2. After the hearing date noted on the temporary Order of Protection, an order of protection may be granted for an extended period.

F. Service of TROs and Orders of Protection

1. Sworn personnel shall serve district court Orders of Protection under the following circumstances only:
 - a. If the officer is requested to do so;
 - b. The restrained party must be physically served with the order;
 - c. The protected party must have a copy of the valid district court order in their possession; or
 - d. Before serving the restrained party with the court order, sworn personnel shall have ECC contact the BCSO Warrants Section and determine if the order has already been served.
 - i. If service has not been made, sworn personnel will promptly serve the Order of protection on the respondent.
 - ii. If service has been made and the Order of protection prohibits the restrained party from being on the premises.
 - iii. The officer will complete a police report and thoroughly document the incident.
2. Any officer serving a civil district court order as outlined above shall fill out the Return of Service form and email the original to the BCSO Warrants Section immediately.

G. Enforcement of Orders of Protection

1. An Order of Protection is valid if the following criteria are met:
 - a. The order states the name of the protected and restrained parties;
 - b. The order contains the date it was issued;
 - c. The order has an expiration date and has not expired;
 - d. The order contains the name of the issuing court; and
 - e. The order is signed by or on behalf of a judicial officer.
2. When an Order of Protection is presented to an officer by the complainant, the officer shall:
 - a. Determine whether the order is valid using the above-noted criteria;



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- b. Determine if the conduct is prohibited by the order;
- c. Attempt to confirm the order through BCSO Warrants Section or National Crime Information Center (NCIC);
- d. Serve the restrained party with a copy of the restraining order and file a return of service through the BCSO Warrants Section if it is determined that the restrained party has not been served, or if the officer is unable to confirm the service.
- e. Summons or arrest the restrained party for the violation of the order, but only when an arrest is reasonably necessary to protect the protected party from further domestic abuse; and if the officer has probable cause to believe that the Order of Protection has been violated;
- f. Charge a violation of an Order of Protection. if the officer has probable cause to believe that the Order of Protection has been violated; and
- g. Enforce the provisions of custody as outlined in the Order of Protection that directs removing a child from the non-custodial parent or guardian.

H. Out-of-State Protective Order

1. All out-of-state protective orders shall be enforced as written.
2. All out-of-state protective orders are presumed valid upon presentation to law enforcement officers and under full faith and credit.
3. Out-of-state protective orders do not need to be filed in district court to be valid and enforceable.
4. Sworn personnel shall ensure that out-of-state protective orders are not confused with no-contact orders.

I. Domestic Abuse Involving Department Personnel

1. When responding to a domestic abuse call where criminal allegations are made against Department personnel refer to SOP Complaints Involving Department Personnel.



2-78 DOMESTIC ABUSE INVESTIGATIONS

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

A. Related SOP(s)

- 1-26 Special Victims Section (Formerly 5-4)
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B. Form(s)

- Law Enforcement Domestic Violence Questionnaire
- ~~PD 3069 Pro Booking Worksheet (In Mark43)~~
- PD 3011 Domestic Violence Packet
- Application for an Emergency Order of Protection
- Return of Service Form

C. Other Resource(s)

- NMSA 1978, §§ 30-3-10 to 30-3-18 Crimes Against Household Members Act
- NMSA 1978, § 31-1-7 Arrest without Warrant; Liability
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D. Rescinded Special Order(s)

- ~~SO 23 55 Amendment to SOP 2 78 Domestic Violence~~ None

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Sworn personnel who have received additional training and duties as field services officers in responding to domestic abuse calls and providing victims with additional services.

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 - d. Enforce the provisions of any valid Order of Protection, if one exists, as outlined in this Standard Operating Procedure (SOP);
 - e. Advise the victim of the procedures and remedies available under the Family Violence Protection Act, including but not limited to, the right to file a written statement or request for an arrest warrant, and the availability of domestic abuse shelters, medical care, counseling, other services, and the importance of preserving evidence; and
 - f. Upon request of the victim, arrange for their transportation to a shelter, safe refuge, or medical facility. When it is possible, and the Bernalillo County Sheriff's Office (BCSO) is available, sworn personnel ~~may~~ make arrangements for transportation to destinations substantially outside the City of Albuquerque limits but within Bernalillo County. A reasonable effort to resolve the safety of the persons involved locally is sufficient until other arrangements can be made at a more appropriate time.



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 - d. Complete a Uniform Incident Report on all domestic abuse incidents.

5. Criminal Complaint

When an individual is arrested for domestic abuse involving a household member, arresting sworn personnel shall list the charge in the criminal complaint for all cases of domestic abuse.

6. Documentation of Domestic Abuse Call for Service

- a. Sworn personnel shall not offer or accept any waivers of prosecution in any domestic abuse case.
- b. When possible, sworn personnel shall obtain statements from the victim(s) and witness(s) at the scene.
- c. Sworn personnel shall document all reported injuries relating to the incident.
 - i. Sworn personnel, a supervisor, or a Crime Scene Specialist (CSS), consistent with SOP Crime Scene Specialists Unit, should capture by video using their on-body recording device (OBRD) or photograph any visible injuries in order to meet this requirement.
 1. Department personnel should ~~ensure make sure~~ the photo/video accurately depicts the injury and consider calling a CSS when needed.



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- d. Sworn personnel shall have available and provide to victims the necessary Domestic Abuse Packet for their completion. The Domestic Abuse Packet shall be available in both English and Spanish.
 - e. Sworn personnel should use the following guidelines in determining the need to locate and arrest an offender in domestic abuse.
 - i. If the individual who is suspected of domestic abuse is still at or near the scene, the officer shall, when an arrest is reasonably necessary to protect the victim from further domestic abuse, make every reasonable attempt to place the individual under arrest, rather than merely issuing a criminal summons, where there is probable cause to believe that the person has committed an assault or a battery upon a household member.
 - ii. If the individual who is suspected of domestic abuse has fled the scene of a domestic abuse case, before the officer arrives, and cannot be located at or near the scene of the domestic abuse, a summons or warrant ~~shall~~ will be issued for the offender.
 - f. Sworn personnel shall take whatever steps that are reasonably necessary to protect the victim from further domestic abuse, which may include writing an arrest warrant.
 - g. Sworn personnel shall use the "Domestic Violence Coordinator" label in Mark43 before submitting any Uniform Incident reports by labeling all Domestic Abuse reports, regardless of misdemeanor or felony, to the Domestic Violence Liaison in Mark43.
 - h. On all domestic abuse calls for service, when an officer requests authorization to change the call to something other than a domestic abuse call, the supervisor shall conduct a thorough investigation before granting the change. The officer shall supply sufficient remarks in the ~~Computer Aided Dispatch~~ (CAD) system to justify the change in the status of the call.
7. When responding to domestic abuse calls for service involving individuals with behavioral health issues, sworn personnel shall abide by the requirements outlined in SOP Response to Behavioral Health Issues.

B. Victim Notification

1. The arresting officer at the scene of a domestic abuse incident shall ask the victim the following:
 - a. The telephone number and email address where they may be contacted personally;
 - b. If a telephone number is not available, a telephone number where a message ~~may~~ can be left for the victim to provide notification of the offender's release; and
 - c. The address at which the notification can be made.
2. Domestic abuse victims will be instructed to go to <https://vinelink.vineapps.com/state/NM/ENGLISH> and sign up for notifications of an offender's custody changes and/or release. Victims ~~may~~ can also call 1-877-551-



8463 to register for notification services. The victim may opt to be notified by VINELink, email, text message, phone call, TTY, or all that have been listed. The below QR code may be used as a link to the VINELink site.



3. The arresting officer shall complete the Pre-Booking Worksheet.
4. Upon notification by MDC to the [Emergency Communications Center \(ECC\)](#) that the offender is released from custody, ECC personnel shall make every reasonable attempt to notify the victim in accordance ~~with~~ the information provided by the arresting officer.
5. In the rare case where no telephone number for the victim is available, ECC personnel shall request a welfare check and dispatch an officer to make [a](#) notification at the victim's location.

C. Social Support for Victims

1. Sworn personnel shall advise the victim of the procedures and remedies available under the Family Violence Protection Act.
2. Sworn personnel may refer a victim who is thirteen (13) years of age and older to the Special Victims Section Advocacy Unit to connect them with resources consistent with ~~SOP 4-26~~ Special Victims Section.
3. Sworn personnel may request assistance from the Department's contracted on-call victim's advocates through ECC to coordinate services for the victim.
4. Upon the request of the victim, sworn personnel shall provide or make reasonable efforts to arrange for transportation to a shelter, safe refuge, or a medical facility.
5. When it is possible, and BCSO personnel are available, sworn personnel may make arrangements for transportation to destinations substantially outside the City limits but within Bernalillo County. A reasonable effort to resolve the situation



locally is sufficient until other arrangements can be made at a more appropriate time.

6. Upon request of the victim, sworn personnel may accompany the victim to the victim's residence to retrieve their clothing and personal effects that are required for immediate needs and the clothing and personal effects of any children in the care of the victim.

D. Emergency Order of Protection (EOP)

1. Sworn personnel are authorized to obtain an ~~EOP-emergency order of protection~~ after regular business hours. Sworn personnel responding to a domestic abuse incident shall complete an application for an ~~EOP-emergency Order of Protection~~ when appropriate, adhering to the following guidelines:
 - a. Probable cause exists when an act of domestic abuse has occurred.
 - b. The victim wants an order of protection issued.
 - c. The victim and/or children are in danger of or believe they are in danger of receiving additional acts of domestic abuse.
2. If the conditions above exist, sworn personnel ~~shall~~will complete Sections 1 through 4 of the EOP.
3. Sworn personnel shall contact a district court judge for approval.
 - a. Permanent numbers to all district court judges ~~may~~can be obtained through the ~~Emergency Communications Center (ECC)~~ or the on-call victim's advocate.
 - b. Sworn personnel shall provide the judge a brief description of the facts surrounding the incident.
 - c. Sworn personnel shall provide the judge with viable reasons/facts as to why the EOP should be granted.
 - d. If the EOP is denied, sworn personnel shall indicate in the Uniform Incident Report the name of the judge and the reason ~~for denied~~ed.
4. After approval by the judge, sworn personnel ~~shall~~will complete Sections 7 through 9 in the EOP indicating the judge's approval.
5. Sworn personnel shall distribute the EOP as required.
6. If the individual suspected of domestic abuse is not present, sworn personnel shall leave the EOP with the victim or protected party.
7. If sworn personnel are responding to a call where an EOP has already been approved by a judge and the individual suspected of domestic abuse is present but has not been served, sworn personnel shall:
 - a. Obtain the EOP from the victim or protected party and serve the individual;



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- b. Complete a Return of Service Form. These forms should be available at all area commands;
- c. Immediately email the original Return of Service to the ~~Bernalillo County Sheriff's Office (BCSO)~~ Warrants Section; and
- d. Attach and submit a copy with their Uniform Incident Report.

E. Temporary Order of Protection

1. Initial Temporary Order of Protection is granted as non-mutual and applies to only one party; therefore, can only be violated by the restrained party. Initial orders are valid until the listed date; then, a hearing is held on whether the order should be extended for six months or more.
2. After the hearing date noted on the temporary Order of Protection, an order of protection may be granted for an extended period.

F. Service of ~~Temporary Restraining Orders (TROs)~~ and Orders of Protection

1. Sworn personnel shall serve district court Orders of Protection under the following circumstances only:
 - a. If the officer is requested to do so;
 - b. The restrained party must be physically served with the order;
 - c. The protected party must have a copy of the valid district court order in their possession; or
 - d. Before serving the restrained party with the court order, sworn personnel shall have ECC contact the ~~Bernalillo County Sheriff's Office (BCSO)~~ Warrants Section and determine if the order has already been served.
 - i. If service has not been made, sworn personnel ~~officers~~ will promptly serve the Order of protection on the respondent.
 - ii. If service has been made and the Order of protection prohibits the restrained party from being on the premises.
 - iii. The officer will complete a police report and thoroughly document the incident.
2. Any officer serving a civil district court order as outlined above ~~shall~~ will fill out the Return of Service form and email the original to the BCSO Warrants Section immediately.

G. Enforcement of Orders of Protection

1. An Order of Protection is valid if the following criteria are met:
 - a. The order states the name of the protected and restrained parties;
 - b. The order contains the date it was issued;
 - c. The order has an expiration date and has not expired;
 - d. The order contains the name of the issuing court; and



- e. The order is signed by or on behalf of a judicial officer.
2. When an Order of Protection is presented to an officer by the complainant, the officer shall:
 - a. Determine whether the order is valid using the above-noted criteria;
 - b. Determine if the conduct is prohibited by the order;
 - c. Attempt to confirm the order through BCSO Warrants Section or [National Crime Information Center \(NCIC\)](#);
 - d. Serve the restrained party with a copy of the restraining order and file a return of service through the BCSO Warrants Section; if it is determined that the restrained party has not been served, or if the officer is unable to confirm the service.
 - e. Summons or arrest the restrained party for the violation of the order, but only when an arrest is reasonably necessary to protect the protected party from further domestic abuse; and if the officer has probable cause to believe that the Order of Protection has been violated;
 - f. Charge a violation of an Order of Protection. if the officer has probable cause to believe that the Order of Protection has been violated; and
 - g. Enforce the provisions of custody as outlined in the Order of Protection that directs removing a child from the non-custodial parent or guardian.

H. Out-of-State Protective Order

1. All out-of-state protective orders shall be enforced as written.
2. All out-of-state protective orders are presumed valid upon presentation to law enforcement officers and under full faith and credit.
3. Out-of-state protective orders do not ~~need~~ have to be filed in district court to be valid and enforceable.
4. Sworn personnel shall ensure that out-of-state protective orders are not confused with no-contact orders.

I. Domestic Abuse Involving Department Personnel

- ~~4.1.~~ When responding to a domestic abuse call where criminal allegations are made against Department personnel refer to SOP Complaints Involving Department Personnel, Apparent Criminal Conduct.



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2-92 CRIMES AGAINST CHILDREN INVESTIGATIONS

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

A. Related SOP(s)

- 1-26 Special Victims Section (Formerly 5-4)
- 2-60 Preliminary and Follow-Up Criminal Investigation (Formerly 2-24)

B. Form(s)

- Crimes Against Children Unit (CACU) Checklist
- Violent Crimes/Homicide Call-Out Sheet

C. Other Resource(s)

- Indian Child Welfare Act of 1978
- NMSA 1978, § 31-19-1 Sentencing Authority; Misdemeanors; Imprisonment and Fines; Probation
- NMSA 1978, § 32A-4-3 Duty to Report Child Abuse and Child Neglect; Responsibility to Investigate Child Abuse or Neglect; Penalty; Notification of Plan of Care
- NMSA 1978, § 32A-4-6 Taking Into Custody; Penalty
- NMSA 1978, § 32A-4-11 Use Immunity
- NMSA 1978, § 32A-4-33 Confidentiality; Records; Penalty
- Protection and Advocacy for Mentally Ill Individuals' Amendments Act of 1991

D. Rescinded Special Order(s)

- SO 24-162 Amendment to SOP 2-92 Crimes Against Children

2-92-1 Purpose

The purpose of this policy is to ensure all incidents relating to child abuse and/or child neglect allegations are thoroughly investigated.

2-92-2 Policy

It is the policy of the Albuquerque Police Department (Department) to provide procedures for Department personnel when responding to incidents involving crimes against children, in addition to determining if a Crimes Against Children Unit (CACU) Detective is required for assistance.



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N/A 2-92-3 Definitions

A. Drug Exposure

Occurs when medicine or other substances are introduced or ingested into the human body that can have a physiological effect that could be harmful or life-threatening.

B. Great Bodily Harm

An injury to a person which creates a high probability of death, or results in serious disfigurement or results in loss of any member or organ of the body, or results in permanent or prolonged impairment of the use of any member or organ of the body.

C. Immediate Family Member

A parent, step-parent, co-parent, or significant other of a parent or person who has been entrusted with the care of the child, a sibling, or stepsibling. Does not include persons providing long-term childcare, such as babysitters.

D. Sudden Unexpected Death in Infancy (SUDI)

The sudden and unexpected death of a baby less than one (1) year old in which the cause was not obvious before the investigation.

7 2-92-4 Procedures

A. Inter-Agency Cooperation

1. Department personnel shall work in close cooperation with the New Mexico Children, Youth, and Families Department (CYFD). CYFD and the District Attorney's Office (DA) for the protection of victims and the prosecution of individuals suspected of committing a crime.

3 2. Records in the Statewide Central Intake (SCI)/CYFD are confidential and cannot be released to the general public or the media. This includes Uniform Incident Reports that are generated in conjunction with a CYFD investigation.

B. Sworn Personnel Shall:

N/A 1. Conduct a preliminary investigation as outlined in SOP Preliminary and Follow-up Criminal Investigations (refer to SOP Preliminary and Follow-up investigations for sanction classifications and additional duties);

2. Conduct the investigation and supplement their preliminary investigation by:

a. Requesting Real Time Crime Center (RTCC) personnel to run a query for



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N/A

- information contained in the CACU Case Management System when they suspect child abuse and/or neglect; and
- b. Using the CYFD portal to query all information as it relates to their investigation.
 - i. Sworn personnel may request this query to be completed by RTCC when they suspect child abuse and/or neglect.
3. Upon the completion of the preliminary investigation, if one (1) or more of the below criteria is met, complete the CACU Checklist and brief the immediate FSB supervisor or their designee. The FSB supervisor or their designee shall follow the procedure as outlined in the Standard Operating Procedure (SOP).
- a. Any inflicted injury to a child five (5) years old and under;
 - b. Any inflicted Injury resulting in great bodily harm of a child five (5) years old and under that appears to have occurred accidentally, or that was perpetrated by an immediate family member;
 - c. Felony child abuse when the victim is seventeen (17) years old and under and the injury results in great bodily harm or death, where the individual is an immediate family member;
 - i. For deaths of a child/ren where the individual(s) is not an immediate family member shall be investigated by the Homicide Unit.
 - d. Firearm-related deaths where the individual is considered to be an immediate family member and the victim is twelve (12) years old and under;
 - i. For injuries of a child/ren where the individual(s) is not an immediate family member shall be investigated by the Gun Violence Reduction Unit.
 - e. Drug exposures;
 - i. Active drug exposure;
 1. Children twelve (12) years old and under; and
 2. Immediate medical attention is necessary.
 - ii. Delayed drug exposure;
 1. Children twelve (12) years old and under at the time of the report; or
 2. The child received documented medical treatment from a licensed or certified professional.
 - iii. Except for;
 1. Infants born drug exposed;
 2. Delayed drug exposure;
 - iv. Except for legal substances such as alcoholic beverages, THC, and over-the-counter medication.
 1. If exposure to legal substances results in the hospitalization of the child, the on-call CACU detective shall be contacted for possible case consultation.
 - f. Apparent Sudden Unexplained Death in Infancy (SUDI);
 - g. Death of a child under the following criteria;
 - i. Accidental deaths;
 - ii. Apparent natural deaths; or
 - iii. Drug or alcohol overdoses
 - h. Suicide;



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- i. CACU Detectives shall investigate all suicides of juveniles twelve (12) years old and under.
 - ii. CACU Detectives shall not respond to the scene or investigate the suicide of juveniles between the ages of thirteen (13) to seventeen (17) unless suspicious circumstances exists.
 1. FSB shall conduct a full investigation and remain the case agent for non-suspicious suicides of juveniles between the ages of thirteen (13) to seventeen (17) in the same manner as the suicide of an individual eighteen (18) years and age and older.
 - i. Felony criminal sexual assaults, to include penetrations and contacts when the victim is twelve (12) years old and under at the time the incident is reported to law enforcement regardless of the individual's relationship to the victim; or
 - j. Felony criminal sexual penetration and criminal sexual contact when the individual is an immediate family member, and the victim is seventeen (17) years old and under at the time the incident is reported to law enforcement;
4. Sworn personnel shall not forward a report to CACU without first contacting the on-call CACU detective via telephone for case consultation.
- a. Personnel shall not label a report for CACU into the records management system unless instructed by the on-call CACU detective.
5. Have the child transported by ambulance to a hospital if the child sustains great bodily harm;
6. Request a Crime Scene Specialist (CSS) to photograph the injuries, including injuries to the genitals, when physical injuries are visible or alleged on a child's body;
- N/A** a. Victims of child abuse may be photographed in all cases without the consent of their parent or legal guardian.
7. Notify Metro Traffic Division personnel in instances where a child's death is the exclusive result of a traffic crash. Where there was no intent to harm a child, Metro Traffic Division personnel shall retain case responsibility; and
- a. Sworn personnel shall retain case responsibility in instances where child abuse charges are filed as the result of driving while under the influence (DWI).
8. Email a child's name and date of birth to handlewithcare@aps.edu when a minor has been identified at the scene of a traumatic event. No other information shall be added to the email.

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C. Sworn Personnel Case Responsibility

1. Sworn personnel shall complete the case and forward it to the District Attorney's



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(DA) Office when the case meets any of the following criteria:

- a. An individual is in custody, and they have probable cause for an arrest for a crime against a child or related offense;
 - b. A case includes identification of the individual who is suspected of committing a crime, and there is no further investigation needed for prosecution review; and/or;
 - c. No search or arrest warrant is needed.
2. Sworn personnel need to consider the safety and protection of the child before making an arrest for child abuse.
- a. When feasible, remove the child from the environment or ensure they do not witness the arrest.
3. Sworn personnel shall complete a Uniform Incident Report and/or Supplemental Narrative Report on all cases involving alleged or confirmed child abuse, neglect, abandonment, or cruelty to children cases.
- a. Sworn personnel shall select the "nature of call" as either being:
 - i. "CHILD ABU-Child/Abandonment"; or
 - ii. "CHILD INC-Child Abuse Incident ONLY".
4. Sworn personnel shall complete the SCI/CYFD Referral Process
- a. If, through the investigation, the information leads to no new allegations of neglect, abuse, or new victims, sworn personnel shall email their report to SCI/CYFD via email to sci.lereports@state.nm.us.
 - i. Sworn personnel shall not fax or mail reports to SCI.
 - b. If the following is met, sworn personnel shall immediately call SCI to report the new abuse, neglect, or identified victim at #SAFE (#7233) or (855) 333-7233.
 - i. New allegations of neglect or abuse are identified through investigation that are unrelated to the initial reported allegation.
 - c. Sworn personnel shall email all Uniform Incident Reports to SCI/CYFD within forty-eight (48) hours, consistent with NMSA 1978, § 32A-4-3.
5. Sworn personnel shall categorize their on-body recording device (OBRD) footage captured during the performance of law enforcement duties involving allegations of child abuse, neglect, and welfare checks in the Evidence.com lapel storage system as "evidence".
6. For interviews with alleged victims or witnesses who are twelve (12) years old and under:
- a. Sworn personnel may conduct basic preliminary interviews with an alleged victim or witness while on scene; and
 - b. Sworn personnel may utilize a professional forensic safe house interview when



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N/A

necessary.

- i. The investigating sworn personnel requesting the safe house interview shall be responsible for attending the scheduled interview.
- ii. The investigating sworn personnel may have a designee attend the interview.

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D. Procedures for Taking Custody and/or Placement of a Child

1. Sworn personnel shall request SCI/CYFD contact information from the ECC Dispatcher.
2. Sworn personnel shall request a CYFD caseworker to respond to the scene through SCI.
 - a. Sworn personnel shall provide SCI with the following information when applicable:
 - i. The alleged victim's identifying information;
 - ii. The alleged individual's identifying information;
 - iii. The identifying information for anyone residing in the same location as the alleged victim; and
 - iv. A summary of the investigation.
3. Sworn personnel shall act in accordance with NMSA 1978, § 32A-4-6, when a child is held or taken into custody.
 - a. Sworn personnel have the legal right to prevent the removal of the child from hospital care in cases when the officer reasonably believes:
 - i. The parents are directly responsible for the injuries to the child; and/or
 - ii. The child's physical and/or emotional well-being appears to be in imminent danger.
4. If sworn personnel place a child with a family member, relative, or other placement, they shall conduct a criminal background check of the person with whom the child is to be placed with. The criminal/background checks shall include, but are not limited to:
 - a. CYFD portal information;
 - b. Warrants information;
 - c. New Mexico court information;
 - d. Law enforcement involvement history; and
 - e. Police databases.
 - i. The results of the criminal/background check shall be documented in the officer's Uniform Incident Report.
 - ii. Sworn personnel may also request RTCC to conduct the criminal/background check.
5. Sworn personnel shall document all facts to support taking the custody of a child or



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placement of a child in their Uniform Incident Report.

6. When CYFD requests the Department take custody of a child, the officer shall ask the caseworker for all information of abuse or neglect.
 - a. If the caseworker has no facts to support taking custody of a child, and the officer does not find reasonable grounds to remove the child, the officer shall:
 - i. Document in their Uniform Incident Report the caseworker's statement; and
 - ii. Request that the caseworker get a court order to remove the child.

7. The officer's Uniform Incident Report shall list the offense for which the child was taken into protective custody.

E. The CACU Detective shall respond consistent with the procedures outlined in SOP Special Victims Section.

F. FSB Supervisor Responsibilities

1. The investigating officer's supervisor or designee shall ensure the CACU Checklist was properly completed when the incident has met one (1) or more of the criteria listed above.
 - a. If the criteria have been met, they shall request through the Emergency Communications Center (ECC) the on-call CACU Detective's phone number.
 - b. The supervisor or designee shall then notify the CACU Detective immediately.

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G. Confidentiality of Records

1. Department personnel shall maintain the confidentiality of all investigative records pursuant to NMSA 1978, § 32A-4-33.
2. All records or information concerning a party to a neglect or abuse proceeding, including social records, diagnostic evaluations, psychiatric or psychological reports, videotapes, transcripts, and video or audio recordings of a child's statement of abuse or medical reports incident to or obtained as a result of a neglect or abuse proceeding or that were produced or obtained during an investigation in anticipation of or incident to a neglect or abuse proceeding shall be confidential and closed to the public.
3. A parent, guardian, or legal custodian whose child has been the subject of an investigation of abuse or neglect where no petition has been filed shall have the right to inspect any medical report, psychological evaluation, law enforcement reports, or other investigative or diagnostic evaluation; provided that any identifying information related to the reporting party or any other party providing information shall be deleted. The parent, guardian, or legal custodian shall also have the right to the results of the investigation and the right to petition the court for full access to



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all Department records and information except those records and information the Department finds would be likely to endanger the life or safety of any person providing information to the Department.

4. Whoever intentionally and unlawfully releases any information or records closed to the public pursuant to the Abuse and Neglect Act or releases or makes other unlawful use of records in violation of that act is guilty of a petty misdemeanor and shall be sentenced pursuant to the provisions of NMSA 1978, § 31-19-1.
5. The Department shall promulgate rules for implementing disclosure of records pursuant to this Standard Operating Procedure and in compliance with federal and state laws and the Children's Court Rules.

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2-92 CRIMES AGAINST CHILDREN INVESTIGATIONS

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

A. Related SOP(s)

- 1-26 Special Victims Section (Formerly 5-4)
- 2-60 Preliminary and Follow-Up Criminal Investigation (Formerly 2-24)

B. Form(s)

- Crimes Against Children Unit (CACU) Checklist
- Violent Crimes/Homicide Call-Out Sheet

C. Other Resource(s)

- Indian Child Welfare Act of 1978
- NMSA 1978, § 31-19-1 Sentencing Authority; Misdemeanors; Imprisonment and Fines; Probation
- NMSA 1978, § 32A-4-3 Duty to Report Child Abuse and Child Neglect; Responsibility to Investigate Child Abuse or Neglect; Penalty; Notification of Plan of Care
- NMSA 1978, § 32A-4-6 Taking Into Custody; Penalty
- NMSA 1978, § 32A-4-11 Use Immunity
- NMSA 1978, § 32A-4-33 Confidentiality; Records; Penalty
- Protection and Advocacy for Mentally Ill Individuals' Amendments Act of 1991

D. Rescinded Special Order(s)

- ~~SO 23-39 Handle with Care~~
- ~~SO 23-77 Amendment to SOP 2-92 Crimes Against Children Investigations~~
- ~~SO 24-162 Amendment to SOP 2-92 Crimes Against Children~~
- ~~None~~

2-92-1 Purpose

The purpose of this policy is to ensure all incidents relating to child abuse and/or child neglect allegations are thoroughly investigated.

2-92-2 Policy

It is the policy of the Albuquerque Police Department (Department) to provide procedures for Department personnel when responding to incidents involving crimes against children, in addition to determining if a Crimes Against Children Unit (CACU) Detective is required for assistance.



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A. Drug Exposure

Occurs when medicine or other substances are introduced or ingested into the human body that can have a physiological effect that could be harmful or life-threatening.

B. Great Bodily Harm

~~Great bodily harm means an injury to a person which creates a high probability of death, or results in serious disfigurement or results in loss of any member or organ of the body, or results in permanent or prolonged impairment of the use of any member or organ of the body.~~

C. Immediate Family Member

A parent, step-parent, co-parent, or significant other of a parent or ~~individual~~ person who has been entrusted with the care of the child, a sibling, or stepsibling. Does not include persons providing long-term childcare, such as to include babysitters.

D. Sudden Unexpected Death in Infancy (SUDI)

The sudden and unexpected death of a baby less than one (1) year old in which the cause was not obvious before the investigation.

~~E. Suffocation~~

~~The unlawful touching or application of force that blocks the nose or mouth of another person with the intent to injure that person and in a manner whereby great bodily harm or death can be inflicted, the result of which impedes the person's normal breathing or blood circulation.~~

7 2-92-4 Procedures

A. Inter-Agency Cooperation

1. Department personnel shall work in close cooperation with the New Mexico Children, Youth, and Families Department (CYFD). CYFD and the District Attorney's Office (DA) for the protection of victims and the prosecution of individuals suspected of committing a crime.

3 2. Records in the Statewide Central Intake (SCI)/CYFD are ~~considered~~ confidential and cannot be released to the general public or the media. This includes Uniform Incident Reports that are generated in conjunction with a CYFD investigation.

B. Sworn Personnel Shall:

N/A



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N/A

1. Conduct a preliminary investigation as outlined in SOP Preliminary and Follow-up Criminal Investigations (refer to SOP Preliminary and Follow-up investigations for sanction classifications and additional duties);
2. Conduct the investigation and supplement their preliminary investigation by:
 - a. Requesting Real Time Crime Center (RTCC) personnel to run a query for information contained in the CACU Case Management System when they suspect child abuse and/or neglect; and
 - b. Using the CYFD portal to query all information as it relates to their investigation.
 - i. Sworn personnel may request this query to be completed by RTCC when they suspect child abuse and/or neglect.
3. Upon the completion of the preliminary investigation, if one (1) or more of the below criteria is met, complete the CACU Checklist, and brief the immediate FSB supervisor or their designee. The FSB supervisor or their designee shall follow the procedure as outlined in the Standard Operating Procedure (SOP).
 - a. Any inflicted injury to a child five (5) years old and under;
 - b. Any inflicted Injury resulting in great bodily harm of a child five (5) years old and under that appears to have occurred accidentally, or that was perpetrated by an immediate family member;
 - c. Felony child abuse when the victim is seventeen (17) years old and under and the injury results in great bodily harm or death, where the individual perpetrator is an immediate family member;
 - i. For deaths of a child/ren where the individual(s) is not an immediate family member shall be investigated by the Homicide Unit.
 - ~~e. Firearm-related deaths where the perpetrator individual is considered to be an immediate family member and the victim is twelve (12) years old and under;~~
 - d. ~~For deaths of sibling/stepsibling of a child/ren between the ages of thirteen (13) and seventeen (17) years old, shall where the individual(s) is not an immediate family member shall be investigated by the Homicide Unit.~~
 - i. For injuries of siblings/stepsibling of a child/ren where the individual(s) is not an immediate family member between the ages of thirteen (13) and seventeen (17), shall will be investigated by the Gun Violence Reduction Unit.
 - e. Drug exposures;
 - i. Active drug exposure;
 1. Children twelve (12) years old and under; and
 2. Immediate medical attention is necessary.
 - ii. Delayed drug exposure;
 1. Children twelve (12) years old and under at the time of the report; or
 2. The child received documented medical treatment from a licensed or certified professional.
 - iii. Except for;
 1. This does not include infants born drug exposed;



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- ~~2. =Delayed drug exposure;
Children twelve (12) years old and under at the time of the report; and
The child received documented medical treatment from a licensed or certified professional.~~
- iv. Except for ~~of~~ legal substances such as alcoholic beverages, THC, and over-the-counter medication.
1. If exposure to legal substances results in the hospitalization of the child, the on-call CACU detective shall be contacted for possible case consultation.
- f. Apparent Sudden Unexplained Death in Infancy (SUDI);
- g. Death of a child under the following criteria;
- i. Accidental deaths;
- ii. Apparent natural deaths; or
- iii. Drug or alcohol overdoses
- ~~;~~
- ~~Drug exposures to children twelve (12) years old and under.~~
- ~~0. This does not include infants born drug-exposed.~~
- ~~h.~~ h. Suicide;
- i. CACU Detectives shall investigate all suicides of juveniles twelve (12) years old and under.
- ii. CACU Detectives shall not respond to the scene or investigate the suicide of juveniles between the ages of thirteen (13) to seventeen (17) unless suspicious circumstances exists.
1. FSB shall conduct a full investigation and remain the case agent for non-suspicious suicides of juveniles between the ages of thirteen (13) to seventeen (17) in the same manner as the suicide of an individual eighteen (18) years and age and older.
- ~~h.~~ i. Felony criminal sexual assaults, to include penetrations and contacts when the victim is twelve (12) years old and under at the time the incident is reported to law enforcement regardless of the individual's relationship to the victim; or
- ~~h.~~ h. Felony criminal sexual penetration and criminal sexual contacts when the individual perpetrator is an immediate family member, ~~or a sibling/siblings~~ within the residence and the victim is seventeen (17) years old and under at the time the incident is reported to law enforcement;
4. Sworn personnel shall not forward a report to CACU without first contacting the on-call CACU detective via telephone for case consultation.
- a. Personnel shall not label a report for CACU into the records management system ~~Mark 43~~ unless instructed by the on-call CACU detective.
- ~~4.5.~~ 5. Have the child transported by ambulance to a hospital if the child sustains great bodily harm;
- ~~5.6.~~ 6. Request a Crime Scene Specialist (CSS) to photograph the injuries, including injuries to the genitals, when physical injuries are visible or alleged on a child's body;



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N/A

a. Victims of child abuse may be photographed in all cases without the consent of their parent or legal guardian.

~~6-7.~~ Notify Metro Traffic Division personnel in instances where a child's death is the exclusive result of a traffic crash. Where there was no intent to harm a child, Metro Traffic Division personnel shall retain case responsibility; and.

a. Sworn personnel shall retain case responsibility in instances where child abuse charges are filed as the result of driving while under the influence (DWI).

~~7-8.~~ Email a child's name and date of birth to handlewithcare@aps.edu when a minor has been identified at the scene of a traumatic event. No other information shall be added to the email.

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C. Sworn Personnel Case Responsibility

1. Sworn personnel shall complete the case and forward it to the District Attorney's (DA) Office when the case meets any of the following criteria:

- a. An individual is in custody₁ and they have probable cause for an arrest for a crime against a child or related offense;
- b. A case includes identification of the individual who is suspected of committing a crime₁ and there is no further investigation needed for prosecution review; and/or;
- c. No search or arrest warrant is needed.

2. Sworn personnel₇ need to consider the safety and protection of the child before making an arrest for child abuse.

a. When feasible, remove the child from the environment or ensure they do not witness the arrest.

3. Sworn personnel shall complete a Uniform Incident Report and/or Supplemental Narrative Report on all cases involving alleged or confirmed child abuse, neglect, abandonment, or cruelty to children cases.

- a. Sworn personnel shall select the "nature of call" as either being:
 - i. "CHILD ABU-Child/Abandonment"; or
 - ii. "CHILD INC-Child Abuse Incident ONLY".

4. Sworn personnel shall complete the SCI/CYFD Referral Process

a. If₁ through the investigation₁ the information leads to no new allegations of neglect, abuse, or new victims, sworn personnel shall email their report to SCI/CYFD via email to sci.lereports@state.nm.us.



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- i. Sworn personnel shall not fax or mail reports to SCI.
 - b. If the following is met, sworn personnel shall immediately call SCI to report the new abuse, neglect, or identified victim at #SAFE (#7233) or (855) 333-7233.
 - i. New allegations of neglect or abuse are identified through investigation that are unrelated to the initial reported allegation.
 - c. Sworn personnel shall email all Uniform Incident Reports to SCI/CYFD within forty-eight (48) hours, consistent with NMSA 1978, § 32A-4-3.
 5. Sworn personnel shall categorize their on-body recording device (OBRD) footage captured during the performance of law enforcement duties involving allegations of child abuse, neglect, and welfare checks in the Evidence.com label storage system as "evidence" ~~"evidentiary"~~.
 6. For interviews with alleged victims or witnesses, who are twelve (12) years old and under:
 - a. Sworn personnel may conduct basic preliminary interviews with an alleged victim or witness while on scene; and
 - b. Sworn personnel may utilize a professional forensic safe house interview when necessary.
 - i. The investigating sworn personnel requesting the safe house interview shall be responsible for attending the scheduled interview.
 - ii. The investigating sworn personnel may have a designee attend the interview.

N/A

N/A

6

D. Procedures for Taking Custody and/or Placement of a Child

1. Sworn personnel shall request SCI/CYFD contact information from the ECC Dispatcher.
2. -Sworn personnel shall request a CYFD caseworker to respond to the scene through SCI.
 - a. Sworn personnel shall provide SCI with the following information when applicable:
 - i. The alleged victim's identifying information;
 - ii. The alleged individual's identifying information;
 - iii. The identifying information for any-one residing in the same location as the alleged victim; and
 - iv. A summary of the investigation.
3. Sworn personnel shall act in accordance with NMSA 1978, § 32A-4-6₁, when a child is held or taken into custody.
 - a. Sworn personnel have the legal right to prevent the removal of the child from hospital care in cases when the officer reasonably believes:
 - i. The parents are directly responsible for the injuries to the child; and/or



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- ii. The child's physical and/or emotional well-being appears to be in imminent danger.
 4. If sworn personnel place a child with a family member, relative, or other placement, they shall conduct a criminal background check of the person with whom the child is to be placed with. The criminal/background checks shall include, but are not limited to:
 - a. CYFD portal information;
 - b. Warrants information;
 - c. New Mexico court information;
 - d. Law enforcement involvement history; and
 - e. Police databases.
 - i. The results of the criminal/background check shall be documented in the officer's Uniform Incident Report.
 - ii. Sworn personnel may also request RTCC to conduct the criminal/background check.
 5. Sworn personnel shall document all facts to support taking the custody of a child or placement of a child in their Uniform Incident Report.
 6. When CYFD requests the Department take custody of a child, the officer shall ask the caseworker for all information of abuse or neglect.
 - a. If the caseworker has no facts to support taking custody of a child, and the officer does not find reasonable grounds to remove the child, the officer shall:
 - i. Document in their Uniform Incident Report the caseworker's statement; and
 - ii. Request that the caseworker get a court order to remove the child.
 7. The officer's Uniform Incident Report shall list the offense for which the child was taken into protective custody.
- E. The CACU Detective shall respond consistent with the procedures outlined in SOP Special Victims Section.
- F. FSB Supervisor Responsibilities
1. The investigating officer's supervisor or their designee shall ensure the CACU Checklist was properly completed when the incident has met one (1) or more of the criteria listed above.
 - a. If the criteria have been met, they shall request through the Emergency Communications Center (ECC) the on-call CACU Detective's phone number.
 - b. The supervisor or their designee shall then notify the CACU Detective immediately.



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G. Confidentiality of Records

1. Department personnel shall maintain the confidentiality of all investigative records pursuant to NMSA 1978, § 32A-4-33.
2. All records or information concerning a party to a neglect or abuse proceeding, including social records, diagnostic evaluations, psychiatric or psychological reports, videotapes, transcripts, and video or audio recordings of a child's statement of abuse or medical reports incident to or obtained as a result of a neglect or abuse proceeding or that were produced or obtained during an investigation in anticipation of or incident to a neglect or abuse proceeding shall be confidential and closed to the public.
3. A parent, guardian, or legal custodian whose child has been the subject of an investigation of abuse or neglect where no petition has been filed shall have the right to inspect any medical report, psychological evaluation, law enforcement reports, or other investigative or diagnostic evaluation; provided that any identifying information related to the reporting party or any other party providing information shall be deleted. The parent, guardian, or legal custodian shall also have the right to the results of the investigation and the right to petition the court for full access to all Department records and information except those records and information the Department finds would be likely to endanger the life or safety of any person providing information to the Department.
4. Whoever intentionally and unlawfully releases any information or records closed to the public pursuant to the Abuse and Neglect Act or releases or makes other unlawful use of records in violation of that act is guilty of a petty misdemeanor and shall be sentenced pursuant to the provisions of NMSA 1978, § 31-19-1.
5. The Department shall promulgate rules for implementing disclosure of records pursuant to this Standard Operating Procedure and in compliance with federal and state laws and the Children's Court Rules.



2-103 TRESPASS NOTIFICATIONS

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

A. Related SOP(s)

2-16 Reports (Formerly 1-05)

B. Form(s)

PD 3085 Criminal Trespass-Order Not to Return (CT Form)

C. Other Resource(s)

NMSA 1978, §§ 14-2-1 to 14-2-12 Inspection of Public Records Act

D. Rescinded Special Order(s)

None

2-103-1 Purpose

The purpose of this policy is to enable sworn personnel, businesses, and community members to prevent individuals from criminally trespassing onto real property through the issuance of the Criminal Trespass Notification—Order Not to Return (CT) form. This form is designed to be used at businesses and residences as a way to formally notify an individual that the person in possession of real property has denied or withdrawn consent for the individual to enter or remain on the property.

2-103-2 Policy

It is the policy of the Albuquerque Police Department (Department) to provide the CT form as requested and authorized by law.

N/A **2-103-3 Definitions**

A. Real Property

Land or immovable property on land, such as buildings.

7 **2-103-4 Rules and Procedures**

A. Criminal Trespass Notification –Order Not to Return Form (CT)

1. Sworn Personnel shall:



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- a. Issue a CT form when requested by the owner, lessee, proprietor, or any other person in lawful possession of real property who lawfully denies or withdraws consent for an individual to return to or remain on the property;
- b. Complete the CT form and obtain the following signatures:
 - i. The owner, lessee, proprietor, or any other person in lawful possession of real property;
 - ii. The issuing officer; and
 - iii. The individual who is being denied consent to return to the property.
- c. Indicate "refused" in the signature box if the individual refuses to sign the CT form;
- d. Not detain the individual solely to sign the CT form:
 - i. This does not prevent the detention of the individual where reasonable suspicion for an investigatory stop of criminal activity exists or for probable cause for an arrest.
- e. After obtaining all appropriate signatures on the CT form completely, redact the individual's month, day of birth, and full social security number in accordance with NMSA 1978, §§ 14-2-1 to 14-2-12 Inspection of Public Records Act (IPRA).
 - i. Sworn personnel shall not redact the year the individual was born.
- f. Provide one (1) copy of the CT form to:
 - i. Records Division personnel, consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties) by uploading a copy and attaching it to the Uniform Incident Report in the Department's records management system;
 - ii. The owner, lessee, proprietor, or any other person denying or withdrawing consent; and
 - iii. The individual for whom consent to enter or return to the property was denied or withdrawn.
- g. Complete a Uniform Incident Report consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties).

N/A

N/A

- 2. When available, sworn personnel who respond to a call for service for an individual who allegedly criminally trespassed shall:
 - a. Include the original Computer-Aided Dispatch (CAD) system entry and case number from the previously issued CT in the Uniform Incident Report narrative section; and
 - b. Obtain a copy of the CT form from the owner, lessee, proprietor, or any other person or Records Division personnel as evidence.



2-103 TRESPASS NOTIFICATIONS

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

A. Related SOP(s)

2-16 Reports (Formerly 1-05)

B. Form(s)

PD 3085 Criminal Trespass-Order Not to Return (CT Form)

C. Other Resource(s)

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 - ii. The owner, lessee, proprietor, or any other person denying or withdrawing consent; and
 - iii. The individual for whom consent to enter or return to the property was denied or withdrawn.
 - g. Complete a Uniform Incident Report, consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties).
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- a. Include the original Computer-Aided Dispatch (CAD) system entry and case number from the previously-issued CT in the Uniform Incident Report narrative section; and
 - b. Obtain a copy of the CT form from the owner, lessee, proprietor, or any other person or Records Division personnel as evidence.

N/A

N/A

APD Policy

No Recommendation(s)



1-56 HORSE MOUNTED UNIT

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

A. Related SOP(s)

- 2-1 Uniforms (Formerly 2-06)
- 2-35 Emergency Response Team (ERT) (Formerly 2-29)
- 2-52 Use of Force: General (Formerly 3-45)
- 2-54 Use of Force: Intermediate Weapon Systems
- 2-56 Use of Force: Reporting by Department Personnel
- 2-57 Use of Force: Review and Investigation by Department Personnel
- 3-31 Physical Fitness Assessment (Formerly 3-83)
- 3-32 Performance Evaluations (Formerly 3-26)

B. Form(s)

- PD 3021 Horse Mounted Unit Donor Horse Agreement
- PD 3022 Horse Mounted Unit Horse Release Agreement

C. Other Resource(s)

City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement

D. Rescinded Special Order(s)

None

1-56-1 Purpose

This policy is for the Special Operations Bureau's Horse Mounted Unit (HMU) to provide support and assistance to the Albuquerque Police Department (Department) by attending community, City-sponsored, and special events to project a positive, professional image of the Department and conducting proactive patrols, crowd control, and crime prevention initiatives.

1-56-2 Policy

It is the policy of the Department for the HMU to conduct proactive patrols, crowd control, searches, and crime prevention initiatives in high-crime areas while on horseback, and to perform community outreach while on horseback.

N/A 1-56-3 Definitions

A. Bokken Baton



A forty-eight (48") wooden tool that gives the rider the ability to dislodge individuals who have grasped the reins and or halter of the mount (horse). It is a primary, intermediate use of force tool for mounted units. Due to the height and position of the mounted rider, normal expandable batons would not be effective as an intermediate use of force tool.

B. Collateral Rider

A non-grievable, non-permanent position which supplements personnel levels in the HMU. This role allows sworn personnel the opportunity to learn equitation, equine care, and mounted police tactics.

C. Rein Strike

The hanging, loose leather portion of the rein that is used as an impact weapon.

7 1-56-4 **General Rules**

A. The duties of the HMU are divided into several primary functions. The Special Services Section Lieutenant or HMU Sergeant may assign other functions.

1. Crime Prevention

- a. The HMU is a City-wide unit and shall assist the Field Services Bureau (FSB) and any other specialized unit in effectively controlling crime in all area commands and open space areas as authorized by the HMU Sergeant.
- b. HMU sworn personnel shall conduct crime prevention initiatives in high-crime areas while on horseback as authorized by the HMU Sergeant.
- c. Area commanders and/or lieutenants shall contact the Special Services Section Lieutenant or the HMU Sergeant to request the use of the HMU within their respective area command.

2. Public Relations and Community Outreach

- a. The HMU presents a positive, professional image of the Department by attending community, City-sponsored, and special events.

3. Crowd Control

N/A

- a. The HMU may engage in crowd control in civil disturbances, parades, marches, demonstrations, visits by dignitaries, and any other events where crowd control is necessary, such as the New Mexico State Fair and the Albuquerque International Balloon Fiesta as authorized by the HMU Sergeant.
- b. The HMU may be utilized consistent with SOP Emergency Response Team (ERT).

4. Searches



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N/A

- a. The HMU shall assist FSB, or any other unit within the Department, to search for missing children, lost persons, wanted subjects, and escapees as authorized by the HMU Sergeant.
- b. The HMU may search open space and areas not amenable to motorized vehicles as authorized by the HMU Sergeant.
- c. Search and Rescue supervisors shall make every attempt to contact the Special Services Section Lieutenant or the HMU Sergeant to request the HMU in the open space areas or along the river for any type of search as authorized by the HMU Sergeant.
- d. The HMU shall make every attempt to work in concert with the Air Support Unit to maximize efficiency during search operations.

5. Traffic Control

N/A

- a. The HMU may assist in the movement and direction of traffic at major events.
- b. The Special Services Section Lieutenant or the HMU Sergeant shall authorize the HMU to participate in traffic control.

6. FSB Assistance

- a. The HMU shall assist FSB with calls for service during mounted tactical operation plans as authorized by the HMU Sergeant.

7. Assistance for Other Agencies

- a. The HMU shall assist other agencies upon the approval and authority of the Special Services Section Lieutenant or their designee or the Special Operations Bureau Deputy Chief or their designee.

8. Community, City-Sponsored, and Special Events

- a. Upon request, and with approval of the HMU Sergeant or their designee, the HMU may attend community, City-sponsored, and special events to project a positive, professional image of the Department.

B. Use of Force for the Horse Mounted Unit

1. HMU sworn personnel shall immediately report the following interactions between a horse and individual to the HMU Sergeant or their designee for investigation:
 - a. The horse biting an individual;
 - b. The horse stepping on an individual;
 - c. The horse's head making contact with an individual; and
 - d. The horse kicking an individual.



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2. The HMU Sergeant shall determine whether the action was directed by HMU sworn personnel.
 - a. If the interaction was directed by HMU sworn personnel and caused injury or complaint of injury, the interaction shall be investigated as a use of force. The HMU Sergeant shall also determine whether a referral for potential criminal conduct is appropriate.
 - b. If the interaction was unintentional and not directed by HMU sworn personnel, the interaction shall not be considered a use of force.
 - i. The HMU Sergeant shall investigate the interaction for potential liability issues and to determine whether preventative measures must be taken.
 - ii. The HMU officer shall strongly encourage the involved community member to stay at the scene to be evaluated by Emergency Medical Services (EMS) personnel for possible injuries and to be photographed by a Crime Scene Specialist (CSS).
 - iii. The witness HMU officer shall document the interaction in a Uniform Incident Report and shall forward the report to the City of Albuquerque Risk Management Division.

N/A

3. Use of the Bokken Baton

- a. All uses of the Bokken Baton shall be consistent with SOP Use of Force: General and SOP Use of Force: Intermediate Weapons Systems.
- b. All uses of the Bokken Baton shall be reported consistent with SOP Use of Force: Reporting by Department Personnel.
- c. All uses of the Bokken Baton shall be investigated consistent with SOP Use of Force: Review and Investigation by Department Personnel.

N/A

4. Use of Rein Strikes

- a. All uses of the Rein Strikes shall be consistent with SOP Use of Force: General and SOP Use of Force: Intermediate Weapons Systems.
- b. All uses of the Rein Strikes shall be reported consistent with SOP Use of Force: Reporting by Department Personnel.
 - i. Use of the Rein Strike on an individual's extremities shall be considered a Level 2 use of force and shall be investigated as a Level 2 use of force, consistent with SOP Use of Force: Review and Investigation by Department Personnel.
 - ii. If the Rein Strike is used on an individual's head, neck, throat, chest, or groin it shall be investigated as a Level 3 use of force, consistent with SOP Use of Force: Review and Investigation by Department Personnel.
 1. Rein Strikes are not considered a deadly force.

N/A

5. Use of Horse Maneuvers

- a. All uses of Horse Maneuvers shall be consistent with SOP Use of Force: General.



N/A

- i. Crowd dispersal without contact shall not be considered a use of force or show of force.
- ii. Crowd dispersal by making contact between the horse and individual that does not result in injury, a complaint of injury, or would not be reasonably expected to result in an injury is considered a low-level control tactic and not a use of force.
- iii. All other contact between a horse and an individual shall be reported and investigated consistent with the levels of force defined in SOP Use of Force: Definitions.

C. Horse Mounted Unit On-Call Status

1. Sworn personnel assigned to the HMU, and members of the collateral rider program, may be placed in an on-call status for situations requiring an HMU response.
2. If HMU sworn personnel are placed in an on-call status, they shall be available by phone at all times and shall be compensated, consistent with the City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement.
3. The Special Services Section Lieutenant or HMU Sergeant shall be contacted to authorize an HMU response and place HMU personnel in an on-call status.

6 1-56-5 **Responsibilities**

A. Deputy Chief

The Special Operations Bureau Deputy Chief shall have final command of the HMU.

B. Commander/Deputy Commander

The Special Services Division Commander/Deputy Commander shall have overall command of the HMU.

C. Lieutenant

The Special Services Section Lieutenant shall have on-scene command of the HMU.

D. Sergeant

1. The HMU Sergeant shall directly supervise the HMU and shall be responsible to the Special Services Section Lieutenant. Due to the capabilities, limitations, and safety concerns of the horses, only the aforementioned supervisors shall direct the activities of the HMU.
2. The HMU Sergeant shall:



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- a. Report directly to the Special Services Section Lieutenant;
- b. Develop tactical plans and maintain a calendar of events;
- c. Assign sworn personnel to horses according to compatibility of horse and rider;
- d. Assign sworn personnel to areas and determine duty hours according to directions of the Special Services Section Lieutenant;
- e. Approve overtime or compensatory time for special events;
- f. Ensure that assigned sworn personnel are knowledgeable in the proper care of assigned horses and equipment;
- g. Ensure that all assigned HMU sworn personnel are capable of controlling the horses in accordance with proper leg aids and reining techniques;
- h. Ensure HMU sworn personnel can perform crowd control maneuvers and formations on horseback;
- i. Ensure that HMU sworn personnel are trained in the proper transporting and unloading of horses in the trailer;
- j. Ensure that HMU sworn personnel are trained in the hitching and unhitching of the horse trailer;
- k. Maintain knowledge of each horse's capabilities and the HMU;
- l. Maintain the ability to take command of the HMU in an emergency situation;
- m. Ensure the tack is in good repair and condition;
- n. Ensure the HMU has adequate supplies;
- o. Inspect horses for illness, lameness, and their ability to perform their expected duties;
- p. Ensure that all horses are properly trained to do side passes, back, and turn on the fore/hind, and determine when the horse is ready for street work;
- q. Ensure that the HMU horses are not ridden by any person not authorized by the HMU Sergeant;
- r. Ensure horses are fed properly to maintain their health and weight according to the individual horse's needs;
- s. Ensure the horses are groomed before the tour duty;
- t. Ensure the horses are shod properly according to their individual needs;
- u. Conduct performance evaluations, including minimum performance measures and goals, consistent with SOP Performance Evaluations;
- v. Be responsible for providing a weekly activity report to indicate the total number of services the HMU provided (e.g., crowd control, proactive patrols, community events, City-sponsored events, and special events); and
- w. Make the ultimate determination as to whether or not a particular rider is suitable to be a collateral rider.

E. HMU Officer

1. The HMU officer shall:

- a. Report directly to the HMU Sergeant;
- b. Familiarize themselves with, and adhere to, the HMU Training Manual;
- c. Properly groom and maintain horses;
- d. Properly tack horses and care for the tack;



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N/A

N/A

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- e. Recognize health, injury, and shoeing needs of the HMU horses;
- f. Ride and control their horse in both common and unpredictable situations;
- g. Recognize abilities and shortcomings of individual horses;
- h. Maintain the HMU horses to the proper degree of training needed for policing;
- i. Maintain physical fitness standards, consistent with SOP Physical Fitness Assessment;
- j. Meet minimum uniform standards, consistent with SOP Uniforms;
- k. Ensure horse and equipment are in serviceable conditions at all times;
- l. Load, transport, and unload horses;
- m. Correct a horse's undesired behavior but only to the degree required to achieve the objective;
 - i. Excessive or unnecessary discipline, as determined by the HMU Sergeant or Trainers, shall not be tolerated and shall be grounds for removal from the HMU.
- n. Exercise due caution when securing and leaving a horse unattended;
- o. Evaluate every situation, considering the safety of the public, the officer, and the horse;
- p. Not allow the public to feed the horses;
- q. Familiarize themselves with all of the horses in the HMU and maintain proficiency in the control of all the horses;
- r. Be able to mount from the ground without assistance;
 - i. The inability to mount a horse from the ground may be grounds for immediate removal from participating in a specific event.
- s. Be able to mount in full riot gear;
 - i. The inability to mount a horse while in full riot gear may grounds for immediate removal from participating in a specific event.
- t. Ensure that unauthorized persons shall not mount, ride, or train horses assigned to the HMU;
- u. Train all horses alike in the event another HMU officer rides an unfamiliar horse;
- v. Be willing to ride any and all of the horses assigned to the HMU for either training purposes or duty-use;
- w. Not engage in off-duty riding of HMU horses, unless otherwise directed by the HMU Sergeant; and
- x. Maintain a duty/training log, including rider, mount, and type of event or training.

F. Collateral Rider

1. To be accepted as a collateral rider, the following minimum qualifications shall be met:
 - a. The collateral rider shall be off probation or have HMU Sergeant authorization if still on probation;
 - b. The collateral riders shall be in good standing with the Department;
 - c. The collateral riders shall be in an on-duty status when attending training or an event, including, but not limited to, adjusted, compensatory time or overtime; and
 - d. The collateral riders shall pass the HMU physical assessment.



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N/A

2. Collateral riders shall not wear the HMU patch until they successfully complete the Mounted Operations Riding School and are authorized by the Special Services Section Lieutenant or HMU Sergeant, consistent SOP Uniforms.
3. Collateral riders shall attend and successfully pass the Department Mounted Operations School. Collateral riders shall:
 - a. Be able to mount from the ground without assistance; and
 - i. The inability to mount a horse from the ground may be grounds for immediate removal from participating in a specific event.
 - b. Be able to mount in full riot gear.
 - i. The inability to mount a horse while in full riot gear may grounds for immediate removal from participating in a specific event.
4. Sworn personnel who work as a collateral rider shall also be required to undergo an annual evaluation on equitation, to include training and events. This shall enable the Special Services Section Lieutenant, and the HMU Sergeant to evaluate the rider's horsemanship knowledge, skills, and abilities to ensure they meet HMU standards.
5. Once the training is completed, collateral riders shall attend a minimum of eight (8) hours of training per month in order to maintain proficiency.
 - a. Failure to maintain this training may result in the removal of the collateral rider from the rotation for that month.
6. Collateral riders shall be required to pass the annual HMU riding proficiency test that is typically conducted in Spring.
7. Collateral riders shall be utilized "as needed" in the event there is an ERT callout.
8. Overtime or compensatory time for special events shall be approved by the HMU Sergeant.
9. Collateral riders shall look within their own area commands to utilize the HMU for tactical plan operations and submit the plan to their direct supervisor and HMU Sergeant for approval. The collateral rider shall participate in this operation.
10. Collateral riders generally shall not be on call for any other unit. Exceptions to this requirement shall be at the discretion of the HMU Sergeant and Special Services Section Lieutenant.
11. Collateral riders generally shall not use horses without the HMU Sergeant or a full-time HMU officer present; however, the HMU Sergeant may authorize exceptions.
12. The collateral rider shall only utilize horses owned and trained by the HMU.

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13. The collateral rider shall utilize tack provided by HMU.
14. Collateral riders shall not be on HMU property without prior authorization from the HMU Sergeant.
15. Collateral riders shall adhere to the same responsibilities as described above for HMU sworn personnel.
16. Collateral riders may receive two (2) hours of straight compensatory time per event/patrol worked, not to exceed eight (8) hours of straight compensatory time a week, when a collateral rider participates in an event/patrol sanctioned by the HMU Sergeant.
17. HMU personnel shall complete at least three (3) events a month, one (1) of which shall be the minimum monthly training requirement. Failure to participate in the minimum amount of events shall result in being placed in an inactive status, or removal from the program.

N/A 1-56-6 Horse Mounted Operations Riding School

- A. Sworn personnel shall complete the Horse Mounted Operations Riding School, and shall pass the riding exam.
- B. Horse Mounted Operations Riding School shall include, but is not limited to:
 1. Basic riding;
 2. Proper seat;
 3. Proper use of hands;
 4. Proper use of leg cues;
 5. Ability to complete all of the standard patterns and obstacles utilized by HMU;
 6. Truck and trailering course;
 7. Duress training;
 8. Mounted tactics and officer safety;
 9. Mounted firearms qualification; and
 10. Use of Bokken Baton techniques.



- C. Once sworn personnel have completed the Horse Mounted Operations Riding School, and passed the HMU riding test, sworn personnel shall undergo six (6) months of on-the-job-training (OJT).
 - 1. The OJT period shall consist of a minimum of twelve (12) events/patrols with a minimum of four (4) hours per ride.
 - 2. Each HMU rider shall complete the HMU OJT checklist within the six (6) month period.

6 1-56-7 Training

A. HMU Trainer and Assistant Trainer

- 1. An HMU Trainer shall complete the minimum education requirements set forth by a nationally recognized Mounted Patrol Instructor program to become familiar with all areas of the equestrian profession.
- 2. The HMU Trainer shall:
 - a. Train both riders and mounts in the different techniques used by HMU;
 - b. Be knowledgeable and have experience in training new mounts and remedial training of existing mounts; and
 - c. Successfully mount and ride all HMU horses through the testing qualifications.
 - i. Each mount shall be ridden through the testing qualifications by the HMU Trainer and the Assistant Trainer annually. This assures that when officer testing occurs, all mounts have successfully passed testing prior to the sworn personnel testing.

B. HMU personnel shall participate in the ERT major exercise, which consists of team building events. This training shall be conducted a minimum of once per year for all members of ERT and the HMU, consistent with SOP Emergency Response Team (ERT).

- 1. HMU personnel and ERT personnel shall train together when schedules allow, which may require HMU personnel to train with an individual ERT team.
- 2. HMU personnel and ERT personnel shall attempt to schedule training in advance to ensure HMU manning levels are adequate.

6 1-56-8 Annual Riding Testing

- A. All riders take the annual riding testing conducted in April to ensure minimum standards and skills are maintained throughout the HMU.
- B. A minimum of one reviewer and/or the HMU Sergeant shall be present during the test.



- C. If during the test, the rider cannot perform a portion of the test, they shall be given remedial training and afforded two (2) additional attempts to perform the task. If the rider fails to complete the task, testing shall end for the day.
- D. For each portion of the test, the rider is given the initial attempt and remedial training after each failed attempt for a total of three (3) attempts for both the left and right side of the horse.
- E. If an issue with the horse occurs during the testing, then after two (2) failed attempts, the Trainer shall attempt the portion of the test during which the issue occurred to determine if the failure is a rider error or horse issue.
 - 1. If the Trainer determines the testing issue is related to the horse, the rider may select a different horse to complete testing.
 - 2. If the Trainer determines the testing issue is unrelated to the horse, the rider may make an additional attempt. If the rider has three (3) total unsuccessful attempts for the portion of the test, the rider shall be placed in an inactive status.
 - a. A rider shall have one (1) attempt to retest within ninety (90) days. A rider who fails to pass the test within ninety (90) days shall be immediately removed from the HMU.
- F. A rider who is unsuccessful after the three (3) attempts for that portion of the test is placed in an inactive status.
- 5 G. A rider who is in an inactive status shall not deploy on patrol or call-outs.
- N/A H. A rider who does not pass the test shall have ninety (90) days to re-test and pass.
 - I. A rider who fails to pass the test within ninety (90) days shall be immediately removed from the HMU.
- J. The Special Services Section Lieutenant or their designee shall maintain all annual testing records.

N/A 1-56-9 Uniform and Equipment

A. Uniform

- 7 1. HMU sworn personnel shall purchase the following as part of their HMU uniform, consistent with SOP Uniforms:
 - a. Gloves: Hard-knuckled gloves. The gloves shall be issued and/or approved by the HMU Sergeant. Because hands are essential for control of the horse and for the safety of the rider and civilians during ERT activations, hard-knuckled gloves are only to be worn in conjunction with full riot gear.



- b. Hat: In the winter, a four-inch (4") brim, black felt cowboy hat with the Department-approved hat badge or HMU hat badge shall be worn; in the summer, a four-inch (4") brim straw hat. A baseball hat may be worn, at the discretion of the HMU Sergeant. The HMU Sergeant must approve all hats prior to going on-duty;
- c. Pants: Black Wrangler jeans while on horseback;
- d. Shirt: Black long or short sleeve polo-style shirt or duty style shirt with colored patches on both sleeves. Polo shirts shall have a cloth badge and name tag. Duty-style shirts shall have colored patches on the shoulders, an HMU or standard badge, and a name tag;
- e. Shoes: Cowboy boots with a heel and spur platform. They must be solid black or the design must be covered by the pant leg. Boots with a smooth sole are preferred; and
- f. The Special Services Section uniform when designated by their lieutenant or their designee.

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2. Collateral riders shall purchase necessary riding gear, as well as a uniform that matches the required HMU sworn personnel uniform.

3. Cross Swords Pin

- a. The HMU Cross Swords pin shall consist of the double swords with a horse head emblem in the center with the letters "APD" underneath.
- b. The pin shall be awarded to permanent HMU sworn personnel after a period of one (1) year of service or when deemed appropriate by the HMU Sergeant.
- c. To qualify for the Cross Swords pin, sworn personnel shall have:
 - i. Passed the annual riding test to ride;
 - ii. Attended all associated events;
 - iii. Participated in day-to-day activities, field patrol, riots/protests; and
 - iv. Participated in a full Albuquerque International Balloon Fiesta annual event, New Mexico State Fair annual event, Gathering of the Nations Pow Wow, the City of Albuquerque's Freedom Fourth and Twinkle Light Parade.
- d. The HMU Cross Swords pin shall be awarded to collateral riders when the following activities are achieved which equal one year of work as a full time rider:
 - i. Complete a two (2) week temporary duty (TDY) with the HMU, which may be consecutive or non-consecutive;
 - ii. Complete five (5) HMU tactical plans within the officer's area command;
 - iii. Fully complete the following annual events: the Albuquerque International Balloon Fiesta, New Mexico State Fair, Gathering of the Nations Pow Wow, the City of Albuquerque's Freedom Fourth and Twinkle Light Parade;
 - iv. Complete at least one-hundred and fifty (150) events, including the above-mentioned events and other annual events expected of a permanent rider;
 - v. Shall have documented one-thousand and fifty (1,050) saddle hours;
 - vi. Complete ten (10) days of the Department's Christmas Holiday Tactical Plan;



- vii. Complete minimum monthly training hours and have passed the annual riding testing;
- viii. Shall have completed and successfully passed the Horse Mounted Operations Riding School; and
- ix. Maintain updated HMU Activity Logs to track hours and events as found in the HMU's SharePoint site.
- e. There is no time limit to complete the above requirements, although it is preferred that all requirements be completed within the first two (2) years of being a collateral rider.
- f. Upon receipt of the Cross Sword pin, an HMU rider may be considered experienced enough to lead a patrol with a collateral rider who does not rate the Cross Sword pin, with the approval of the HMU Sergeant.

4. Patch

- a. Upon completion of Horse Mounted Operations Riding School, the HMU Sergeant shall issue the HMU patch to sworn personnel.
- b. Sworn personnel shall only wear the HMU patch while associated with the HMU. The Department FSB badge and hat badge shall be utilized with the HMU uniform.

5. Badge

- a. The HMU badge is a round five-point gold and silver star with the designation of "Albuquerque Police Department" across the top and "Horse Mounted Unit" across the bottom.
- b. The City seal is centered on the badge.
- c. This badge shall only be worn during HMU functions with the HMU uniform.
- d. Upon completion of the Horse Mounted Operations Riding School, completing the HMU OJT period, completing at least six (6) tactical plans, plus various events, the unit supervisors can, at their discretion, authorize and issue the round five star HMU badge and hat badge to be worn by a collateral rider.
- e. The badge shall only be worn while performing the duties and activities associated with the HMU.
- f. At no time shall the HMU badge be worn while on regular duty assignment.
- g. Full time HMU personnel shall be issued the HMU badge at the discretion of the HMU Sergeant, and shall be worn in accordance with this SOPs uniform guidelines.

B. Equipment

- 1. The following HMU equipment is provided by the Department:
 - a. Horse trailer;
 - b. Grooming box;
 - c. Horse reflective equipment;



- d. Tack, including bridle, saddle bags, western saddle, halters, saddle pads, lead ropes, and reins;
 - e. Four-wheel drive trucks;
 - f. Bokken baton;
 - g. Hoof picks;
 - h. Horse riot face shields;
 - i. Mounted officer riot helmet with face shields;
 - j. Tactical vest for call-outs;
 - k. Lobster legs;
 - l. Padded chest protectors;
 - m. Tactical earpieces for Department radios; and
 - n. Ballistic plate carriers with lightweight rifle plates.
2. The following equipment, not provided at Department expense, is recommended but not required:
- a. Black duster (waterproof is preferred);
 - b. Upgraded spurs, which shall be approved by the HMU Sergeant;
 - c. Chaps;
 - d. Yellow slicker; and
 - e. Waterproof hat cover.

6 1-59-10 Breed, Selection, and Disposition of Horses

- A. HMU shall use gelded, male draft horses or draft cross breeds due to their suitability for the rigors of police work.
1. The Special Operations Bureau Commander or Special Services Section Lieutenant, on a case-by-case basis, may authorize another breed of horse.
- B. HMU horses shall be a minimum of sixteen (16) hands.
- C. Donation of Horses
1. The HMU can accept a horse from a private source upon authorization of the Special Operations Bureau Commander or Special Services Section Lieutenant. The HMU Trainer and HMU sworn personnel shall evaluate the horse for a minimum of ninety (90) days for potential duty use. This includes, but is not limited to:
 - a. Physical well-being;
 - b. Demeanor; and
 - c. Estimation in time required to train the horse for police work, as well as a check-up with the Department's contracted veterinarian.



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2. During the evaluation period, the donated horse's care, shall be funded under the current stable contract, provided that such care does not result in an additional expense.
3. During the evaluation period, if it is determined the horse is not compatible with police work, it shall be returned to the donor.
4. If the horse is accepted for use by the HMU, the HMU Sergeant shall have the donor read and sign the Horse Mounted Unit Donor Horse Agreement Form to indicate the horse shall be retained as a donation to the HMU. The horse's name shall be added to the HMU inventory. A copy of this form(s) shall be given to the donor, and one shall be kept on file.

D. Retiring of Horses

1. Upon recommendation of the contracted veterinarian and/or HMU Trainer, the Special Operations Bureau Commander and/or Special Services Section Lieutenant shall make the determination to retire an HMU horse.
2. The HMU Sergeant shall obtain a completed, signed Horse Mounted Unit Horse Release Agreement Form from the recipient of the HMU retired horse. The HMU Sergeant or their designee shall ensure that the recipient has adequate space and shelter for the HMU retired horse.
3. The HMU retains the agreement for a minimum of ten (10) years from the date the agreement was executed.



1-56 HORSE MOUNTED UNIT

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

A. Related SOP(s)

- 2-1 Uniforms (Formerly 2-06)
- 2-35 Emergency Response Team (ERT) (Formerly 2-29)
- 2-52 Use of Force: General (Formerly 3-45)
- 2-54 Use of Force: Intermediate Weapon Systems
- 2-56 Use of Force: Reporting by Department Personnel
- 2-57 Use of Force: Review and Investigation by Department Personnel
- 3-31 Physical Fitness Assessment (Formerly 3-83)
- 3-32 Performance Evaluations (Formerly 3-26)

B. Form(s)

- PD 3021 Horse Mounted Unit Donorated Horse Agreement
- PD 3022 Horse Mounted Unit Horse Release Agreement

C. Other Resource(s)

City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement

D. Rescinded Special Order(s)

None

1-56-1 Purpose

This policy is for the Special Operations Bureau's Horse Mounted Unit (HMU) to provide support and assistance to the Albuquerque Police Department (Department) by attending community, City-sponsored, and special events to project a positive, professional image of the Department and conducting proactive patrols, crowd control, and crime prevention initiatives.

1-56-2 Policy

It is the policy of the Department for the HMU to conduct proactive patrols, crowd control, searches, and crime prevention initiatives in high-crime areas while on horseback, and to perform community outreach while on horseback.

N/A 1-56-3 Definitions

A. Bokken Baton



A forty-eight (48") wooden tool that gives the rider the ability to dislodge individuals who have grasped the reins and or halter of the mount (horse). It is a primary₁ intermediate use of force tool for mounted units. Due to the height and position of the mounted rider, normal expandable batons would not be effective as an intermediate use of force tool.

B. Collateral Rider

A non-grievable, non-permanent position which supplements personnel levels in the HMU. This role allows sworn personnel the opportunity to learn equitation, equine care, and mounted police tactics.

C. Rein Strike

The hanging, loose leather portion of the rein that is used as an impact weapon.

7 1-56-4 **General Rules**

A. The duties of the HMU are divided into several primary functions. The Special Services Section Lieutenant or HMU Sergeant may assign other functions.

1. Crime Prevention

- a. The HMU is a City-wide unit and shall assist the Field Services Bureau (FSB) and any other specialized unit in effectively controlling crime in all area commands and open space areas as authorized by the HMU Sergeant.
- b. HMU sworn personnel shall conduct crime prevention initiatives in high-crime areas while on horseback as authorized by the HMU Sergeant.
- c. Area commanders and/or lieutenants shall contact the Special Services Section Lieutenant or the HMU Sergeant to request the use of the HMU within their respective area command.

2. Public Relations and Community Outreach

- a. The HMU presents a positive, professional image of the Department by attending community, City-sponsored, and special events.

3. Crowd Control

N/A

- a. The HMU may engage in crowd control in civil disturbances, parades, marches, demonstrations, visits by dignitaries, and any other events where crowd control is necessary, such as the New Mexico State Fair and the Albuquerque International Balloon Fiesta as authorized by the HMU Sergeant.
- b. The HMU may be utilized consistent with SOP Emergency Response Team (ERT).

4. Searches



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N/A

- a. The HMU shall assist FSB, or any other unit within the Department, to search for missing children, lost persons, wanted subjects, and escapees as authorized by the HMU Sergeant.
- b. The HMU may search open space and areas not amenable to motorized vehicles as authorized by the HMU Sergeant.
- c. Search and Rescue supervisors shall make every attempt to contact the Special Services Section Lieutenant or the HMU Sergeant to request the HMU in the open space areas or along the river for any type of search as authorized by the HMU Sergeant.
- d. The HMU shall make every attempt to work in concert with the Air Support Unit to maximize efficiency during search operations.

5. Traffic Control

N/A

- a. The HMU may assist in the movement and direction of traffic at major events.
- b. The Special Services Section Lieutenant or the HMU Sergeant shall authorize the HMU ~~participating~~ to participate in traffic control.

6. FSB Assistance

- a. The HMU shall assist FSB with calls for service during mounted tactical operation plans as authorized by the HMU Sergeant.

7. Assistance for Other Agencies

- a. The HMU shall assist other agencies upon the approval and authority of the Special Services Section Lieutenant or their designee ,or the Special Operations Bureau Deputy Chief or their designee.

8. Community, City-Sponsored, and Special Events

- a. Upon request, and with approval of the HMU Sergeant or their designee, the HMU may attend community, City-sponsored, and special events to project a positive, professional image of the Department.

B. Use of Force for the Horse Mounted Unit

1. HMU sworn personnel shall immediately report the following interactions between a horse and individual to the HMU Sergeant or their designee for investigation:
 - a. The horse biting an individual;
 - b. The horse stepping on an individual;
 - c. The horse's head making contact with an individual; and
 - d. The horse kicking an individual.



2. The HMU Sergeant shall determine whether the action was directed by HMU sworn personnel.
 - a. If the interaction was directed by HMU sworn personnel and caused injury or complaint of injury, the interaction shall be investigated as a use of force. The HMU Sergeant shall also determine whether a referral for potential criminal conduct is appropriate.
 - b. If the interaction was unintentional and not directed by HMU sworn personnel, the interaction shall not be considered a use of force.
 - i. The HMU Sergeant shall investigate the interaction for potential liability issues and to determine whether preventative measures must be taken.
 - ii. The HMU officer shall strongly encourage the involved community member to stay at the scene to be evaluated by Emergency Medical Services (EMS) personnel for possible injuries and to be photographed by a Crime Scene Specialist (CSS).
 - iii. The witness HMU officer shall document the interaction in a Uniform Incident Report and shall forward the report to the City of Albuquerque Risk Management Division.

N/A

3. Use of the Bokken Baton

- a. All uses of the Bokken Baton shall be consistent with SOP Use of Force: General and SOP Use of Force: Intermediate Weapons Systems.
- b. All uses of the Bokken Baton shall be reported consistent with SOP Use of Force: Reporting by Department Personnel.
- c. All uses of the Bokken Baton shall be investigated consistent with SOP Use of Force: Review and Investigation by Department Personnel.

N/A

4. Use of Rein Strikes

- a. All uses of the Rein Strikes shall be consistent with SOP Use of Force: General and SOP Use of Force: Intermediate Weapons Systems.
- b. All uses of the Rein Strikes shall be reported consistent with SOP Use of Force: Reporting by Department Personnel.
 - i. Use of the Rein Strike on an individual's extremities shall be considered a Level 2 use of force and shall be investigated as a Level 2 use of force, consistent with SOP Use of Force: Review and Investigation by Department Personnel.
 - ii. ~~If the use of the Rein Strike is results in, or could reasonably result in, serious physical injury, hospitalization, or death, it shall be investigated as a Level 3 use of force, used on an individual's head, neck, throat, chest, or groin it shall be investigated as a Level 3 use of force,~~ consistent with SOP Use of Force: Review and Investigation by Department Personnel.
 - ii:1. Rein Strikes are not considered a deadly force option.

5. Use of Horse Maneuvers



N/A

- a. All uses of Horse Maneuvers shall be consistent with SOP Use of Force: General.
 - i. Crowd dispersal without contact shall not be considered a use of force or show of force.
 - ii. Crowd dispersal by making contact between the horse and individual that does not result in injury, a complaint of injury, or would not be reasonably expected to result in an injury is considered a low-level control tactic and not a use of force.
 - iii. All other contact between a horse and an individual shall be reported and investigated consistent with the levels of force defined in SOP Use of Force: Definitions.

N/A

C. Horse Mounted Unit On-Call Status

- 1. Sworn personnel assigned to the HMU, and members of the collateral rider program, may be placed in an on-call status for situations requiring an HMU response.
- 2. If HMU sworn personnel are placed in an on-call status, they shall be available by phone at all times and shall be compensated, consistent with the City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement.
- 3. The Special Services Section Lieutenant or HMU Sergeant shall be contacted to authorize an HMU response and place HMU personnel in an on-call status.

6 1-56-5

Responsibilities

A. Deputy Chief

The Special Operations Bureau Deputy Chief shall have final command of the HMU.

B. Commander/Deputy Commander

The Special Services Division Commander/Deputy Commander shall have overall command of the HMU.

C. Lieutenant

The Special Services Section Lieutenant shall have on-scene command of the HMU.

D. Sergeant

- 1. The HMU Sergeant shall directly supervise the HMU and shall be responsible to the Special Services Section Lieutenant. Due to the capabilities, limitations, and safety concerns of the horses, only the aforementioned supervisors shall direct the activities of the HMU.



2. The HMU Sergeant shall:

- a. Report directly to the Special Services Section Lieutenant;
- b. Develop tactical plans and maintain a calendar of events;
- c. Assign sworn personnel to horses according to compatibility of horse and rider;
- d. Assign sworn personnel to areas and determine duty hours according to directions of the Special Services Section Lieutenant;
- e. Approve overtime or compensatory time for special events;
- f. Ensure that assigned sworn personnel are knowledgeable in the proper care of assigned horses and equipment;
- g. Ensure that all assigned HMU sworn personnel are capable of controlling the horses in accordance with proper leg aids and reining techniques;
- h. Ensure HMU sworn personnel can perform crowd control maneuvers and formations on horseback;
- i. Ensure that HMU sworn personnel are trained in the proper, transporting, and unloading of horses in the trailer;
- j. Ensure that HMU sworn personnel are trained in the hitching and unhitching of the horse trailer;
- k. Maintain knowledge of each horse's capabilities and the HMU;
- l. Maintain the ability to take command of the HMU in an emergency situation;
- m. Ensure the tack is in good repair and condition;
- n. Ensure the HMU has adequate supplies;
- o. Inspect horses for illness, lameness, and their ability to perform their expected duties;
- p. Ensure that all horses are properly trained to do side passes, back, and turn on the fore/hind, and determine when the horse is ready for street work;
- q. Ensure that the ~~police~~ HMU HMU horses are not ridden by any person not authorized by the HMU Sergeant;
- r. Ensure horses are fed properly to maintain their health and weight according to the individual horse's needs;
- s. Ensure the horses are groomed before the tour duty;
- t. Ensure the horses are shod properly according to their individual needs;
- u. Conduct performance evaluations, including minimum performance measures and goals, consistent with SOP ~~Employee Work Plan~~ Performance Evaluations;
- v. Be responsible for providing a weekly activity report to indicate the total number of services the HMU provided (e.g., crowd control, proactive patrols, community events, City-sponsored events, and special events); and
- w. Make the ultimate determination as to whether or not a particular rider is suitable to be a collateral rider.

E. HMU Officer

1. The HMU officer shall:

- a. Report directly to the HMU Sergeant;
- b. Familiarize themselves with, and adhere to, the HMU Training Manual;



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N/A

N/A

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- c. Properly groom and maintain horses;
- d. Properly tack horses and care for the tack;
- e. Recognize health, injury, and shoeing needs of the HMU horses;
- f. Ride and control their horse in both common and unpredictable situations;
- g. Recognize abilities and shortcomings of individual horses;
- h. Maintain the HMU horses to the proper degree of training needed for policing;
- i. Maintain physical fitness standards, consistent with SOP Physical Fitness Testing and Training Assessment;
- j. Meet minimum uniform standards, consistent with SOP Uniforms;
- k. Ensure horse and equipment are in serviceable conditions at all times;
- l. Load, transport, and unload horses;
- m. Correct a horse's undesired behavior but only to the degree required to achieve the objective;
 - i. Excessive or unnecessary discipline, as determined by the HMU Sergeant or Trainers, shall not be tolerated and shall be grounds for removal from the HMU.
- n. Exercise due caution when securing and leaving a horse unattended;
- o. Evaluate every situation, considering the safety of the public, the officer, and the horse;
- p. Not allow the public to feed the horses;
- q. Familiarize themselves with all of the horses in the HMU and maintain proficiency in the control of all the horses;
- r. Be able to mount from the ground without assistance;
 - i. The inability to mount a horse from the ground may be grounds for immediate removal from participating in a specific event.
- s. Be able to mount in full riot gear;
 - i. The inability to mount a horse while in full riot gear may grounds for immediate removal from participating in a specific event.
- t. Ensure that unauthorized persons shall not mount, ride, or train horses assigned to the HMU;
- u. Train all horses alike in the event another HMU officer -rides an unfamiliar horse;
- v. Be willing to ride any and all of the horses assigned to the HMU for either training purposes or duty-use;
- w. Not engage in off-duty riding of HMU police horses, unless otherwise directed by the HMU Sergeant; and
- x. Maintain a duty/training log, including rider, mount, and type of event or training.

F. Collateral Rider

1. To be accepted as a collateral rider, the following minimum qualifications shall be met:
 - a. The collateral rider shall be off probation or have HMU Sergeant authorization if still on probation;
 - b. The collateral riders shall be in good standing with the Department;



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N/A

- c. The collateral riders shall be in an on-duty status when attending training or an event, including, but not limited to, adjusted, compensatory time or overtime; and
 - d. The collateral riders shall pass the HMU physical assessment.
2. Collateral riders shall not wear the HMU patch until they successfully complete the Mounted Operations Riding School and are authorized by the Special Services Section Lieutenant or HMU Sergeant, consistent SOP Uniforms.
3. Collateral riders shall attend and successfully pass the Department Mounted Operations School. Collateral riders They shall:
 - a. Be able to mount from the ground without assistance; and
 - i. The inability to mount a horse from the ground may be grounds for immediate removal from participating in a specific event.
 - b. Be able to mount in full riot gear;
 - i. The inability to mount a horse while in full riot gear may grounds for immediate removal from participating in a specific event.
4. Sworn personnel who work as a collateral rider shall also be required to undergo an annual evaluation on equitation, to include training and events. This shall enable the Special Services Section Lieutenant, and the HMU Sergeant to evaluate the rider's horsemanship knowledge, skills, and abilities to ensure they meet HMU standards.
5. Once the training is completed, collateral riders shall attend a minimum of eight (8) hours of training per month in order to maintain proficiency.
 - 5-a. Failure to maintain this training ~~may~~ shall result in the removal of the collateral rider from the rotation for that month.
6. Collateral riders shall be required to pass the annual HMU riding proficiency test that is typically conducted in Spring.
7. Collateral riders shall be utilized "as needed" in the event there is an ERT callout.
8. Overtime or compensatory time for special events shall be approved by the HMU Sergeant.
9. Collateral riders shall ~~be~~ look within their own area commands to utilize the HMU for tactical plan operations and submit the plan to their direct supervisor and HMU Sergeant for approval. The collateral rider shall participate in this operation.
10. Collateral riders generally shall ~~be~~ not be on call for any other unit. Exceptions to this requirement shall be at the discretion of the HMU Sergeant and Special Services Section Lieutenant.



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11. Collateral riders generally shall not use horses without the HMU Sergeant or a full-time HMU officer present; however, the HMU Sergeant may authorize exceptions.
12. The collateral rider shall only utilize horses owned and trained by the HMU.
13. The collateral rider shall utilize tack provided by HMU.
14. Collateral riders shall not be on HMU property without prior authorization from the HMU Sergeant.
15. Collateral riders shall adhere to the same responsibilities as described above for HMU sworn personnel.
16. Collateral riders may receive two (2) hours of straight compensatory time per event/patrol worked, not to exceed eight (8) hours of straight compensatory time a week, when a collateral rider participates in an event/patrol sanctioned by the HMU Sergeant.
17. HMU personnel shall complete at least three (3) events a month, one (1) of which shall be the minimum monthly training requirement. Failure to participate in the minimum amount of events shall result in being placed in an inactive status, or removal from the program.

N/A

1-56-6 Horse Mounted Operations Riding School

- A. Sworn personnel shall complete the Horse Mounted Operations Riding School, and shall pass the riding exam.
- B. Horse Mounted Operations Riding School shall include, but is not limited to:
 1. Basic riding;
 2. Proper seat;
 3. Proper use of hands;
 4. Proper use of leg cues;
 5. Ability to complete all of the standard patterns and obstacles utilized by HMU;
 6. Truck and trailering course;
 7. Duress training;
 8. Mounted tactics and officer safety;
 9. Mounted firearms qualification; and



10. Use of Bokken Baton techniques.

C. Once sworn personnel have completed the Horse Mounted Operations Riding School, and passed the HMU riding test, sworn personnel shall undergo six (6) months of on-the-job-training (OJT).

1. The OJT period shall consist of a minimum of twelve (12) events/patrols with a minimum of four (4) hours per ride.

~~2. HMU personnel shall complete at least two (2) events a month, one (1) of which shall be the minimum monthly training requirement. Failure to participate in the minimum amount of events shall result in being placed in an inactive status, or removal from the program.~~

~~3.~~ 2. Each HMU rider shall complete the HMU OJT checklist within the six (6) month period.

6 1-56-7 Training

A. HMU Trainer and Assistant Trainer

1. An HMU Trainer shall complete the minimum education requirements set forth by a nationally recognized Mounted Patrol Instructor program to become familiar with all areas of the equestrian profession.

2. The HMU Trainer shall:

- a. Train both riders and mounts in the different techniques used by HMU;
- b. Be knowledgeable and have experience in training new mounts and remedial training of existing mounts; and
- c. Successfully mount and ride all HMU horses through the testing qualifications.
 - i. Each mount shall be ridden through the testing qualifications by the HMU Trainer and the Assistant Trainer annually. This assures that when officer testing occurs, all mounts have successfully passed testing prior to the sworn personnel testing.

B. HMU personnel shall participate in the ERT major exercise, which consists of team building events. This training shall be conducted a minimum of once per year for all members of ERT and the HMU, consistent with SOP Emergency Response Team (ERT).

1. HMU personnel and ERT personnel shall train together when schedules allow, which may require HMU personnel to train with an individual ERT team.

2. HMU personnel and ERT personnel shall attempt to schedule training in advance to ensure HMU manning levels are adequate.



6 1-56-8 Annual Riding Testing

- A. All riders take the annual riding testing conducted in April to ensure minimum standards and skills are maintained throughout the HMU.
- B. A minimum of one reviewer and/or the HMU Sergeant shall be present during the test.
- C. If during the test, the rider cannot perform a portion of the test, they shall be given remedial training and afforded two (2) additional attempts to perform the task. If the rider fails to complete the task, testing shall end for the day.
- D. For each portion of the test, the rider is given the initial attempt and remedial training after each failed attempt for a total of three (3) attempts for both the left and right side of the horse.
- E. If an issue with the horse occurs during the testing, then after two (2) failed attempts, the Trainer shall attempt the portion of the test during which the issue occurred to determine if the failure is a rider error or horse issue.
 - 1. If the Trainer determines the testing issue is related to the horse, the rider may select a different horse to complete testing.
 - 2. If the Trainer determines the testing issue is unrelated to the horse, the rider may make an additional attempt. If the rider has three (3) total unsuccessful attempts for the portion of the test, the rider shall be placed in an inactive status.
 - a. A rider shall have one (1) attempt to retest within ninety (90) days. A rider who fails to pass the test within ninety (90) days shall be immediately removed from the HMU.
- F. A rider who is unsuccessful after the three (3) attempts for that portion of the test is placed in an inactive status.

5 G. A rider who is in an inactive status shall not deploy on patrol or call-outs.

N/A H. A rider who does not pass the test shall have ninety (90) days to re-test and pass.

- I. A rider who fails to pass the test within ninety (90) days shall be immediately removed from the HMU.
- J. The Special Services Section Lieutenant or their designee shall maintain all annual testing records.

N/A 1-56-9 Uniform and Equipment



A. Uniform

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1. HMU sworn personnel shall purchase the following as part of their HMU uniform, consistent with SOP Uniforms:
 - a. Gloves: Hard-knuckled gloves. The gloves shall be issued and/or approved by the HMU Sergeant. Because hands are essential for control of the horse and for the safety of the rider and civilians during ERT activations, hard-knuckled gloves are only to be worn in conjunction with full riot gear.
 - b. Hat: In the winter, a four-inch (4") brim, black felt cowboy hat with the Department-approved hat badge or HMU hat badge shall be worn; in the summer, a four-inch (4") brim straw hat. A baseball hat may be worn, at the discretion of the HMU Sergeant. The HMU Sergeant must approve all hats prior to going on-duty;
 - c. Pants: Black Wrangler jeans while on horseback;
 - d. Shirt: Black long or short sleeve polo-style shirt or duty style shirt with colored patches on both sleeves. Polo shirts shall have a cloth badge and name tag. Duty-style shirts shall have colored patches on the shoulders, an HMU or standard badge, and a name tag; and
 - e. Shoes: Cowboy boots with a heel and spur platform. They must be solid black or the design must be covered by the pant leg. Boots with a smooth sole are preferred; and
 - f. The Special Services Section uniform when designated by their lieutenant or their designee.

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2. Collateral riders shall purchase necessary riding gear, as well as a uniform that matches the required HMU sworn personnel uniform.
3. Cross Swords Pin
 - a. The HMU Cross Swords pin shall consist of the double swords with a horse head emblem in the center with the letters "APD" underneath.
 - b. The pin shall be awarded to permanent HMU sworn personnel after a period of one (1) year of service or when deemed appropriate by the HMU Sergeant.
 - c. To qualify for the Cross Swords pin, sworn personnel shall have:
 - i. Passed the annual riding test to ride;
 - ii. Attended all associated events;
 - iii. Participated in day-to-day activities, field patrol, riots/protests; and
 - iv. Participated in a full Albuquerque International Balloon Fiesta annual event, New Mexico State Fair annual event, Gathering of the Nations Pow Wow, and the City of Albuquerque's Freedom Fourth and Twinkle Light Parade.
 - d. The HMU Cross Swords pin shall be awarded to collateral riders when the following activities are achieved which equal one year of work as a full time rider:
 - i. Complete a two (2) week-week temporary duty (TDY) with the HMU, which may be consecutive or non-consecutive;:-
 - ii. Complete five (5) HMU tactical plans within the officer's area command;:-



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- iii. Fully complete the following annual events: the Albuquerque International Balloon Fiesta, New Mexico State Fair, Gathering of the Nations Pow Wow, and the City of Albuquerque's Freedom Fourth and Twinkle Light Parade;
 - iv. Complete at least one-hundred and fifty (150) events, including the above-mentioned events and other annual events expected of a permanent rider;
 - v. Shall have documented one-thousand and fifty (1,050) saddle hours;
 - vi. Complete ten (10) days of the Department's Christmas Holiday Tactical Plan;
 - vii. ~~C~~ Shall complete minimum monthly training hours and have passed the annual riding testing;
 - viii. Shall have completed and successfully passed the Horse Mounted Operations Riding School; and;
 - ix. Maintain updated HMU Activity Logs to track hours and events as found in the HMU's SharePoint site.
- e. There is no time limit to complete the above requirements, although it is preferred that all requirements be completed within the first two (2) years of being a collateral rider.
- f. Upon receipt of the Cross Sword pin, an HMU rider may be considered experienced enough to lead a patrol with a collateral rider who does not rate the Cross Sword pin, with the approval of the HMU Sergeant.
4. Patch
- a. Upon completion of Horse Mounted Operations Riding School, the HMU Sergeant shall issue the HMU patch to sworn personnel.
 - b. Sworn personnel shall only wear the HMU patch while associated with the HMU. The Department FSB badge and hat badge shall be utilized with the HMU uniform.
5. Badge
- a. The HMU badge is a round five-point gold and silver star with the designation of "Albuquerque Police Department" across the top and "Horse Mounted Unit" across the bottom.
 - b. The City seal is centered on the badge.
 - c. This badge shall only be worn during HMU functions with the HMU uniform.
 - d. Upon completion of the Horse Mounted Operations Riding School, completing the HMU OJT period, completing at least six (6) tactical plans, plus various events, the unit supervisors can, at their discretion, authorize and issue the round five star HMU badge and hat badge to be worn by a collateral rider.
 - e. The badge shall only be worn while performing the duties and activities associated with the HMU.
 - f. At no time shall the HMU badge be worn while on regular duty assignment.
 - g. Full time HMU personnel members shall be issued the HMU badge at the discretion of the HMU Sergeant, and shall be worn in accordance with this SOPs uniform guidelines.



B. Equipment

1. The following HMU equipment is provided by the Department:

- a. Horse trailer;
- b. Grooming box;
- c. Horse reflective equipment;
- d. Tack, including bridle, saddle bags, western saddle, halters, saddle pads, lead ropes, and reins;
- e. Four-wheel drive trucks;
- f. Bokken baton;
- g. Hoof picks;
- h. Horse riot face shields;
- i. Mounted officer riot helmet with face shields;
- j. Tactical vest for call-outs;
- k. Lobster legs;
- l. Padded chest protectors;
- m. Tactical earpieces for Department radios; and
- n. Ballistic plate carriers with lightweight rifle plates.

n.

2. The following equipment, not provided at Department expense, is recommended but not required:

- a. Black duster (waterproof is preferred);
- b. Upgraded spurs, which shall be approved by the HMU Sergeant;
- c. Chaps;
- d. Yellow slicker; and
- e. Waterproof hat cover.

6 1-59-10 Breed, Selection, and Disposition of Horses

A. HMU shall use gelded, male draft horses or draft cross breeds due to their suitability for the rigors of police work.

1. The Special Operations Bureau Commander or Special Services Section Lieutenant, on a case-by-case basis, may authorize another breed of horse.

B. HMU horses shall be a minimum of sixteen (16) hands.

C. Donation of Horses

1. The HMU can accept a horse from a private source upon authorization of the Special Operations Bureau Commander or Special Services Section Lieutenant. The HMU Trainer and HMU unit sworn personnel shall evaluate the horse for a minimum of ninety (90) days for potential duty use. This includes, but is not limited to:



- a. Physical well-being;
- b. Demeanor; and
- c. Estimation in time required to train the horse for police work, as well as a check-up with the Department's contracted veterinarian.

2. During the evaluation period, the donated horse's care, shall be funded under the current stable contract, provided that such care does not result in an additional expense.
3. During the evaluation period, if it is determined the horse is not compatible with police work, it shall be returned to the donor.
4. If the horse is accepted for use by the HMU, the HMU Sergeant shall have the donor read and sign the Horse Mounted Unit Form-Donated Horse Agreement Form to indicate the horse shall be retained as a donation to the HMU. The horse's name shall be added to the HMU inventory. A copy of this form(s) shall be given to the donor, and one shall be kept on file.

D. Retiring of Horses

1. Upon recommendation of the contracted veterinarian and/or HMU Trainer, the Special Operations Bureau Commander and/or Special Services Section Lieutenant shall make the determination to retire an HMU horse.
2. The HMU Sergeant shall obtain a completed, signed Horse Mounted Unit Form Horse Release Agreement Form from the recipient of the HMU retired horse. The HMU Sergeant or their designee shall ensure that the recipient has adequate space and shelter for the HMU retired horse.
3. The HMU retains the agreement for a minimum of ten (10) years from the date the agreement was executed.



1-65 METROPOLITAN COURT PROTECTION UNIT

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

A. Related SOP(s)

- 2-80 Arrests, Arrest Warrants, and Booking Procedures (Formerly 2-14)
- 2-83 Hospital Procedures and Rules (Formerly 2-11)

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

1-65-1 Purpose

The purpose of this policy is to outline the rules and responsibilities for Metropolitan Court Protection Unit personnel.

1-65-2 Policy

It is the policy of the Albuquerque Police Department (Department) for Metropolitan Court Protection Unit personnel to collaborate with Bernalillo County Metropolitan Court personnel and to protect community members within the Bernalillo County Metropolitan Court and the court's facilities.

N/A 1-65-3 Definitions

A. Intergovernmental Agreement

An agreement between the City of Albuquerque, the Department, and the Bernalillo County Metropolitan Court that provides law enforcement personnel to conduct all necessary law enforcement functions as required by the Bernalillo County Metropolitan Court.

6 1-65-4 Rules and Responsibilities

A. The Metropolitan Court Protection Unit Sergeant or designee shall:



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1. Ensure minimum staffing levels of sworn personnel are maintained at the Bernalillo County Metropolitan Court in conjunction with the Court Executive Officer and the Department's chain of command; and
2. Work closely with Bernalillo County Metropolitan Court administration to ensure proper coverage.

B. Metropolitan Court Protection Unit personnel shall:

1. Comply with Department Standard Operating Procedures (SOP), Special Orders, and the Intergovernmental Agreement while working at the Bernalillo County Metropolitan Court;
2. Comply with all rules and regulations set by the Bernalillo County Metropolitan Court;
3. Provide law enforcement coverage during operational hours, special events, and weekend arraignments;
 - a. When requested, Metropolitan Court Protection Unit personnel shall respond throughout the Bernalillo County Metropolitan Court and adjoining property to take law enforcement action.
4. Process and book all individuals arrested within the Bernalillo County Metropolitan Court into the Metropolitan Detention Center (MDC) holding facility that is located at MDC or the Prisoner Transport Center (PTC);
5. Follow the orders of other courts who possess jurisdiction over individuals who are in custody or have been remanded into custody;
6. At a minimum, ensure that one (1) Metropolitan Court Protection Unit officer is posted at the rotunda to monitor the main entrance and assist the on-site security company that maintains access to the Bernalillo County Metropolitan Court;
 - a. If the Metropolitan Court Protection Unit officer posted at the rotunda needs to assist with a call for service or when they are called away from their post, they shall return or be replaced when they or another officer becomes available.
7. Maintain custody of individuals who are under arrest and need to be transported to a medical facility for medical treatment, consistent with SOP Hospital Procedures and Rules (refer to SOP Hospital Procedures and Rules for sanction classifications and additional duties); and
 - a. If the individual is admitted to the medical facility, Metropolitan Court Protection Unit personnel shall follow the procedures outlined in SOP Hospital Procedures and Rules (refer to SOP Hospital Procedures and Rules for sanction classifications and additional duties).

N/A

N/A



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8. Follow jurisdictional responsibility concerning individuals who are required to be restrained at the Bernalillo County Metropolitan Court as follows:

N/A

a. Individuals who are in MDC's custody and are appearing for a court hearing while in restraints are the sole responsibility of MDC personnel; and

N/A

b. Individuals who are not in MDC's custody upon entering the Bernalillo County Metropolitan Court but are later ordered into custody by the judge are the responsibility of Metropolitan Court Protection Unit personnel.

REDLINED



1-65 METROPOLITAN COURT PROTECTION UNIT

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

A. Related SOP(s)

A.

2-80 Arrests, Arrest Warrants, and Booking Procedures (Formerly 2-14)

2-83 Hospital Procedures and Rules (Formerly 2-11)

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

1-65-1 Purpose

The purpose of this policy is to outline the rules and responsibilities for Metropolitan Court Protection Unit personnel.

1-65-2 Policy

It is the policy of the Albuquerque Police Department (Department) for Metropolitan Court Protection Unit personnel to collaborate with Bernalillo County Metropolitan Court personnel and to protect community members within the Bernalillo County Metropolitan Court and the court's facilities.

N/A 1-65-3 Definitions

A. Intergovernmental Agreement

An agreement between the City of Albuquerque, the Department, and the Bernalillo County Metropolitan Court that provides law enforcement personnel to conduct all necessary law enforcement functions as required by the Bernalillo County Metropolitan Court.

6 1-65-4 Rules and Responsibilities

A. The Metropolitan Court Protection Unit Sergeant supervisor or designee shall:



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1. Ensure minimum staffing levels of sworn personnel are maintained at the Bernalillo County Metropolitan Court in conjunction with the Court Executive Officer and the Department's chain of command; and
2. Work closely with Bernalillo County Metropolitan Court administration to ensure proper coverage.

B. Metropolitan Court Protection Unit personnel shall:

1. Comply with Department Standard Operating Procedures (SOP), Special Orders, and the Intergovernmental Agreement while working at the Bernalillo County Metropolitan Court;
2. Comply with all rules and regulations set by the Bernalillo County Metropolitan Court;
3. Provide law enforcement coverage during operational hours, special events, and weekend arraignments;
 - a. When requested, Metropolitan Court Protection Unit personnel shall respond throughout the Bernalillo County Metropolitan Court and adjoining property to take law enforcement action.
4. Process and book all individuals arrested within the Bernalillo County Metropolitan Court into the Metropolitan Detention Center (MDC) holding facility that is located at MDC₇ or the Prisoner Transport Center (PTC);
5. Follow the orders of other courts who possess jurisdiction over individuals who are in custody or have been remanded into custody;
6. At a minimum, ensure that one (1) Metropolitan Court Protection Unit officer is posted at the rotunda to monitor the main entrance and assist the on-site security company that maintains access to the Bernalillo County Metropolitan Court;
 - a. If the Metropolitan Court Protection Unit officer posted at the rotunda needs to assist with a call for service or when they are called away from their post, they shall return or be replaced when they or another officer becomes available.



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N/A

7. Maintain custody of individuals who are under arrest and need to be transported to a medical facility for medical treatment, consistent with SOP Hospital Procedures and Rules (refer to SOP Hospital Procedures and Rules for sanction classifications and additional duties); and

N/A

a. If the individual is admitted to the medical facility, Metropolitan Court Protection Unit personnel shall follow the procedures outlined in SOP Hospital Procedures and Rules (refer to SOP Hospital Procedures and Rules for sanction classifications and additional duties).

8. Follow jurisdictional responsibility concerning individuals who are required to be restrained at the Bernalillo County Metropolitan Court as follows:

N/A

a. Individuals who are in MDC's custody and are appearing for a court hearing while in restraints are the sole responsibility of MDC personnel; and

N/A

b. Individuals who are not in MDC's custody upon entering the Bernalillo County Metropolitan Court but are later ordered into custody by the judge are the responsibility of Metropolitan Court Protection Unit personnel.

REDLINED



2-15 SMALL UNMANNED AIRCRAFT SYSTEMS (SUAS) OPERATIONS

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

A. Related SOP(s)

None

B. Form(s)

- Federal Aviation Administration (FAA) Certificate of Authorization (COA)
- Federal Aviation Administration (FAA) Notice to Airman (NOTAM)
- SUAS Maintenance Log
- UAS Mission Checklist

C. Other Resource(s)

- 14 C.F.R. Part 107 Small Unmanned Aircraft Systems
- Federal Aviation Administration (FAA) Pilot Training Standards (PTS)
- NMSA 1978, § 30-20-3 Making or Permitting False Public Voucher
- ROA 1994, § 2-9-1 Civil Emergencies
- SUAS Annual Report

D. Rescinded Special Order(s)

None

2-15-1 Purpose

The purpose of this policy is to establish the requirements for the operation, maintenance, and handling of Small Unmanned Aircraft Systems (SUAS) by Albuquerque Police Department (Department) personnel.

2-15-2 Policy

It is the policy of the Department to use SUAS to enhance public safety in a manner that takes into consideration the privacy rights of individuals as established by the United States Constitution and the New Mexico Constitution, including the Fourth Amendment and applicable federal, state, and local laws. Department personnel shall obtain a warrant anytime it is necessary to do so.

It is also the policy of the Department to operate any SUAS only under the circumstances set forth in this Standard Operating Procedure (SOP). Furthermore, the SUAS shall only be operated by trained and qualified Department personnel and be consistent with Federal Aviation Administration (FAA) regulations.



N/A 2-15-3 **Definitions**

A. Aircraft Operator (AO)

A trained Department personnel who physically operate the SUAS flight controls of the SUAS. The AO operates the flight controls under the direct supervision of the Remote Pilot-In-Command (RPIC)/Drone Operator and shall have completed the required training for the involved SUAS flight system.

B. Drone Program Coordinator (DPC)

A designated member of the Electronic Support Unit (ESU) or Real Time Crime Center (RTCC) who is responsible for monitoring Department drone activity and certifications. The DPC is also responsible for managing the Department's training program for SUAS operations.

C. Remote Pilot-In-Command (RPIC)/Drone Operator

A trained Department personnel who is ultimately responsible for the operation of the SUAS and the public's safety during all stages of flight operations, whether physically piloting the SUAS or overseeing another AO. An RPIC/Drone Operator must have completed the Department's drone certification program as well as possess a valid FAA Part 107 certification.

D. Sensor Operator (SO)

A trained sworn officer with the sole responsibility of attaching and operating any designated apparatuses used on the SUAS during a flight; apparatuses can include cameras, forward-looking infrared (FLIR) devices, and thermal devices.

E. Small Unmanned Aircraft System (SUAS)

An unmanned aircraft of any type that is capable of sustaining flight, whether remotely controlled or pre-programmed, with a weight of less than fifty-five (55) pounds. The SUAS is designed for gathering information through photographs or video recordings.

F. Visual Observer (VO)

A Department employee who is continuously responsible for notifying the RPIC/Drone Operator of any ground-based or airborne hazards to the flight. The VO shall be trained on their duties and responsibilities before acting in this role.

2-15-4 **Procedures**

A. General

- 5** 1. A SUAS shall only be deployed by a trained RPIC/Drone Operator.



4 2. SUAS shall only be deployed with a supervisor's approval in the RPIC/Drone Operator's chain of command.

6 B. Use and Assignment

4 1. The deployment of a SUAS shall be directly supervised by a trained and FAA-licensed RPIC/Drone Operator who has successfully completed all Department training and FAA regulations.

7 2. The RPIC/Drone Operator shall assume sole responsibility for the maintenance and safekeeping of the SUAS once it has been assigned to a specific division/section.

a. If the drone is assigned to the Field Services Bureau (FSB), RTCC personnel will monitor maintenance logs for the drones and be responsible for arranging repairs if needed.

3. RTCC personnel shall maintain SUAS assignments to divisions/sections to adequately document missions, consistent with FAA regulations.

a. If the drone is assigned to the FSB, RTCC personnel shall track to which area command the drone is currently assigned.

4 4. Department personnel shall not operate SUAS in a manner that presents an undue risk to a person or property on the ground or in the air.

5. Department personnel shall not share footage obtained from the SUAS with any federal immigration agency unless ordered by a judge.

6. The Department shall cooperate with all federal, state, and local authorities in response to emergency deployments.

4 C. The use of the SUAS shall be consistent with FAA regulations, the Fourth Amendment of the United States Constitution, and Article II, Section 10 of the New Mexico Constitution. Authorized uses of Department SUAS shall include, but are not limited to:

1. Any use authorized by a warrant;

2. Crime scene documentation and evidence collection;

3. Circumstances where:

a. Probable cause to believe the evidence of a crime will be found in a particular location; and

b. Exigent circumstances exist to justify the aerial search in the location.



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4. Hot pursuits;
5. Circumstances where the SUAS shall be used to observe people and items in plain view from ground level or public navigable airspace in a non-intrusive manner;
6. Open field;
7. Areas open to the public;
8. Conducting community caretaker and emergency assistance functions;
9. Assistance in inspections of critical infrastructure;
10. Service calls where the SUAS can aid by providing an additional measure of officer safety;
11. Search and rescue in an allowable airspace; and
12. Tactical operations.

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D. Consistent with FAA regulations, unauthorized uses of Department SUAS shall include, but are not limited to:

1. Targeting a person based solely on individual characteristics such as, but not limited to, race, ethnicity, national origin, religion, disability, gender, or sexual orientation;
2. Harassment, intimidation, or discrimination against any individual or group;
3. Photographing or videoing lawful protests, demonstrations, rallies, marches, or other expressions of free speech, unless:
 - a. The event is in a public area and plain view, in which case the SUAS may be used from navigable public airspace to ensure that the safety of the public and the individuals participating in the event by aiding in controlling the direction of traffic around such assemblies;
 - b. The gathering has been provided at least one dispersal order which has been publicly given to the persons involved; or
 - c. Any situation that meets the state statute or City of Albuquerque ordinance definitions of a riot or unlawful assembly occurring beyond the permissive scope of established state and local laws.
4. Conducting any type of personal surveillance of another individual which is unrelated to a legitimate law enforcement purpose; and

1

5. Use of the SUAS as a weapon.



6

E. RPIC/Drone Operator Procedures

1. When operating the SUAS, the RPIC/Drone Operator shall:

4

a. Only operate SUAS for which they are appropriately trained and competent to use;

4

b. Conduct all SUAS flights only after a thorough assessment of the risks associated with an activity and complete the UAS Mission Checklist. The risk assessment shall include, but is not limited to:

- i. Weather conditions relative to the performance capability of the SUAS;
- ii. Identification of normally anticipated failure modes (e.g., lost link, power failures, loss of control, etc.) and the consequences of such failures;
- iii. Verification that crewmembers comply with FAA regulations;
- iv. Compliance with overlying airspace and other aviation regulations, as appropriate for a particular mission; and
- v. The creation of contingency plans for all anticipated off-nominal events to be shared openly with all appropriate authorities.

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c. Follow all federal, state, and local laws as they relate to the operation of SUAS;

d. Adhere to the United States Constitution and the New Mexico Constitution, and federal, state, and local laws as they address an individual's right to privacy and the use of SUAS by law enforcement personnel;

e. Be authorized to refuse any flight request based on current meteorological conditions, the crew's physiological conditions, or any other reason that the RPIC/Drone Operator believes would affect the safety of the flight. The RPIC/Drone Operator shall inform RTCC personnel should they refuse a flight for any reason;

f. Before flight and while the SUAS is in flight, is authorized and responsible for making all decisions regarding the use of SUAS, including, but not limited to:

- i. Direction of the SUAS;
- ii. Duration of flight time;
- iii. Capabilities of the SUAS;
- iv. Maximum load allowance;
- v. Use of fixed certified equipment;
- vi. Affixing of any additional equipment; and
- vii. Determination of allowance for personal or agency equipment, as well as configurations.

g. Be responsible for all Department orders and procedures governing the use of SUAS, FAA regulations, and FAA Certificate of Authorization (COA) requirements that impact the performance of their duties;

h. Exercise final responsibility and authority for the safety of the SUAS, Department personnel, and equipment during flight operations; and

i. Be responsible for the safe operation of all flights, including, but not limited to:

- i. Flight planning and preparation, including a pre-flight inspection of the SUAS and equipment;



- ii. Weather briefing, to include minimum visibility allowable (three (3) statute miles), wind gust speeds greater than the SUAS is allowed, and sustained or peak wind;
- iii. Flight operations including course, airspeed, altitude, and duration;
- iv. Landing zone selection;
- v. Go/no-go and landing judgments concerning weather minimums or other criteria;
- vi. All very high frequency (VHF) air-to-air, air-to-ground, and air traffic control communications, and any other radio communications;
- vii. Timely reporting of new or previously unknown hazards which pose a safety to flight;
- viii. Post-flight inspection, which includes ensuring that the batteries are recharged and the duty SUAS is ready for the next mission;
- ix. Making appropriate entries in the aircraft logbooks; and
- x. Maintaining current RPIC licensure, consistent with FAA regulations.

F. Flight Operations

7

1. The RPIC/Drone Operator shall:

4

- a. Before any flight, be responsible for pre-flight inspections according to the UAS Mission Checklist;
- b. Consistent with the COA, due to the immediacy of some emergency management operations, issue the FAA Notice to Airman (NOTAM) notification requirement as soon as practical before flight;

4

- i. The RPIC/Drone Operator, upon a determination that issuing an FAA NOTAM endangers the safety of persons on the ground may decline to issue the FAA NOTAM.
 - ii. If the RPIC/Drone Operator does not issue an FAA NOTAM under these circumstances, they shall document the justification and be prepared to justify the decision upon the FAA's request.
- c. If a search warrant is required to deploy the SUAS in a mission, ensure that the case agent has completed the search warrant and has verified that the search warrant was signed by a judge before takeoff;
- d. Ensure that direct participants in SUAS operations are briefed on mission parameters and current operations;
- e. Adhere to FAA regulations;
- f. During any phase of flight, if the VO notices a malfunction with the SUAS, immediately terminate the flight;
- g. When determining that a deficiency in the mechanics or electronics of a SUAS exists, ensure that the appropriate repairs are conducted before flight;
- h. After every flight, conduct a post-flight inspection according to the UAS Mission Checklist; and
- i. Log all SUAS operations on the UAS Mission Checklist and submit the checklist to the DPC within twenty-four (24) hours.



6

2. The VO shall:

- a. Assist the RPIC/Drone Operator when needed;
- b. Be responsible for see-and-avoid operations of the SUAS;
- c. Remain in radio contact with the RPIC/Drone Operator and communicate any obstacles the SUAS may encounter during the mission;
- d. Immediately notify the RPIC/Drone Operator when the flight becomes a hazard to ground personnel or other aircraft;
- e. Be responsible for all radio communications with air traffic control and dispatch; and
- f. Operate additional ground equipment to allow the RPIC/Drone Operator an ability to maintain complete focus on the operation of the SUAS.

7

3. The DPC shall ensure that all checklists are up-to-date and current for each SUAS make and model.

G. Emergency Procedures

1. All Department personnel involved in SUAS operations shall be familiar with all emergency procedures and their specific duty assignments.
2. In an emergency involving a threat to the safety of persons or property, the RPIC/Drone Operator may deviate from any directive relating to aircraft, equipment, and weather minimums to the extent required to meet the emergency.
3. In an emergency, the RPIC/Drone Operator shall ensure that all required information is forwarded to the Albuquerque Flight Standards District Office, consistent with FAA regulations on reporting requirements.

7

H. Training and Standardization Requirements

1. To be qualified as an RPIC/Drone Operator, Department personnel shall be trained on the involved aircraft and possess current FAA licensure that is consistent with FAA regulations (14 C.F.R. Part 107) for a remote pilot with the SUAS rating, as well as be certified by the ESU or RTCC as a Drone Operator.
2. The DPC shall evaluate proficiency and annual check performances consistent with the maneuvers and procedures listed in the FAA Pilot Training Standards (PTS) for SUAS operations.
 - a. Recurrence training is not limited to actual RPIC/Drone Operator or VO skills but includes knowledge of all pertinent SUAS/aviation matters.
3. All sworn ESU and RTCC personnel shall maintain proficiency in their RPIC/Drone Operator or VO abilities. Sworn ESU and RTCC personnel who do not have any documented training flight time within a span of ninety (90) days shall demonstrate



proficiency to the DPC before being involved in a mission as an RPIC/Drone Operator or VO.

7

I. Maintenance

1. The RPIC/Drone Operator shall:

- a. Complete a maintenance log for each SUAS. All maintenance shall conform to and follow manufacturer guidelines and schedules. The maintenance log shall include:
 - i. Documentation concerning routine check-ups;
 - ii. Replacing of parts;
 - iii. Battery checks; and
 - iv. Diagnostic checks.
- b. Only use approved SUAS parts during maintenance requiring the replacement of existing components.

2. When sending SUAS out for repairs, the DPC shall log the external maintenance timeframe along with any repairs needed to make the SUAS operational.

7

J. Retention of SUAS Data

1. The RPIC/Drone Operator shall provide the case agent with any footage collected by SUAS during a mission.

N/A

K. Authority

The Chief of Police or their designee shall have the sole authority to deviate from these directives when such variance is consistent with federal, state, and local laws.

7

L. Reporting on the Use of SUAS

1. The DPC shall:

- a. Track and monitor all drone flights and associated statistics;
- b. Be responsible for completing the SUAS Annual Report; and
- c. Submit the SUAS Annual Report to the Chief of Police annually. The SUAS Annual Report shall include:
 - i. Number of times a SUAS was used;
 - ii. Type of incidents during which the SUAS was used; and
 - iii. Results of using the SUAS during an incident, including, but not limited to, any operation, service call, or investigation in which the SUAS was used.

7

M. FSB Deployment of SUAS

1. Property Unit personnel shall assign any SUASs purchased for FSB to the area command commanders to which the SUAS will be designated.



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2. SUASs assigned to an area command shall be stored at the substation in the area designed for drone storage by the Commander or their designee.
 - a. A log sheet shall be present at the substation and be used to keep track of any drone activity.
 - i. The log sheet shall be monitored on a monthly basis by RTCC personnel.
 - b. An RPIC/Drone Operator assigned to an area command with a SUAS may check out a drone from the substation by making an entry on the log sheet.
 - c. If an RPIC/Drone Operator has checked out a SUAS they shall return it to the substation by the end of their shift.
 - i. The RPIC/Drone Operator shall ensure the SUAS battery is plugged in and charged before returning it.
 - d. Only Department personnel certified to use the SUAS shall be authorized to check out a SUAS.
3. Certified sworn personnel shall follow all requirements outlined in this Standard Operating Procedure (SOP) while using the SUAS.

REDLINED



2-15 SMALL UNMANNED AIRCRAFT SYSTEMS (SUAS) OPERATIONS

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

A. Related SOP(s)

None

B. Form(s)

Federal Aviation Administration (FAA) Certificate of Authorization (COA)
Federal Aviation Administration (FAA) Notice to Airman (NOTAM)
SUAS Maintenance Log
UAS Mission Checklist

C. Other Resource(s)

14 C.F.R. Part 107 Small Unmanned Aircraft Systems
Federal Aviation Administration (FAA) Pilot Training Standards (PTS)
NMSA 1978, § 30-20-3 Making or Permitting False Public Voucher
ROA 1994, § 2-9-1 Civil Emergencies
SUAS Annual Report

D. Rescinded Special Order(s)

None

2-15-1 Purpose

The purpose of this policy is to establish the requirements for the operation, maintenance, and handling of Small Unmanned Aircraft Systems (SUAS) by Albuquerque Police Department (Department) personnel.

2-15-2 Policy

It is the policy of the Department to use SUAS to enhance public safety in a manner that takes into consideration the privacy rights of individuals as established by the United States Constitution and the New Mexico Constitution, including the Fourth Amendment and applicable federal, state, and local laws. Department personnel shall obtain a warrant anytime it is necessary to do so.

It is also the policy of the Department to operate any SUAS only under the circumstances set forth in this Standard Operating Procedure (SOP). Furthermore, the SUAS shall only be operated by trained and qualified Department personnel and be consistent with Federal Aviation Administration (FAA) regulations.



N/A 2-15-3 Definitions

A. Aircraft Operator (AO)

A trained Department personnel who physically operate the SUAS flight controls of the SUAS. The AO operates the flight controls under the direct supervision of the Remote Pilot-In-Command (RPIC)/Drone Operator and shall have completed the required training for the involved SUAS flight system.

B. Drone Program Coordinator (DPC)

A designated member of the Electronic Support Unit (ESU) or Real Time Crime Center (RTCC) who is responsible for monitoring Department drone activity and certifications. The DPC is also responsible for managing the Department's training program for SUAS operations.

C. Remote Pilot-In-Command (RPIC)/Drone Operator

A trained Department personnel who is ultimately responsible for the operation of the SUAS and the public's safety during all stages of flight operations, whether physically piloting the SUAS or overseeing another AO. An RPIC/Drone Operator must have completed the Department's drone certification program as well as possess a valid FAA Part 107 certification.

D. Sensor Operator (SO)

A trained sworn officer with the sole responsibility of attaching and operating any designated apparatuses used on the SUAS during a flight; apparatuses can include cameras, forward-looking infrared (FLIR) devices, and thermal devices.

E. Small Unmanned Aircraft System (SUAS)

An unmanned aircraft of any type that is capable of sustaining flight, whether remotely controlled or pre-programmed, with a weight of less than fifty-five (55) pounds. The SUAS is designed for gathering information through photographs or video recordings.

F. Visual Observer (VO)

A Department employee who is continuously responsible for notifying the RPIC/Drone Operator of any ground-based or airborne hazards to the flight. The VO shall be trained on their duties and responsibilities before acting in this role.

2-15-4 Procedures

A. General

- 5** 1. A SUAS shall only be deployed by a trained RPIC/Drone Operator.



4 2. SUAS shall only be deployed with a supervisor's approval in the RPIC/Drone Operator's chain of command.

6 B. Use and Assignment

4 1. The deployment of a SUAS shall be directly supervised by a trained and FAA-licensed RPIC/Drone Operator who has successfully completed all Department training and FAA regulations.

7 2. The RPIC/Drone Operator shall assume sole responsibility for the maintenance and safekeeping of the SUAS once it has been assigned to a specific division/section.

a. If the drone is assigned to the Field Services Bureau (FSB), RTCC personnel ESU will monitor maintenance logs for the drones and be responsible for arranging repairs if needed.

3. RTCC ESU personnel shall maintain SUAS assignments to divisions/sections to adequately document missions, consistent with FAA regulations.

a. If the drone is assigned to the FSB, RTCC ESU personnel shall track to which area command the drone is currently assigned.

4 4. Department personnel shall not operate SUAS in a manner that presents an undue risk to a person or property on the ground or in the air.

5. Department personnel shall not share footage obtained from the SUAS with any federal immigration agency unless ordered by a judge.

6. The Department shall cooperate with all federal, state, and local authorities in response to emergency deployments.

4 C. The use of the SUAS shall be consistent with FAA regulations, the Fourth Amendment of the United States Constitution, and Article II, Section 10 of the New Mexico Constitution. Authorized uses of Department SUAS shall include, but are not limited to:

1. Any use authorized by a warrant;

2. Crime scene documentation and evidence collection;

3. Circumstances where:

a. Probable cause to believe the evidence of a crime will be found in a particular location; and

b. Exigent circumstances exist to justify the aerial search in the location.



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4. Hot pursuits;
5. Circumstances where the SUAS shall be used to observe people and items in plain view from ground level or public navigable airspace in a non-intrusive manner;
6. Open field;
7. Areas open to the public;
8. Conducting community caretaker and emergency assistance functions;
9. Assistance in inspections of critical infrastructure;
10. Service calls where the SUAS can aid by providing an additional measure of officer safety;
11. Search and rescue in an allowable airspace; and
12. Tactical operations.

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D. Consistent with FAA regulations, unauthorized uses of Department SUAS shall include, but are not limited to:

1. Targeting a person based solely on individual characteristics such as, but not limited to, race, ethnicity, national origin, religion, disability, gender, or sexual orientation;
2. Harassment, intimidation, or discrimination against any individual or group;
3. Photographing or videoing lawful protests, demonstrations, rallies, marches, or other expressions of free speech, unless:
 - a. The event is in a public area and plain view, in which case the SUAS may be used from navigable public airspace to ensure that the safety of the public and the individuals participating in the event by aiding in controlling the direction of traffic around such assemblies;
 - b. The gathering has been provided at least one dispersal order which has been publicly given to the persons involved; or
 - c. Any situation that meets the state statute or City of Albuquerque ordinance definitions of a riot or unlawful assembly occurring beyond the permissive scope of established state and local laws.
4. Conducting any type of personal surveillance of another individual which is unrelated to a legitimate law enforcement purpose; and

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5. Use of the SUAS as a weapon.



6 E. RPIC/Drone Operator Procedures

1. When operating the SUAS, the RPIC/Drone Operator shall:

- 4 a. Only operate SUAS for which they are appropriately trained and competent to use;
- 4 b. Conduct all SUAS flights only after a thorough assessment of the risks associated with an activity and complete the UAS Mission Checklist. The risk assessment shall include, but is not limited to:
 - i. Weather conditions relative to the performance capability of the SUAS;
 - ii. Identification of normally anticipated failure modes (e.g., lost link, power failures, loss of control, etc.) and the consequences of such failures;
 - iii. Verification that crewmembers comply with FAA regulations;
 - iv. Compliance with overlying airspace and other aviation regulations, as appropriate for a particular mission; and
 - v. The creation of contingency plans for all anticipated off-nominal events to be shared openly with all appropriate authorities.
- c. Follow all federal, state, and local laws as they relate to the operation of SUAS;
- d. Adhere to the United States Constitution and the New Mexico Constitution, and federal, state, and local laws as they address an individual's right to privacy and the use of SUAS by law enforcement personnel;
- 7 e. Be authorized to refuse any flight request based on current meteorological conditions, the crew's physiological conditions, or ~~for~~ any other reason that the RPIC/Drone Operator believes would ~~shall~~ affect the safety of the flight. The RPIC/Drone Operator shall inform the ~~ESU Sergeant~~ RTCC personnel should they refuse a flight for any reason;
- f. Before flight and while the SUAS is in flight, is authorized and responsible for making all decisions regarding the use of SUAS, including, but not limited to:
 - i. Direction of the SUAS;
 - ii. Duration of flight time;
 - iii. Capabilities of the SUAS;
 - iv. Maximum load allowance;
 - v. Use of fixed certified equipment;
 - vi. Affixing of any additional equipment; and
 - vii. Determination of allowance for personal or agency equipment, as well as configurations.
- g. Be responsible for all Department orders and procedures governing the use of SUAS, FAA regulations, and FAA Certificate of Authorization (COA) requirements that impact the performance of their duties;
- h. Exercise final responsibility and authority for the safety of the SUAS, Department personnel, and equipment during flight operations; and
- i. Be responsible for the safe operation of all flights, including, but not limited to:
 - i. Flight planning and preparation, including a pre-flight inspection of the SUAS and equipment;



- ii. Weather briefing, to include minimum visibility allowable (three (3) statute miles), wind gust speeds greater than the SUAS is allowed, and sustained or peak wind;
- iii. Flight operations including course, airspeed, altitude, and duration;
- iv. Landing zone selection;
- v. Go/no-go and landing judgments concerning weather minimums or other criteria;
- vi. All very high frequency (VHF) air-to-air, air-to-ground, and air traffic control communications, and any other radio communications;
- vii. Timely reporting of new or previously unknown hazards which pose a safety to flight;
- viii. Post-flight inspection, which includes ensuring that the batteries are recharged and the duty SUAS is ready for the next mission;
- ix. Making appropriate entries in the aircraft logbooks; and
- x. Maintaining current RPIC licensure, consistent with FAA regulations.

F. Flight Operations

7

1. The RPIC/Drone Operator shall:

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- a. Before any flight, be responsible for pre-flight inspections according to the UAS Mission Checklist;
- b. Consistent with the COA, due to the immediacy of some emergency management operations, issue the FAA Notice to Airman (NOTAM) notification requirement as soon as practical before flight;

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- i. The RPIC/Drone Operator, upon a determination that issuing an FAA NOTAM endangers the safety of persons on the ground may decline to issue the FAA NOTAM.
 - ii. If the RPIC/Drone Operator does not issue an FAA NOTAM under these circumstances, they shall document the justification and be prepared to justify the decision upon the FAA's request.
- c. If a search warrant is required to deploy the SUAS in a mission, ensure that the case agent has completed the search warrant and has verified that the search warrant was signed by a judge before takeoff;
- d. Ensure that direct participants in SUAS operations are briefed on mission parameters and current operations;
- e. Adhere to FAA regulations;
- f. During any phase of flight, if the VO notices a malfunction with the SUAS, immediately terminate the flight;
- g. When determining that a deficiency in the mechanics or electronics of a SUAS exists, ensure that the appropriate repairs are conducted before flight;
- h. After every flight, conduct a post-flight inspection according to the UAS Mission Checklist; and
- i. Log all SUAS operations on the UAS Mission Checklist and submit the checklist to the DPC within twenty-four (24) hours.



6

2. The VO shall:

- a. Assist the RPIC/Drone Operator when needed;
- b. Be responsible for see-and-avoid operations of the SUAS;
- c. Remain in radio contact with the RPIC/Drone Operator and communicate any obstacles the SUAS may encounter during the mission;
- d. Immediately notify the RPIC/Drone Operator when the flight becomes a hazard to ground personnel or other aircraft;
- e. Be responsible for all radio communications with air traffic control and dispatch; and
- f. Operate additional ground equipment to allow the RPIC/Drone Operator an ability to maintain complete focus on the operation of the SUAS.

7

3. The DPC shall ensure that all checklists are up-to-date and current for each SUAS make and model.

G. Emergency Procedures

1. All Department personnel involved in SUAS operations shall be familiar with all emergency procedures and their specific duty assignments.
2. In an emergency involving a threat to the safety of persons or property, the RPIC/Drone Operator may deviate from any directive relating to aircraft, equipment, and weather minimums to the extent required to meet the emergency.
3. In an emergency, the RPIC/Drone Operator shall ensure that all required information is forwarded to the Albuquerque Flight Standards District Office, consistent with FAA regulations on reporting requirements.

7

H. Training and Standardization Requirements

1. To be qualified as an RPIC/Drone Operator, Department personnel shall be trained on the involved aircraft and possess current FAA licensure that is consistent with FAA regulations (14 C.F.R. Part 107) for a remote pilot with the SUAS rating, as well as be certified by the ESU or RTCC as a Drone Operator.
2. The DPC shall evaluate proficiency and annual check performances consistent with the maneuvers and procedures listed in the FAA Pilot Training Standards (PTS) for SUAS operations.
 - a. Recurrence training is not limited to actual RPIC/Drone Operator or VO skills but includes knowledge of all pertinent SUAS/aviation matters.
3. All sworn ESU and RTCC personnel shall maintain proficiency in their RPIC/Drone Operator or VO abilities. Sworn ESU and RTCC personnel who do not have any documented training flight time within a span of ninety (90) days shall demonstrate



proficiency to the DPC before being involved in a mission as an RPIC/Drone Operator or VO.

7

I. Maintenance

1. The RPIC/Drone Operator shall:

- a. Complete a maintenance log for each SUAS. All maintenance shall conform to and follow manufacturer guidelines and schedules. The maintenance log shall include:
 - i. Documentation concerning routine check-ups;
 - ii. Replacing of parts;
 - iii. Battery checks; and
 - iv. Diagnostic checks.
- b. Only use approved SUAS parts during maintenance requiring the replacement of existing components.

2. When sending SUAS out for repairs, the DPC shall log the external maintenance timeframe along with any repairs needed to make the SUAS operational.

7

J. Retention of SUAS Data

1. The RPIC/Drone Operator shall provide the case agent with any footage collected by SUAS during a mission.

N/A

K. Authority

The Chief of Police or their designee shall have the sole authority to deviate from these directives when such variance is consistent with federal, state, and local laws.

7

L. Reporting on the Use of SUAS

1. The DPC shall:

- a. Track and monitor all drone flights and associated statistics;
- b. Be responsible for completing the SUAS Annual Report; and
- c. Submit the SUAS Annual Report to the Chief of Police annually. The SUAS Annual Report shall include:
 - i. Number of times a SUAS was used;
 - ii. Type of incidents during which the SUAS was used; and
 - iii. Results of using the SUAS during an incident, including, but not limited to, any operation, service call, or investigation in which the SUAS was used.

7

M. FSB Deployment of SUAS

1. Property Unit personnel shall assign any SUASs purchased for FSB to the area command commanders to which the SUAS will be designated.



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2. SUASs assigned to an area command ~~shall~~ will be stored at the substation in the area designed for drone storage by the Commander or their designee.
 - a. A log sheet shall be present at the substation and be used to keep track of any drone activity.
 - i. The log sheet shall be monitored on a monthly basis by RTCCESU personnel.
 - b. An RPIC/Drone Operator assigned to an area command with a SUAS may check out a drone from the substation by making an entry on the log sheet.
 - c. If an RPIC/Drone Operator has checked out a SUAS they shall return it to the substation by the end of their shift.
 - i. The RPIC/Drone Operator shall ensure the ~~battery of~~ SUAS battery is plugged in and charged before returning it.
 - d. Only Department personnel certified to use the SUAS shall be authorized to check out a SUAS.
3. Certified sworn personnel shall follow all requirements outlined in this Standard Operating Procedure (SOP) while using the SUAS.

REDLINED



2-43 ROADBLOCKS AND CHECKPOINTS

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

A. Related SOP(s)

- 2-1 Uniforms (Formerly 2-06)
- 2-8 Use of On-Body Recording Devices (Formerly 1-39)
- 2-45 Pursuit by Motor Vehicle (Formerly 2-55)

B. Form(s)

None

C. Other Resource(s)

City of Las Cruces v. Betancourt, 1987-NMCA-039, 735 P.2d 1161.

D. Rescinded Special Order(s)

None

2-43-1 Purpose

The purpose of this policy is to provide guidelines for the Albuquerque Police Department (Department) in the planning and use of roadblocks and checkpoints.

2-43-2 Policy

It is the policy of the Department to use roadblocks and checkpoints when reasonably necessary to detour motorists from hazardous roadway conditions, for selective traffic enforcement, to prevent the escape of a felon(s) from a contained area, and to stop the driver of a vehicle attempting to avoid apprehension after all other means have failed.

N/A 2-43-3 Definitions

A. Checkpoint

A planned enforcement activity targeting a specific violation and where vehicles are stopped, the drivers are contacted, and sworn personnel are detecting evidence of the specific violation.

B. Roadblock

1. An intentional restriction and/or emergency obstruction of traffic for the safety of the community. The two types of roadblocks are:



- a. Class A Roadblock: Stop traffic with portable signs and warning devices without physically blocking the roadway; and
- b. Class B Roadblock: The physical blocking of the roadway with lightweight materials and/or equipment that will cause little or no damage to a vehicle with four (4) or more wheels when struck (i.e., lightweight barricade devices, flares, pylons, etc.). Due care and caution must be considered for two-wheeled and three-wheeled vehicles (e.g., motorcycle, scooter, bicycle, trike) when physically blocking a roadway with any material.

7 2-43-4 **Procedures**

A. Roadblock Classifications

1. Sworn personnel may use:

- a. A Class A Roadblock to inspect individuals and vehicles in the event of jail/prison escapes, major felony investigations; and
 - i. A Checkpoint is a Class A Roadblock set up and operated under the eight guidelines established in *Las Cruces v. Bentancourt* 1987-NMCA-039.
- b. A Class B Roadblock to warn motorists of severe road conditions due to inclement weather, or to reroute traffic due to special events, traffic accidents, or crime scenes.

B. Roadblock Sites

1. Sworn personnel shall select the site of a roadblock:

- a. To ensure the safety of motorists, Department personnel, and to ensure it is convenient when stopping motorists; and
- b. Based on a reasonable location, such as:
 - i. Physically divided roadways or raised medians;
 - ii. Away from a blind curve or hill; and
 - iii. A predesignated area so motorists are safely moved off the roadway, such as a parking lot for tow trucks and/or for officers to further their investigation.

C. Initiating a Roadblock

1. Sworn supervisory personnel shall decide whether to initiate a roadblock based on:

- a. The seriousness of the crime;
- b. Sufficient information and description on the wanted individuals or vehicles; and
- c. The elapsed time between the criminal act and its discovery.

6 D. Checkpoint Criteria

1. Sworn personnel at the rank of lieutenant or above shall be responsible for the site selection and procedures for conducting a checkpoint.



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2. Sworn personnel shall not randomly stop motorists.
 - a. All vehicles shall be stopped, and all drivers shall be contacted.
 - b. Sworn personnel shall establish uniform procedures when interacting with each motorist in precisely the same manner.
 - i. However, with approval from their chain of command, sworn personnel shall have the discretion to determine whether to pursue a motorist who avoids the checkpoint by committing a separate traffic violation, consistent with SOP Pursuit by Motor Vehicle (refer to SOP Pursuit by Motor Vehicle for sanction classifications and additional duties).
3. Sworn supervisory personnel shall consider which safety measures shall be used for warning approaching traffic, the degree to which the checkpoint causes traffic congestion, and whether the checkpoint places other motorists and sworn personnel at risk.
4. Sworn personnel shall not select a checkpoint location to target motorists within specific racial or ethnic groups.
5. Sworn supervisory personnel shall select a reasonable time and duration for the checkpoint; therefore, sworn personnel shall not make a checkpoint excessively long.
6. The official nature of the checkpoint shall be immediately apparent.
 - a. Sworn personnel shall be uniformed and shall wear a reflective police vest or jacket, consistent with SOP Uniforms (refer to SOP Uniforms for sanction classifications and additional duties);
 - b. Police vehicles shall be highly visible and marked;
 - c. Sworn personnel shall use warning or stop signs and pylons;
 - d. Sworn personnel shall post checkpoint signs; and
 - e. Sworn personnel may use flares.
7. Sworn personnel shall minimize the average length of time a motorist is detained at the checkpoint and the degree of intrusiveness.
 - a. When an officer develops reasonable suspicion to further an investigation, they shall direct the motorist to pull into a pre-determined area, out of traffic, except;
 - i. During a sobriety checkpoint, when an officer develops reasonable suspicion to further an investigation, the officer shall have the driver exit the vehicle; and
 - ii. Sworn or PSA personnel assigned to the checkpoint will move the vehicle to a pre-determined location, out of traffic.
8. Sworn supervisory personnel shall:

N/A

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N/A



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- a. Give advance notice to the public on selective traffic enforcement to enhance deterrence; and
- b. Be responsible for the checkpoint, including emailing the notice to media outlets.

9. Sworn personnel shall:

- a. Have their On-Body Recording Device (OBRD) in buffer mode for the duration of the checkpoint;
- b. Activate their OBRD upon asking a driver to exit their vehicle to conduct an investigation, or during any incident that would otherwise be required pursuant to SOP Use of On-Body Recording Devices;
- c. Activate their OBRD when driving a vehicle out of the roadway;
- d. Activate their OBRD when conducting an inventory search of a vehicle prior to tow; and
- e. Record all other mandatory events in accordance with SOP Use of On-Body Recording Devices.

10. PSA personnel shall activate their OBRD when driving a vehicle out of the roadway, and when conducting an inventory search of a vehicle prior to tow.

E. Authorization for Checkpoints

1. The Metro Traffic Division Commander or their designee shall approve all sobriety and traffic enforcement checkpoints submitted by a lieutenant.
2. In all cases, only supervisory personnel at the rank of lieutenant or above shall be in charge of the checkpoint.



2-43 ROADBLOCKS AND CHECKPOINTS

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

A. Related SOP(s)

- 2-1 Uniforms (Formerly 2-06)
- 2-8 Use of On-Body Recording Devices (Formerly 1-39)
- 2-45 Pursuit by Motor Vehicle (Formerly 2-55)

B. Form(s)

None

C. Other Resource(s)

City of Las Cruces v. Betancourt, 1987-NMCA-039, 735 P.2d 1161.

D. Rescinded Special Order(s)

None

2-43-1 Purpose

The purpose of this policy is to provide guidelines for the Albuquerque Police Department (Department) in the planning and use of roadblocks and checkpoints.

2-43-2 Policy

It is the policy of the Department to use roadblocks and checkpoints when reasonably necessary to detour motorists from hazardous roadway conditions, for selective traffic enforcement, to prevent the escape of a felon(s) from a contained area, and to stop the driver of a vehicle attempting to avoid apprehension after all other means have failed.

N/A

2-43-3 Definitions

A. Checkpoint

A planned enforcement activity targeting a specific violation and where vehicles are stopped, the -and- drivers are contacted, and sworn personnel are detecting evidence of the specific violation. -

B. Roadblock

1. An intentional restriction and/or emergency obstruction of traffic for the safety of the community. The two types of roadblocks are:



- a. Class A Roadblock: S To stop traffic with portable signs and warning devices without physically blocking the roadway; and
- b. Class B Roadblock: The physical blocking of the roadway with lightweight materials and/or equipment that will cause little or no damage to a vehicle with four (4) or more wheels when struck (i.e., lightweight barricade devices, flares, pylons, etc.). Due care and caution must be considered for two-wheeled and three-wheeled vehicles (e.g., motorcycle, scooter, bicycle, trike) when physically blocking a roadway with any material.

7 2-43-4 Procedures

A. Roadblock Classifications

1. Sworn personnel may use:

- a. A Class A Roadblock to inspect individuals and vehicles in the event of jail/prison escapes, major felony investigations; and
 - a.i. A Checkpoint is a Class A Roadblock set up and operated under the eight guidelines established in Las Cruces v. Bentancourt 1987-NMCA-039.
- b. A Class B Roadblock to warn motorists of severe road conditions due to inclement weather, or to reroute traffic due to special events, traffic accidents, or crime scenes.

~~2. Sworn personnel are prohibited from seizing a tractor-trailer or other such vehicle.~~

B. Roadblock Sites

1. Sworn personnel shall select the site of a roadblock:

- a. To ensure the safety of motorists, Department personnel, and to ensure it is convenient when stopping motorists; and
- b. Based on a reasonable location, such as:
 - i. Physically divided roadways or raised medians;
 - ii. Away from a blind curve or hill; and
 - iii. A predesignated area so motorists are safely moved off the roadway, such as a parking lot for tow trucks and/or for officers to further their investigation.

C. Initiating a Roadblock

1. Sworn supervisory personnel shall decide whether to initiate a roadblock based on:

- a. The seriousness of the crime;
- b. Sufficient information and description on the wanted individuals or vehicles; and
- c. The elapsed time between the criminal act and its discovery.

6 D. Checkpoint Criteria



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1. Sworn personnel at the rank of ~~sergeant~~ lieutenant or above shall be responsible for the site selection and procedures for conducting a checkpoint.
2. Sworn personnel shall not randomly stop motorists.
 - ~~2.~~
 - a. ~~All vehicles shall will be stopped, and all drivers shall will be contacted~~ Sworn personnel shall use a pre-established method of selection when determining which motorists to stop.
 - b. Sworn personnel shall establish uniform procedures when interacting with each motorist in precisely the same manner.
 - i. However, with approval from their chain of command, sworn personnel shall have the discretion to determine whether to pursue a motorist who avoids the checkpoint by committing a separate traffic violation, consistent with SOP Pursuit by Motor Vehicle (refer to SOP Pursuit by Motor Vehicle for sanction classifications and additional duties).
3. Sworn supervisory personnel shall consider which safety measures shall be used for warning approaching traffic, the degree to which the checkpoint causes traffic congestion, and whether the checkpoint places other motorists and sworn personnel at risk.
4. Sworn personnel shall not select a checkpoint location to target motorists within specific racial or ethnic groups.
5. Sworn supervisory personnel shall select a reasonable time and duration for the checkpoint; therefore, sworn personnel shall not make a checkpoint excessively long.
6. The official nature of the checkpoint shall be immediately apparent.
 - a. Sworn personnel shall be uniformed and shall wear a reflective police vest or jacket, consistent with SOP Uniforms (refer to SOP Uniforms for sanction classifications and additional duties);
 - b. Police vehicles shall be highly visible and marked;
 - c. Sworn personnel shall use warning or stop signs and pylons;
 - d. Sworn personnel shall post checkpoint signs; and
 - e. Sworn personnel may use flares.
7. Sworn personnel shall minimize the average length of time a motorist is detained at the checkpoint and the degree of intrusiveness.
 - a. When an officer develops reasonable suspicion to further an investigation, they shall direct the motorist to pull into a pre-determined area, out of traffic, except;
 - i. During a sobriety checkpoint, when an officer develops reasonable suspicion to further an investigation, the officer shall have the driver exit the vehicle; and

N/A

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N/A



- ii. Sworn or PSA personnel, assigned to the checkpoint, will move the vehicle to a pre-determined location, out of traffic.

8. Sworn supervisory personnel shall:

~~8-a.~~ ~~Give~~ advance notice to the public on selective traffic enforcement to enhance deterrence; ~~and~~.

~~a.b.~~ ~~Be~~ Sworn supervisory personnel responsible for the checkpoint, ~~including~~ shall ~~emailing~~ the notice to media outlets.

9. Sworn personnel shall:

~~a.~~ ~~Have~~ their On-Body Recording Device (OBRD) in buffer mode for the duration of the checkpoint;

~~9.~~

~~a.~~ ~~Sworn~~ personnel shall activate their OBRD upon asking a driver to exit their vehicle to conduct an investigation, ~~;~~ or during any incident that would otherwise be required pursuant to SOP Use of On-Body Recording Devices; ~~and~~

~~b.~~

~~c.~~ Sworn personnel or PSA personnel shall ~~A~~ activate their OBRD when driving a vehicle out of the roadway;

~~d.~~ Activate their OBRD when conducting an inventory search of a vehicle prior to tow; and

~~e.~~ Record all other mandatory events in accordance with SOP Use of On-Body Recording Devices.

~~b.~~ 10. PSA personnel shall activate their OBRD when driving a vehicle out of the roadway, and when conducting an inventory search of a vehicle prior to tow.

E. Authorization for Checkpoints

1. The Metro Traffic Division Commander or their designee shall approve all sobriety and traffic enforcement checkpoints submitted by a ~~sergeant~~ lieutenant.
2. In all cases, only supervisory personnel at the rank of ~~sergeant~~ lieutenant or above shall be in charge of the checkpoint.



2-51 SAFE DRIVER AWARD PROGRAM

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

A. Related SOP(s)

2-50 Crash Review Board

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-51-1 Purpose

The purpose of the Safe Driver Award Program is to provide a procedure for driving safely while operating a City-owned vehicle and to provide an incentive for driving with due care.

2-51-2 Policy

It is the policy of the Albuquerque Police Department (Department) to present the Safe Driver award to Department personnel who operate Department-issued vehicles without being involved in chargeable vehicle accidents.

N/A 2-51-3 Definitions

None

N/A 2-51-4 Rules

A. Issuance of the Award

1. Metro Traffic Division sworn personnel will review all eligible driver's records and provide a list of eligible drivers to Department Payroll Section personnel, who shall issue the awards in March of each year.
2. Department personnel who are eligible for the Safe Driver award shall:
 - a. Drive a Department-issued vehicle; and



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- b. Be a patrolman first class (P1/c) or above, a Police Service Aide (PSA), a Transit Safety Officer or above, a Prisoner Transport Officer or above, or a Crime Scene Specialist (CSS) who has worked a full year with the Department.

B. Qualifications for the Safe Driver Award

1. To qualify for the one (1) year award, Department personnel shall not have had a chargeable vehicle crash during the previous full calendar year.
2. To qualify for a two (2) or more year award, Department personnel shall not have had a chargeable vehicle crash during the previous, consecutive calendar years equal in number of years for the particular award.

C. Awards and Incentive Pay

1. Department personnel may receive the Safe Driver award for:
 - a. One (1) to four (4) consecutive years of safe driving;
 - i. Department personnel shall receive twenty-five dollars (\$25) during one (1) pay period in March.
 - b. Five (5) to nine (9) consecutive years of safe driving;
 - i. Department personnel shall receive fifty dollars (\$50) during one (1) pay period in March.
 - c. Ten (10) to fourteen (14) consecutive years of safe driving;
 - i. Department personnel shall receive seventy-five dollars (\$75) during one (1) pay period in March.
 - d. Fifteen (15) to nineteen (19) consecutive years of safe driving; and
 - i. Department personnel shall receive one-hundred dollars (\$100) during one (1) pay period in March.
 - e. Twenty (20) or more consecutive years of safe driving.
 - i. Department personnel shall receive one-hundred-and-twenty-five dollars (\$125) during one (1) pay period in March.



2-51 SAFE DRIVER AWARD PROGRAM

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

A. Related SOP(s)

2-50 Crash Review Board None

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-51-1 Purpose

The purpose of the Safe Driver Award Program is to provide a procedure for driving safely while operating a City-owned vehicle and to provide an incentive for driving with due care.

2-51-2 Policy

It is the policy of the Albuquerque Police Department (Department) to present the Safe Driver award to Department personnel who operate Department-issued vehicles without being involved in chargeable vehicle accidents.

N/A 2-51-3 Definitions

None

N/A 2-51-4 Rules

A. Issuance of the Award

1. Metro Traffic Division sworn personnel will review all eligible driver's records and provide a list of eligible drivers to Department Payroll Section personnel, who shall issue the awards in March of each year.
2. Department personnel who are eligible for the Safe Driver award shall:
 - a. Drive a Department-issued vehicle; and



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- b. Be a patrolman first class (P1/c) or above, a Police Service Aide (PSA), a Transit Safety Officer or above, a Prisoner Transport Officer or above, or a Crime Scene Specialist (CSS) who has worked a full year with the Department.

B. Qualifications for the Safe Driver Award

1. To qualify for the one (1) year award, Department personnel shall not have had a chargeable vehicle crash during the previous full calendar year.
2. To qualify for a two (2) or more year award, Department personnel shall not have had a chargeable vehicle crash during the previous, consecutive calendar years equal in number of years for the particular award.

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 - i. Department personnel shall receive fifty dollars (\$50) during one (1) pay period in March.
 - c. Ten (10) to fourteen (14) consecutive years of safe driving;
 - i. Department personnel shall receive seventy-five dollars (\$75) during one (1) pay period in March.
 - d. Fifteen (15) to nineteen (19) consecutive years of safe driving; and
 - i. Department personnel shall receive one-hundred dollars (\$100) during one (1) pay period in March.
 - e. Twenty (20) or more consecutive years of safe driving.
 - i. Department personnel shall receive one-hundred-and-twenty-five dollars (\$125) during one (1) pay period in March.



2-69 INFORMANTS

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

A. Related SOP(s)

2-8 Use of On-Body Recording Devices (Formerly 1-39)

B. Form(s)

PD 1201 Informant Profile Sheet
PD 1202 Confidential Informant Agreement of Understanding Signature Card
PD 1204 Voucher Expense Report

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-69-1 Purpose

The purpose of this policy is to outline the protocols for the control and use of Informants.

2-69-2 Policy

It is the policy of the Albuquerque Police Department (Department) to take necessary precautions when using Informants by developing sound Informant control procedures.

N/A

2-69-3 Definitions

A. Informant

1. A person who provides information on suspected criminal activities, including the following specific categories:
 - a. Confidential Informant (CI):
 - i. An individual who furnishes information to a law enforcement officer about individuals suspected of committing crimes or criminal activity for consideration, either financial, prosecutorial, or judicial, under the direct supervision of a law enforcement officer, and who is provided with a reasonable expectation of confidentiality; and
 - ii. An individual who actively participates in a criminal investigation or intelligence operation under the direct supervision of a law enforcement officer with or without compensation.



- b. Juvenile Informant: Any individual under the age of eighteen (18) who is either a paid or unpaid Informant;
- c. Paid Informant: An individual who provides information about actual or alleged criminal activities with the expectation of financial compensation or other considerations. The compensation may include money or consideration on pending criminal charges;
- d. Unpaid Informant: An individual who provides information about actual or alleged criminal activity who does so with no expectation of compensation but does expect anonymity; and
- e. Unwitting Informant: An individual who is involved in criminal activity acts as an intermediary to negotiate illegal transactions, purchase contraband, or otherwise unwittingly acts as an Informant. An Unwitting Informant shall not be documented as an Informant.

B. Informant File

A folder containing the true identity of Informants used by Department personnel. All Informant files shall be kept at the Investigative Services Division (ISD) under the control of the ISD Commander or their designee.

C. Payment

The exchange of information for money, goods, and services between an Informant and the Department or the draft of agreements through the prosecuting attorney's office to reduce charges or establish plea agreements with Informants.

6 2-69-4 **Procedures**

A. Use of Informants

1. Sworn personnel shall:

- a. Follow the procedures outlined in this Standard Operating Procedure (SOP) when gathering information from Informants;
- b. Prepare CI files;
 - i. Sworn personnel shall submit the CI file to the Career Criminal Section Lieutenant for a CI number and ensure that the CI number is assigned before using a Paid Informant.
 - ii. An Informant shall not be paid until sworn personnel create the file with the assigned CI number.

- 5** c. When meeting with Informants, have a minimum of two (2) officers present and also provide backup as necessary;
 - i. When necessary, the second officer can witness the meeting from a discreet distance, provided that the witness officer can observe all actions and transactions between the officer and the Informant.
- 5** d. Only use a Juvenile Informant when written permission has been granted by the juvenile's parent(s) or guardian(s);



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- e. Document all operations involving the use of Informants;
- f. Substantiate all information received from Informants;
- g. Report all information the Informant provides that discloses imminent danger to life to their Unit supervisor before law enforcement action is taken; and
- h. Ensure that the Informant is identified before the Informant is paid for services by completing the following:
 - i. Informant Profile Sheet; and
 - ii. Confidential Informant Agreement of Understanding Signature Card.

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2. Sworn personnel shall not:

- a. Use an Informant to circumvent any constitutional rights or guarantees of community members;
- b. Activate their on-body recording devices (OBRD) during any investigative interactions involving a CI, consistent with SOP Use of On-Body Recording Devices (refer to SOP Use of On-Body Recording Devices for sanction classifications and additional duties);
- c. Use Informants in an active role when they are on probation or parole unless there is written approval from the probation or parole officer or authorized judge; or
- d. Intentionally disclose an informant's identity unless it becomes necessary to do so. In the event it becomes necessary to intentionally disclose an informant's identity, a supervisor shall review the necessity of the specific disclosure prior to the disclosure.

N/A

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3. The ISD Supervisor shall:

- a. Meet with a Paid Informant before the first payment is made; and
- b. Ensure the Paid Informant understands all applicable requirements and limitations.
 - i. Sworn personnel shall report all subsequent meetings with Paid Informants to their immediate supervisor.

B. Informant Files

1. The Career Criminal Section Lieutenant shall maintain Informant files.

- a. Under no circumstances shall any other Department division, section, or unit keep or maintain an Informant file.

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C. Source Evaluation

1. Sworn personnel shall complete the Source Evaluation by using the CI Packet.

- a. Sworn personnel shall use the Source Evaluation to:
 - i. Validate the Informant's reliability as based on past information; and



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- ii. Confirm all proper documentation has been completed and is in the Informant's file.
2. Sworn personnel shall evaluate Informants based on the validity of the information they provided.
3. The Career Criminal Section Lieutenant or their designee shall re-evaluate active Informants biannually.

REDLINED



2-69 INFORMANTS

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

A. Related SOP(s)

2-8 Use of On-Body Recording Devices (Formerly 1-39)

B. Form(s)

PD 1201 Informant Profile Sheet
PD 1202 Confidential Informant Agreement of Understanding Signature Card
PD 1204 Voucher Expense Report

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-69-1 Purpose

The purpose of this policy is to outline the protocols for the control and use of Informants.

2-69-2 Policy

It is the policy of the Albuquerque Police Department (Department) to take necessary precautions when using Informants by developing sound Informant control procedures.

N/A

2-69-3 Definitions

A. Informant

1. A person who provides information on suspected criminal activities, including the following specific categories:
 - a. Confidential Informant (CI):
 - i. An individual who furnishes information to a law enforcement officer about individuals suspected of committing crimes or criminal activity for consideration, either financial, prosecutorial, or judicial, under the direct supervision of a law enforcement officer, and who is provided with a reasonable expectation of confidentiality; and
 - ii. An individual who actively participates in a criminal investigation or intelligence operation under the direct supervision of a law enforcement officer with or without compensation.



- b. Juvenile Informant: Any individual under the age of eighteen (18) who is either a paid or unpaid Informant;
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- d. Unpaid Informant: An individual who provides information about actual or alleged criminal activity who does so with no expectation of compensation but does expect anonymity; and
- e. Unwitting Informant: An individual who is involved in criminal activity acts as an intermediary to negotiate illegal transactions, purchase contraband, or otherwise unwittingly acts as an Informant. An Unwitting Informant shall not be documented as an Informant.

B. Informant File

A folder containing the true identity of Informants used by Department personnel. All Informant files shall be kept at the Investigative Services Division (ISD) under the control of the ISD Commander or their designee.

C. Payment

The exchange of information for money, goods, and services between an Informant and the Department or the draft of agreements through the prosecuting attorney's office to reduce charges or establish plea agreements with Informants.

6 2-69-4 **Procedures**

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- a. Follow the procedures outlined in this Standard Operating Procedure (SOP) when gathering information from Informants;
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 - ii. An Informant shall not be paid until sworn personnel create the file with the assigned CI number.

- 5** c. When meeting with Informants, have a minimum of two (2) officers present and also provide backup as necessary;
 - i. When necessary, the second officer can witness the meeting from a discreet distance, provided that the witness officer can observe all actions and transactions between the officer and the Informant.

- 5** d. Only use a Juvenile Informant when written permission has been granted by the juvenile's parent(s) or guardian(s);



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- e. Document all operations involving the use of Informants;
- f. Substantiate all information received from Informants;
- g. Report all information the Informant provides that discloses imminent danger to life to their Unit supervisor before law enforcement action is taken; and
- h. Ensure that the Informant is identified before the Informant is paid for services by completing the following:
 - i. Informant Profile Sheet; and
 - ii. Confidential Informant Agreement of Understanding Signature Card.

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2. Sworn personnel shall not:

N/A

- a. Use an Informant to circumvent any constitutional rights or guarantees of community members;
- b. Activate their on-body recording devices (OBRD) during any investigative interactions involving a CI, consistent with SOP Use of On-Body Recording Devices (refer to SOP Use of On-Body Recording Devices for sanction classifications and additional duties);
- c. Use Informants in an active role when they are on probation or parole unless there is written approval from the probation or parole officer or authorized judge; or

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- d. Intentionally disclose an informant's identity unless it becomes necessary to do so. In the event it becomes necessary to intentionally disclose an informant's identity, a supervisor shall review the necessity of the specific disclosure prior to the disclosure.

3. The ISD Supervisor shall:

- a. Meet with a Paid Informant before the first payment is made; and
- b. Ensure the Paid Informant understands all applicable requirements and limitations.
 - i. Sworn personnel shall report all subsequent meetings with Paid Informants to their immediate supervisor.

B. Informant Files

1. The Career Criminal Section Lieutenant shall maintain Informant files.

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7

C. Source Evaluation

1. Sworn personnel shall complete the Source Evaluation by using the CI Packet.

- a. Sworn personnel shall use the Source Evaluation to:
 - i. Validate the Informant's reliability as based on past information; and



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SOP 2-69 (Formerly 2-04)

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- ii. Confirm all proper documentation has been completed and is in the Informant's file.
2. Sworn personnel shall evaluate Informants based on the validity of the information they provided.
3. The Career Criminal Section Lieutenant or their designee shall re-evaluate active Informants biannually.

REDLINED



2-110 FACIAL RECOGNITION MANAGEMENT SYSTEM

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

A. Related SOP(s)

2-16 Reports

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-110-1 Purpose

The purpose of this policy is to provide guidelines for Department personnel when using the Facial Recognition Management System in order to describe the procedures, requirements, and expectations surrounding the use of the system.

2-110-2 Policy

It is the policy of the Albuquerque Police Department's (Department) Investigation Bureau units to use facial recognition software when investigating criminal activity or identifying a person who may be in danger. Furthermore, when the facial recognition software identifies an individual, that information will only be treated as an investigative lead, and further investigation will need to be done to verify an individual's identity.

N/A 2-110-3 Definitions

A. Authorized Personnel

Investigations Bureau personnel that have completed the facial recognition software training, and been approved by the Investigations Services Division (ISD) Commander or designee.

B. Candidate Image

The possible results of a facial recognition search. When facial recognition software compares the submitted (probe) image against the images contained in a



repository, the result is a list of most likely candidate images that were determined by the software to be sufficiently similar to or most likely resemble the probe image to warrant further analysis.

C. Criminal Activity

A behavior, action, or omission that is punishable by law.

D. Facial Recognition Software

Third-party software that uses specific proprietary algorithms to compare facial features from one or more specific images or probe images. These images are stored in an image repository to determine the most likely match of a candidate for further investigation.

E. Investigative Lead

Information that could aid in the successful resolution of an investigation but does not imply positive identification of an individual who is suspected of a criminal act. An investigative lead does not establish probable cause to obtain an arrest warrant without further investigation.

F. Need to Know

Authorized access to sensitive, confidential information but only in order to conduct one's official job duties.

G. Probe Image:

1. An image used by facial recognition software for comparison of images or features contained within the repository; and
2. Lawfully obtained front-facing image of an individual, including, but not limited to, facial images captured by closed circuit cameras, automatic teller machines (ATM), fraudulent bank cards, or photo identification provided by a victim or witness which is used by facial recognition software for comparison with the images contained within a repository.

H. Repository

A database of images and biometric templates which are searched, stored, and managed.

4 2-110-4 **Rules and Procedures**

A. Facial Recognition Software shall only be used:



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1. By authorized Department personnel who have been trained on its proper use;
 2. For legitimate law enforcement purposes where criminal activity is being investigated;
 3. To identify a subject who lacks capacity due to a medical issue or is otherwise unable to identify themselves and may be a danger to themselves or others; or
 4. For persons who are deceased and not otherwise identified.
- B. The Investigative Service Division Commander, or their designee, shall oversee the Facial Recognition Program.
- C. The Special Investigations Section Lieutenant shall review and authorize any information Department personnel share with entities outside of the Department prior to the information being released.
- D. Department personnel who do not have access to the facial recognition software may contact the on-call Strategic Criminal Intelligence Unit Detective if they have a need to run an image through the facial recognition software.
- E. Authorized Department personnel who use the facial recognition software shall:
1. Input the image of the person or individual they are investigating into the facial recognition software and include a case number and or Computer-Aided Dispatch (CAD) number;
 2. Cross-reference the probe image against the images in the repository to identify possible candidate images that warrant further analysis;
 3. Treat a candidate's image as an investigative lead;
 4. Verify a candidate's identity using other police resources and databases;
 5. Diligently establish additional probable cause to substantiate the case;
 - a. Charges cannot be solely predicated on a photo array if the lead on the subject originates solely from facial recognition.
 6. Document the use of facial recognition for incident(s) that lead to an arrest or search warrant in a Uniform Incident Report and upload the search results into the Department's records management system;
 - a. When the search is performed at the request of an officer who does not have access to the facial recognition software, the officer who conducted the search shall complete a supplemental report as outlined in SOP Reports.

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7. Only share images and investigative leads with Department personnel who have a need to know, and approved by the lead investigator on the incident; and
8. Not use the software for any internal administrative investigations.

F. Quarterly Audit of Facial Recognition Software Utilization

1. A quarterly audit shall be performed to assess the usage of the facial recognition software, ensuring compliance with established policies. The audit will be carried out by a designated program administrator and subsequently reviewed by the ISD Commander or their designee. The audit will consist of ten (10) percent of the searches each quarter. The following criteria will be examined during the audit:
 - a. Verification that a case or CAD number was entered for each search;
 - b. Confirmation that a valid reason was provided for each search; and
 - c. Validation that the detective initiating the search was properly identified in the system.

- G. Department personnel who fail to adhere to any of these procedures shall lose access to the use of the Department-approved facial recognition software.



2-110 FACIAL RECOGNITION MANAGEMENT SYSTEM

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

A. Related SOP(s)

2-16 Reports

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-110-1 Purpose

The purpose of this policy is to provide guidelines for Department personnel when using the Facial Recognition Management System in order to describe the procedures, requirements, and expectations surrounding the use of the system.

2-110-2 Policy

It is the policy of the Albuquerque Police Department's (Department) Investigation Bureau units to use facial recognition software when investigating criminal activity or identifying a person who may be in danger. Furthermore, when the facial recognition software identifies an individual, that information will only be treated as an investigative lead, and further investigation will need to be done to verify an individual's identity.

N/A 2-110-3 Definitions

A. Authorized Personnel

Investigations Bureau personnel that have completed the facial recognition software training, and been approved by the Investigations Services Division (ISD) Commander or designee.

B. Candidate Image

The possible results of a facial recognition search. When facial recognition software compares the submitted (probe) image against the images contained in a



repository, the result is a list of most likely candidate images that were determined by the software to be sufficiently similar to or most likely resemble the probe image to warrant further analysis.

C. Criminal Activity

A behavior, action, or omission that is punishable by law.

D. Facial Recognition Software

Third-party software that uses specific proprietary algorithms to compare facial features from one or more specific images or probe images. These images are stored in an image repository to determine the most likely match of a candidate for further investigation.

E. Investigative Lead

Information that could aid in the successful resolution of an investigation but does not imply positive identification of an individual who is suspected of a criminal act. An investigative lead does not establish probable cause to obtain an arrest warrant without further investigation.

F. Need to Know

Authorized access to sensitive, confidential information but only in order to conduct one's official job duties.

G. Probe Image:

1. An image used by facial recognition software for comparison of images or features contained within the repository; and
2. Lawfully obtained front-facing image of an individual, including, but not limited to, facial images captured by closed circuit cameras, automatic teller machines (ATM), fraudulent bank cards, or photo identification provided by a victim or witness which is used by facial recognition software for comparison with the images contained within a repository.

H. Repository

A database of images and biometric templates which are searched, stored, and managed.

4 2-110-4 **Rules and Procedures**

A. Facial Recognition Software shall only be used:



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1. By authorized Department personnel who have been trained on its proper use;
 2. For legitimate law enforcement purposes where criminal activity is being investigated;
 3. To identify a subject who lacks capacity due to a medical issue or is otherwise unable to identify themselves and may be a danger to themselves or others; or
 4. For persons who are deceased and not otherwise identified.
- B. The Investigative Service Division Commander, or their designee, shall oversee the Facial Recognition Program.
- C. The Special Investigations Section Lieutenant shall review and authorize any information Department personnel share with entities outside of the Department prior to the information being released.
- D. Department personnel who do not have access to the facial recognition software may contact the on-call Strategic Criminal Intelligence Unit Detective if they have a need to run an image through the facial recognition software.
- E. Authorized Department personnel who use the facial recognition software shall:
1. Input the image of the person or individual they are investigating into the facial recognition software and include a case number and or Computer-Aided Dispatch (CAD) number;
 2. Cross-reference the probe image against the images in the repository to identify possible candidate images that warrant further analysis;
 3. Treat a candidate's image as an investigative lead;
 4. Verify a candidate's identity using other police resources and databases;
 5. Diligently establish additional probable cause to substantiate the case;
 - a. Charges cannot be solely predicated on a photo array if the lead on the subject originates solely from facial recognition.
 6. Document the use of facial recognition for incident(s) that lead to an arrest or search warrant in a Uniform Incident Report and upload the search results into the Department's records management system;~~and~~

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- a. When the search is performed at the request of an officer who does not have access to the facial recognition software, the officer who conducted the search shall complete a supplemental report as outlined in SOP Reports.
 7. Only share images and investigative leads with Department personnel who have a need to know, and approved by the lead investigator on the incident; and.
 8. Not use the software for any internal administrative investigations.
- F. Quarterly Audit of Facial Recognition Software Utilization
1. A quarterly audit ~~shall~~will be performed to assess the usage of the facial recognition software, ensuring compliance with established policies. The audit will be carried out by a designated program administrator and subsequently reviewed by the ISD Commander or their designee. The audit will consist of ten (10) percent of the searches each quarter. The following criteria will be examined during the audit:
 - a. Verification that a case or CAD number was entered for each search;
 - b. Confirmation that a valid reason was provided for each search; and
 - c. Validation that the detective initiating the search was properly identified in the system.
- G. Department personnel who fail to adhere to any of these procedures shall lose access to the use of the Department-approved facial recognition software.



3-51 DEPARTMENT ORDERS

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

A. Related SOP(s)

- 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)
- 3-46 Discipline System (Formerly 1-09)
- 3-52 Policy Development Process (Formerly 3-29 and 3-65)

B. Form(s)

- PD 1013 Special Orders That Amend a SOP Template
- PD 1014 Special Order That Does Not Amend a SOP Template

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

3-51-1 Purpose

The purpose of this policy is to describe the procedures for developing and implementing Albuquerque Police Department (Department) Department Orders.

3-51-2 Policy

It is the policy of the Department to maintain a system of Department Orders and to provide for the distribution, accountability, and control of such information.

N/A

3-51-3 Definitions

A. Department Order

An order issued by the Chief of Police that establishes Department policies and procedures and outlines the duties, functions, and obligations of Department personnel. Department Personnel Orders, Special Orders (SO), and Standard Operating Procedures (SOP) are the three (3) main kinds of Department Orders. An email from the Chief of Police or their designee that directs Department personnel is considered a Department Order. A Department Memorandum or Interoffice Memorandum is not considered a Department Order.



B. Department Personnel Order

An order used to reflect changes in Department personnel status, such as duty assignment transfers and promotions.

C. Policy

Written regulations or directives describing the duties, functions, processes, and obligations of Department personnel, and providing specific direction on how to fulfill those duties, functions, or obligations. The terms “policy” and “Standard Operating Procedure” are used synonymously in Department literature to describe the written directive as it goes through the policy development process.

D. Special Order (SO)

A written directive issued Department-wide to address and govern specific, identified issues of an urgent matter. An SO may amend a Department SOP.

E. Standard Operating Procedure (SOP)

1. A Department Order that establishes or prescribes methods of Department operations and performance that Department personnel shall adhere to in their performance of designated operations or in designated situations. An SOP is categorized as one (1) of four (4) kinds of Department Orders, including:
 - a. Administrative Order: A Department Order that provides Department personnel with guidance in understanding the chain of command, in establishing lines of authority and accountability, and in implementing various procedures relating to the proper administration and function of the Department. An Administrative Order is an SOP that is applicable to Department personnel and specifically relates to the administrative functions of the Department;
 - b. Field Services Bureau Order: A Department Order that outlines the requirements for Field Services Bureau personnel;
 - c. General Order: A Department Order that establishes SOPs related to the core values and functions of the Department. General Orders are applicable to sworn and professional personnel;
 - d. Procedural Order: A Department Order that establishes procedures used by Department personnel to accomplish their duties, and establish procedures that shall be followed by Department personnel;

F. Verbal Order

A lawful order spoken aloud by a supervisor to a subordinate.

7

3-51-4

Procedures

A. Authority of Department Orders



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1. Department personnel shall only publish Department Orders that the Chief of Police has approved.
2. Department Orders shall conform to applicable federal, state, and local laws, as well as conform to any current contracts and/or other governing instruments, such as Memoranda of Understanding (MOU), Memoranda of Agreement (MOA), or court orders to which the Department is a signatory.
3. A Department Order shall supersede a verbal order unless the situation is life-threatening or there are immediate safety concerns that may harm Department personnel or others.
 - a. When necessary, a verbal order may become a Department Order or may amend an existing Department Order.
4. The Chief of Police or their designee may delegate the authority to issue specific kinds of Department Orders within a chain of command.

B. Access to and Adhering to Department Orders

1. Department personnel shall:
 - a. Have access to Department Orders through the Department's document management system;
 - b. Review Department Orders published in the Department's document management system; and
 - i. Then electronically sign them within one (1) week of publication, unless they are on approved leave status.
 1. Within one (1) week of returning from leave, Department personnel shall electronically sign Department Orders that require their signature.
 - c. Be held accountable for complying with Department Orders (refer to SOP Complaints Involving Department Personnel and SOP Discipline System for sanction classifications and additional duties).

N/A

C. Department Personnel Orders

1. Personnel Management Division personnel shall:
 - a. Prepare and number a Department Personnel Order by using the system that is outlined for SOs in this SOP;
 - b. Make the appropriate distribution to Department personnel; and
 - c. Maintain a file of original orders in its office for public inspection for three (3) years.

D. Special Orders (SO)

1. General Rules



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N/A

- a. Department personnel who need to publish an SO shall obtain a supervisor's approval at the rank of Commander, Division Head, or above.
- b. The author of an SO that amends or adds to an existing Standard Operating Procedure (SOP) shall request assistance from Policy and Procedure Unit personnel to help them complete the procedures for SOs as outlined in this SOP.
- c. Policy and Procedure Unit personnel shall ensure that the provisions in a published SO that amend or add to an existing SOP are incorporated into the SOP while the SOP is going through the policy development process, consistent with SOP Policy Development Process.
- d. Department personnel may refer to the SO process flowcharts in Appendices I and II to guide their understanding.

2. Procedures

- a. For an SO that does not amend or add to an existing SOP:
 - i. The author shall:
 1. Ensure that the draft follows the formatting outlined in the Department-approved SO template, includes a point of contact and when the SO expires, and that grammar and spelling are correct; and
 2. Provide the draft to the Operations Review Section Lieutenant or their designee.
 - ii. The Operations Review Section Lieutenant or their designee shall:
 1. Provide the draft to the Chief of Police's Administrative Assistant or their designee.
 - iii. The Chief of Police's Administrative Assistant or their designee shall:
 1. Maintain a log of SOs by SO number and the policy number of the affected policy;
 2. Provide the draft to the Chief of Police for their approval;
 3. Assign a unique number to an SO. The number is based on the last two digits of the year in which it was published, followed by a hyphen and a sequential number beginning with "01." This numbering system shall be initiated for each calendar year starting on January 1st;
 4. After the Chief of Police or their designee approves the draft, publish the SO in the Department's document management system; and
 5. Schedule for the SO to automatically archive one (1) year from the date it was published in the Department's document management system.
- b. For an SO that amends or adds to an existing SOP that is unrelated to the Court-Approved Settlement Agreement (CASA).
 - i. The author shall:
 1. Ensure that the draft follows the formatting prescribed in the Department-approved SO template, includes a point of contact and when the SO expires, and that grammar and spelling are correct; and
 2. Email the draft to Policy and Procedure Unit personnel at opa@cabq.gov.
 - ii. Policy and Procedure Unit personnel shall:
 1. Insert a watermark in the draft that reads "REVIEW"; and



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2. For SOPs that may involve or be affected by civil rights, case law, statutes, regulations, other laws, litigation, or other legal risk to the City, request a legal review of the proposed SO.
- iii. The Policy and Procedure Unit personnel shall provide the draft to the Chief of Police's Administrative Assistant or designee.
- iv. The Chief of Police's Administrative Assistant or their designee shall:
 1. Maintain a log of SOs by SO number and the policy number of the affected policy;
 2. Provide the draft to executive staff and the Chief of Police for approval;
 3. Assign a unique number to a SO. The number is based on the last two digits of the year in which it was published, followed by a hyphen and a sequential number beginning with "01." This numbering system shall be initiated for each calendar year starting on January 1st;
 4. After the Chief of Police or their designee approves the draft, publish the SO into the Department's document management system; and
 5. Notify the Policy and Procedure Unit when the SO has been published in the Department's document management system.
- v. Within thirty-five (35) days the Policy and Procedure Unit personnel shall incorporate a hyperlink to the SO into the published SOP.
- c. For an SO that amends or adds to an existing SOP that is related to the CASA, after the procedures outlined in 3-51-4 D.2.b. have been completed:
 - i. Policy and Procedure Unit personnel shall provide the draft to the Chief of Police's Administrative Assistant or their designee for executive staff to preliminarily approve;
 - ii. Executive staff shall preliminarily approve the draft, or return the draft for additional work, noting specific changes needed;
 - iii. The Assistant City Attorney (or higher) will submit the draft to the:
 1. United States Department of Justice (DOJ) and the Independent Monitor (IMT) for their review and approval; and
 2. Albuquerque Police Officers' Association (APOA) for review and comment.
 - iv. The author and Policy and Procedure Unit personnel shall review the comments from DOJ, IMT, and APOA and revise, if necessary;
 - v. Following the revisions, when applicable, the Assistant City Attorney or higher shall resubmit the draft to DOJ, IMT and APOA;
 - vi. Once DOJ and IMT approve the draft, the Policy and Procedure Unit personnel shall provide the draft to the Chief of Police's Administrative Assistant or designee; and
 - viii. The Chief of Police's Administrative Assistant or their designee shall:
 1. Maintain a log of SOs;
 2. Provide the draft to executive staff and the Chief of Police for approval;
 3. Assign a unique number to an SO as indicated above;
 4. After the Chief of Police or their designee approves the draft, publish the SO in the Department's document management system; and
 5. Notify the Policy and Procedure Unit when the SO has been published in the Department's document management system.



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- ix. Within thirty-five (35) days the Policy and Procedure Unit personnel shall incorporate a hyperlink to the SO into the published SOP.
- x. For an SO that potentially needs to be revised or archived and does not amend or add to an existing SOP, Department personnel shall contact Policy and Procedure Unit personnel to determine the next steps that should be taken.

N/A E. Standard Operating Procedures

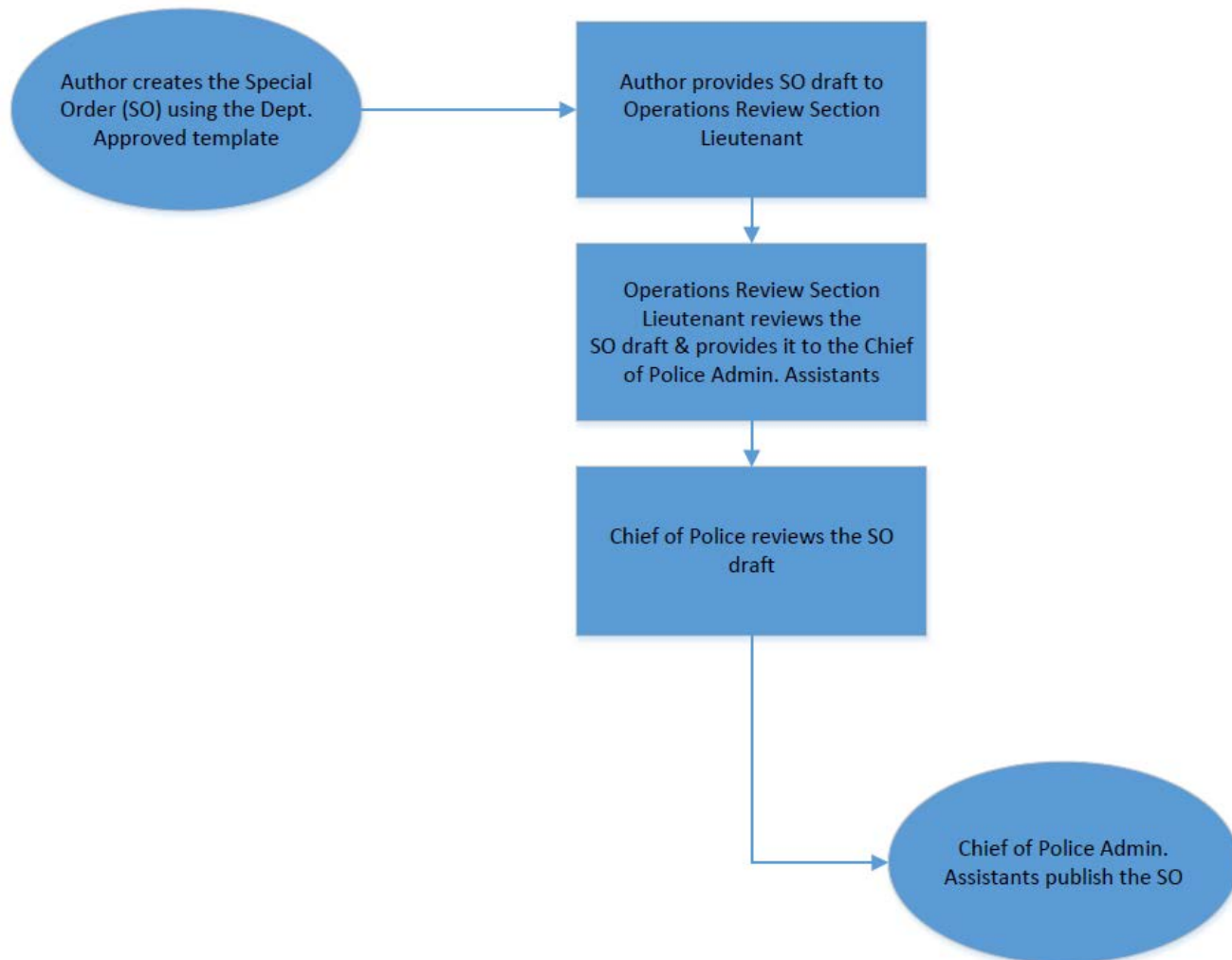
- 1. Department personnel shall follow the procedures for SOPs as outlined in SOP Policy Development Process (refer to SOP Policy Development Process for sanction classifications and additional duties).

N/A F. Department Memoranda

- 1. Department personnel may seek to publish a Department Memorandum.
- 2. Department personnel will submit a Department Memorandum to the Operations Review Section Lieutenant for review.
- 3. The Operations Review Section Lieutenant will:
 - a. If applicable, fix issues pertaining to formatting, grammar, and accuracy and notify the author of the Department Memorandum confirming they have resolved the issues, if any; and
 - b. Provide the draft to the Chief of Police's Administrative Assistant or their designee.
- 4. The Chief of Police's Administrative Assistant will:
 - a. Assign a unique number to the Department Memorandum;
 - b. Publish the Department Memorandum in the Department's document management system; and
 - c. Maintain a log and a copy of the Department Memorandum.



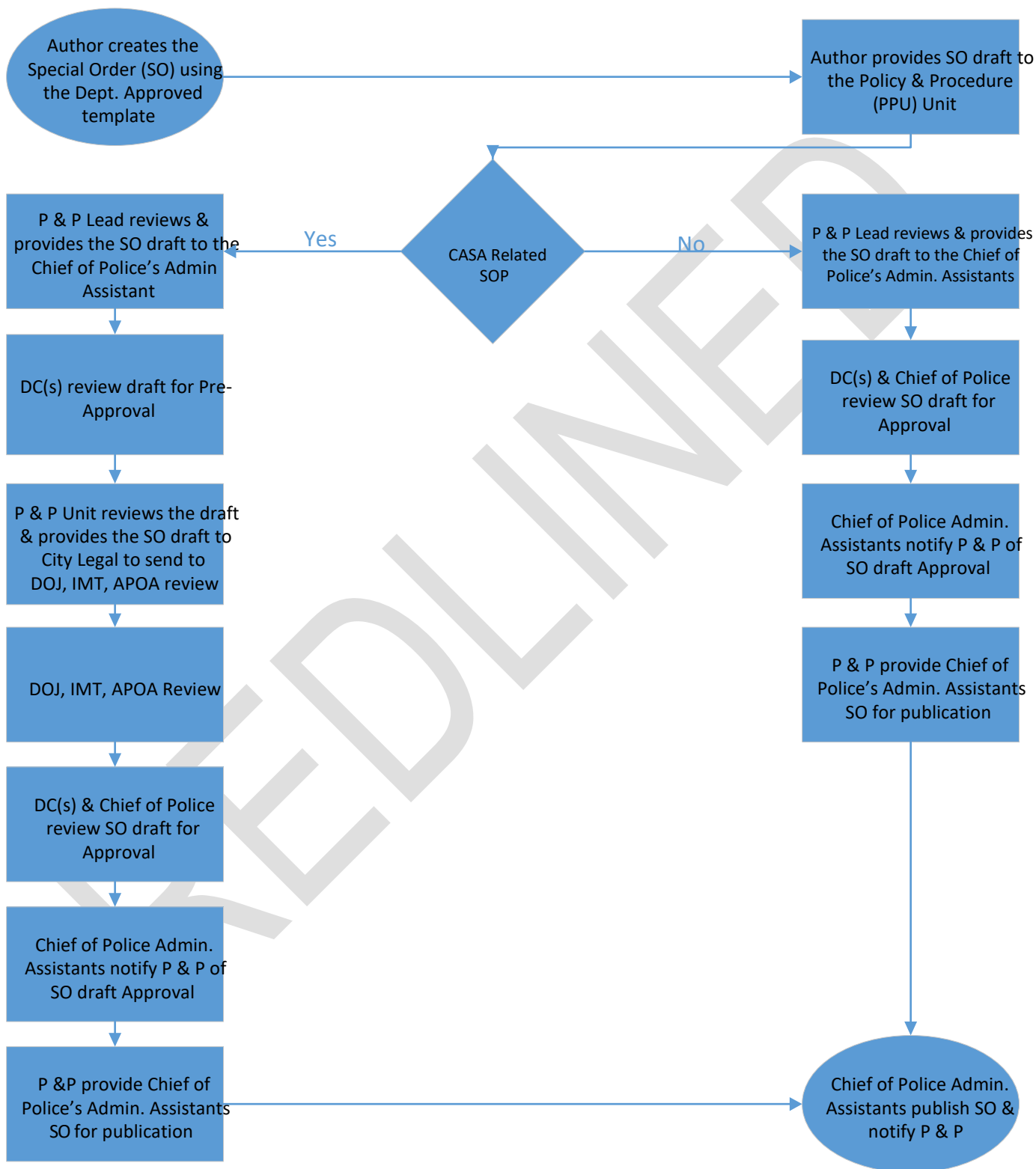
Appendix I: Special Order that Does Not Amend or Add to an Existing SOP



REF



Appendix II: Special Order that Amends or Adds to an Existing SOP





3-51 DEPARTMENT ORDERS

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

A. Related SOP(s)

- 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)
- 3-46 Discipline System (Formerly 1-09)
- 3-52 Policy Development Process (Formerly 3-29 and 3-65)

B. Form(s)

- PD 1013 Special Orders That Amend a SOP Template
- PD 1014 Special Order That Does Not Amend a SOP Template

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

3-51-1 Purpose

The purpose of this policy is to describe the procedures for developing and implementing of Albuquerque Police Department (Department) Department Orders.

3-51-2 Policy

It is the policy of the Department to maintain a system of Department Orders and to provide for the distribution, accountability, and control of such information.

N/A 3-51-3 Definitions

A. Department Order

An order issued by the Chief of Police that establishes Department policies and procedures and outlines the duties, functions, and obligations of Department personnel. Department Personnel Orders, Special Orders (SO), and Standard Operating Procedures (SOP) are the three (3) main kinds of Department Orders. An email from the Chief of Police or their designee that directs Department personnel is considered a Department Order. A Department Memorandum or Interoffice Memorandum is not considered a Department Order.



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B. Department Personnel Order

An order used to reflect changes in Department personnel status, such as duty assignment transfers and promotions.

C. Policy

Written regulations or directives describing the duties, functions, processes, and obligations of Department personnel, and providing specific direction on how to fulfill those duties, functions, or obligations. The terms “policy” and “Standard Operating Procedure” are used synonymously in Department literature to describe the written directive as it goes through the policy development process.

D. Special Order (SO)

A written directive issued Department-wide to address and govern specific, identified issues of an urgent matter. An SO ~~Special Order~~ may amend a Department SOP.

E. Standard Operating Procedure (SOP)

1. A Department Order that establishes or prescribes methods of Department operations and performance that Department personnel shall adhere to in their performance of designated operations or in designated situations. An SOP is categorized as one (1) of ~~four~~ thirteen (438) kinds of Department Orders, including:
 - a. Administrative Order: A Department Order that provides Department personnel with guidance in understanding the chain of command, in establishing lines of authority and accountability, and in implementing various procedures relating to the proper administration and function of the Department. An Administrative Order is an SOP that is applicable to Department personnel and specifically relates to the administrative functions of the Department; ~~Administrative Support Bureau Order: A Department Order that outlines the requirements for the Records Division, Emergency Communications Center Division, Aviation Division, Real Time Crime Center, Metropolitan Court Protection Unit, and Prisoner Transport Unit;~~
 - b. Field Services Bureau Order: A Department Order that outlines the requirements for Field Services Bureau personnel;
 - ~~c.~~ c. General Order: A Department Order that establishes SOPs related to the core values and functions of the Department. General Orders are applicable to sworn and professional ~~civilian~~ personnel;
 - ~~e.~~ Investigative Bureau Order: A Department Order that outlines the requirements of the Criminal Investigations Division, Criminal Enforcement Division, Investigative Services Division, and Scientific Evidence Division;



- ~~f. d. Procedural Order: A Department Order that establishes procedures used by Department personnel to accomplish their duties, and establish procedures that shall be followed by Department personnel;~~
- ~~g. Professional Accountability Bureau Order: A Department Order that outlines the requirements of the Internal Affairs Force Division and the Internal Affairs Professional Standards Division; and~~
- ~~h. Special Services Bureau Order: A Department Order that outlines the requirements of the Metro Traffic Division, Special Operations Division, Homeland Security/Support Services Division, and Academy Division.~~

F. Verbal Order

A lawful order spoken aloud by a supervisor to a subordinate.

7 3-51-4 **Procedures**

A. Authority of Department Orders

1. Department personnel shall only publish Department Orders that the Chief of Police has approved.
2. Department Orders shall conform to applicable federal, state, and local laws, as well as conform to any current contracts and/or other governing instruments, such as Memoranda of Understanding (MOU), Memoranda of Agreement (MOA), or court orders to which the Department is a signatory.
3. A Department Order shall supersede a verbal order, unless the situation is ~~life threatening~~ life-threatening or there are immediate safety concerns that may harm Department personnel or others.
 - a. When necessary, a verbal order may become a Department Order or may amend an existing Department Order.
4. The Chief of Police or their designee may delegate the authority to issue specific kinds of Department Orders within a chain of command.

B. Access to and Adhering to Department Orders

1. Department personnel shall:
 - a. Have access to Department Orders through the Department's document management system;
 - b. Review, ~~then electronically sign~~ Department Orders published in the Department's document management system; and
 - i. ~~Department personnel shall review the document management system for Department Orders and shall electronically sign Department Orders~~ Then



electronically sign them within one (1) week of publication, unless they are on approved leave status.

1. Within one (1) week of returning from leave, Department personnel shall electronically sign Department Orders that require their signature.

N/A

- c. Be held accountable for complying with Department Orders (refer to SOP Complaints Involving Department Personnel and SOP Discipline System for sanction classifications and additional duties).

C. Department Personnel Orders

1. Personnel Management Division personnel shall:

- a. Prepare and number a Department Personnel Order by using the system that is outlined for SO~~pecial Order~~ in this SOP;
- b. Make the appropriate distribution to Department personnel; and
- c. Maintain a file of original orders in its office for public inspection for three (3) years.

D. Special Orders (SO)

1. General Rules

- a. Department personnel who need to publish an SO~~pecial Order~~ shall obtain a supervisor's approval at the rank of Commander, Division Head, or above.
- b. The author of an SO~~pecial Order~~ that amends or adds to an existing Standard Operating Procedure (SOP) shall request assistance from Policy and Procedure Unit personnel to help them complete the procedures for SO~~pecial Order~~ as outlined in this SOP.
- c. Policy and Procedure Unit personnel shall ensure that the provisions in a published SO~~pecial Order~~ that amend or add to an existing SOP are incorporated into the SOP while the SOP is going through the policy development process, consistent with SOP Policy Development Process.
- d. Department personnel may refer to the SO~~pecial Order~~ process flowcharts in Appendices I, and II to guide their understanding.

N/A

2. Procedures

- a. For an SO~~pecial Order~~ that does not amend or add to an existing SOP:
 - i. The author shall:
 - 1. Ensure that the draft follows the formatting outlined in the Department-approved SO~~pecial Order~~ template, includes a point of contact and when the SO~~pecial Order~~ expires, and that grammar and spelling are correct; and
 - 2. Provide the draft to the Operations Review Section Lieutenant or their designee.
 - ii. The Operations Review Section Lieutenant or their designee shall:



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1. Provide the draft to the Chief of Police's Administrative Assistant or their designee;
- iii. The Chief of Police's Administrative Assistant or their designee shall:
 1. Maintain a log of ~~SOspecial Orders~~, by SOspecial Order number and the policy number of the affected policy;
 2. Provide the draft to the Chief of Police for their approval;
 3. Assign a unique number to an SOspecial Order. The number is based on the last two digits of the year in which it was published, followed by a hyphen and a sequential number beginning with "01." This numbering system shall be initiated for each calendar year starting on January 1st;
 4. After the Chief of Police or their designee approves the draft, publish the SOspecial Order in the Department's document management system; and
 5. Schedule for the SOspecial Order to automatically archive one (1) year from the date it was published in the Department's document management system.
- b. For an SOspecial Order that amends or adds to an existing SOP that is unrelated to the Court-Approved Settlement Agreement (CASA).
 - i. The author shall:
 1. Ensure that the draft follows the formatting prescribed in the Department-approved SOspecial Order template, includes a point of contact and when the SOspecial Order expires, and that grammar and spelling are correct; and
 2. Email the draft to Policy and Procedure Unit personnel at opa@cabq.gov.
 - ii. Policy and Procedure Unit personnel shall:
 1. Insert a watermark in the draft that reads "REVIEW"; and
 2. For SOPs that may involve or be affected by civil rights, case law, statutes, regulations, or other laws, litigation, or other legal risk to the City, request a legal review of the proposed SOspecial Order.
 - iii. The Policy and Procedure Unit personnel shall provide the draft to the Chief of Police's Administrative Assistant or designee.
 - iv. The Chief of Police's Administrative Assistant or their designee shall:
 1. Maintain a log of ~~SOspecial Orders~~, by SOspecial Order number and the policy number of the affected policy;
 2. Provide the draft to executive staff and the Chief of Police for approval;
 3. Assign a unique number to a SOspecial Order. The number is based on the last two digits of the year in which it was published, followed by a hyphen and a sequential number beginning with "01." This numbering system shall be initiated for each calendar year starting on January 1st;
 4. After the Chief of Police or their designee approves the draft, publish the SOspecial Order into the Department's document management system; and
 5. Notify the Policy and Procedure Unit when the SOspecial Order has been published in the Department's document management system.
 - v. Within thirty-five ninety (3590) days the Policy and Procedure Unit personnel shall incorporate a hyperlink to the SO into the published SOP. present the



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~~published SO at an upcoming Policy and Procedure Review Board Meeting to be voted upon.~~

~~If the SO is passed by the PPRB, After the approval of the SO, the SO shall be incorporated into the published SOP and the SOP will be republished with the incorporated SO.~~

~~5. If the SO is not passed by the PPRB, the SO will be incorporated into the SOP accordance with SOP Policy Development Process.~~

c. For an SO ~~Special Order~~ that amends or adds to an existing SOP that is related to the CASA, after the procedures outlined in 3-51-4 D.2.b. have been completed:

- i. Policy and Procedure Unit personnel shall provide the draft to the Chief of Police's Administrative Assistant or their designee for executive staff to preliminarily approve;
- ii. Executive staff shall preliminarily approve the draft, or return the draft for additional work, noting specific changes needed;
- iii. The Assistant City Attorney (or higher) will submit the draft to the:
 1. United States Department of Justice (DOJ) and the Independent Monitor (IMT) for their review and approval; and
 2. Albuquerque Police Officers' Association (APOA) for review and comment.

iv. The author and Policy and Procedure Unit personnel shall review the comments from DOJ, IMT, and APOA and revise, if necessary;

v. Following the revisions, when applicable, the Assistant City Attorney or higher shall resubmit the draft to DOJ, IMT and APOA;

vi. Once DOJ and IMT approve the draft, the Policy and Procedure Unit personnel shall provide the draft to the Chief of Police's Administrative Assistant or designee; and;

viii. The Chief of Police's Administrative Assistant or their designee shall:

1. Maintain a log of SO ~~Special Orders~~;
2. Provide the draft to executive staff and the Chief of Police for approval;
3. Assign a unique number to an an SO ~~Special Order~~ as indicated above;
4. After the Chief of Police or their designee approves the draft, publish the SO ~~Special Order~~ in the Department's document management system; and
5. Notify the Policy and Procedure Unit when the SO ~~Special Order~~ has been published in the Department's document management system.

ix. Within thirty-five (35) days the Policy and Procedure Unit personnel shall incorporate a hyperlink to the SO into the published SOP ~~ninety (90) days the Policy and Procedure Unit personnel shall present the published SO at an upcoming Policy and Procedure Review Board Meeting to be voted upon.~~

~~If After the SO is passed by the PPRB, the SO shall be incorporated into the published SOP and the SOP will be republished with the incorporated SO. the approval of the SO, the SO shall be incorporated into the published SOP and the SOP will be republished with the incorporated SO.~~

~~If the SO is not passed by the PPRB, the SO will be incorporated into the SOP accordance with SOP Policy Development Process.~~



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~~5.~~
~~d.x.~~ For an SO ~~Special Order~~ that potentially needs to be revised or archived and does not amend or add to an existing SOP, Department personnel shall contact Policy and Procedure Unit personnel to determine the next steps that should be taken.

N/A E. Standard Operating Procedures

1. Department personnel shall follow the procedures for SOPs as outlined in SOP Policy Development Process (refer to SOP Policy Development Process for sanction classifications and additional duties).

N/A F. Department Memoranda

1. Department personnel may seek to publish a Department Memorandum.
2. Department personnel will submit a Department Memorandum to the Operations Review Section Lieutenant for review.
3. The Operations Review Section Lieutenant will:
 - a. If applicable, fix issues pertaining to formatting, grammar, and accuracy and notify the author of the Department Memorandum confirming they have resolved the issues, if any; and
 - b. Provide the draft to the Chief of Police's Administrative Assistant or their designee.
4. The Chief of Police's Administrative Assistant will:
 - a. Assign a unique number to the Department Memorandum;
 - b. Publish the Department Memorandum in the Department's document management system; and
 - c. Maintain a log and a copy of the Department Memorandum.

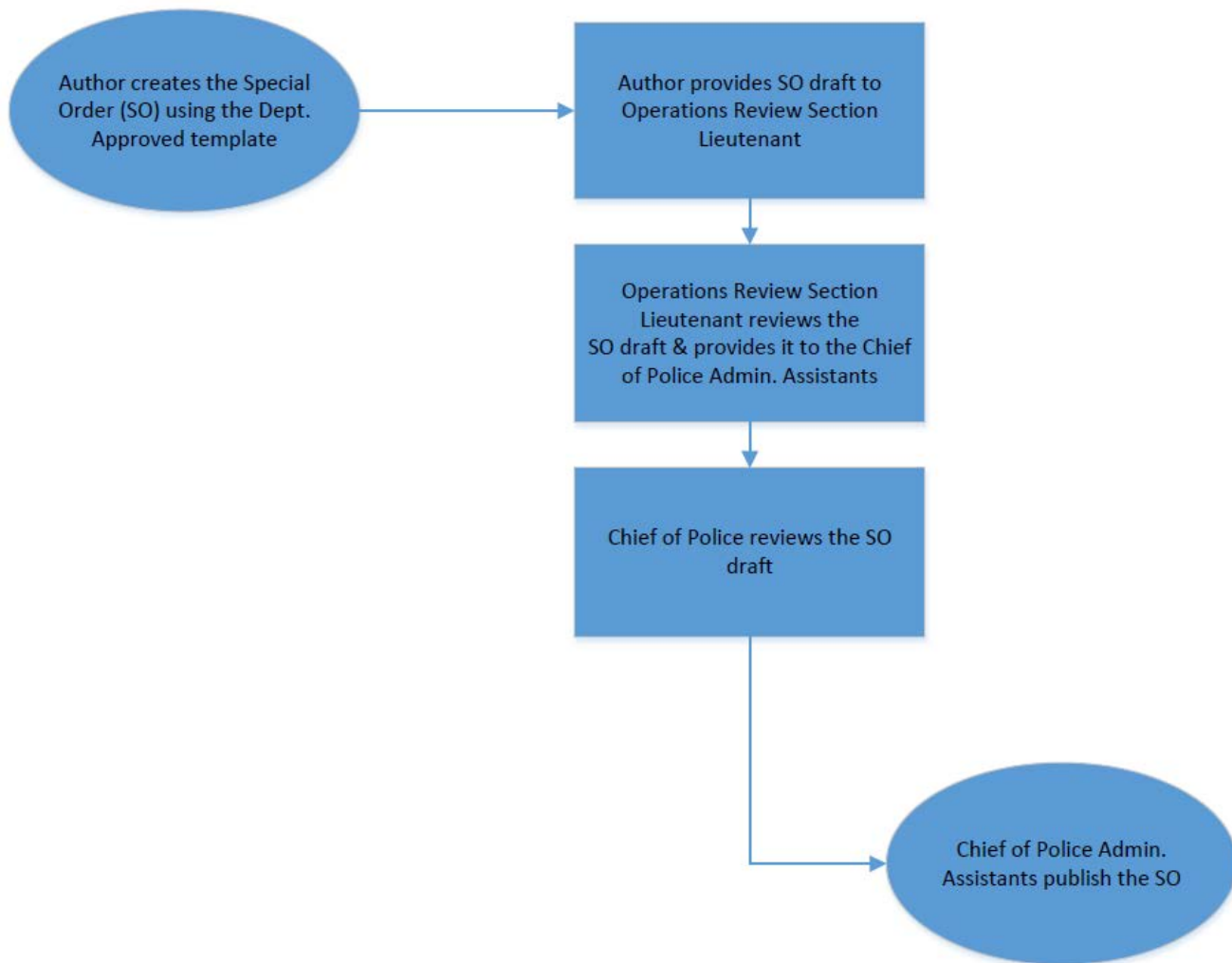
Appendix I: Special Order that Does Not Amend or Add to an Existing SOP



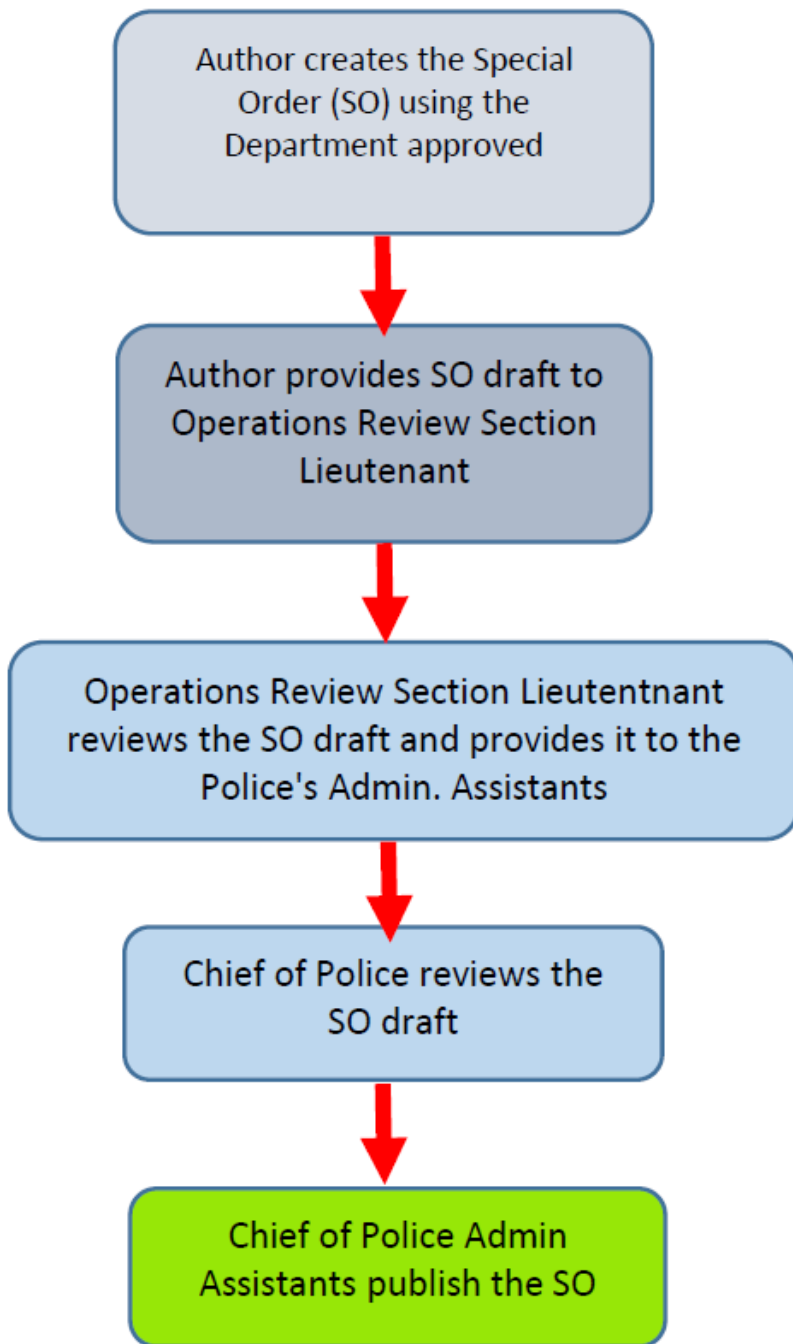
ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-51 (Formerly 3-20)

CPOAB Draft 03/20/2025



REVIEW





Appendix II: Special Order that Amends or Adds to an Existing SOP

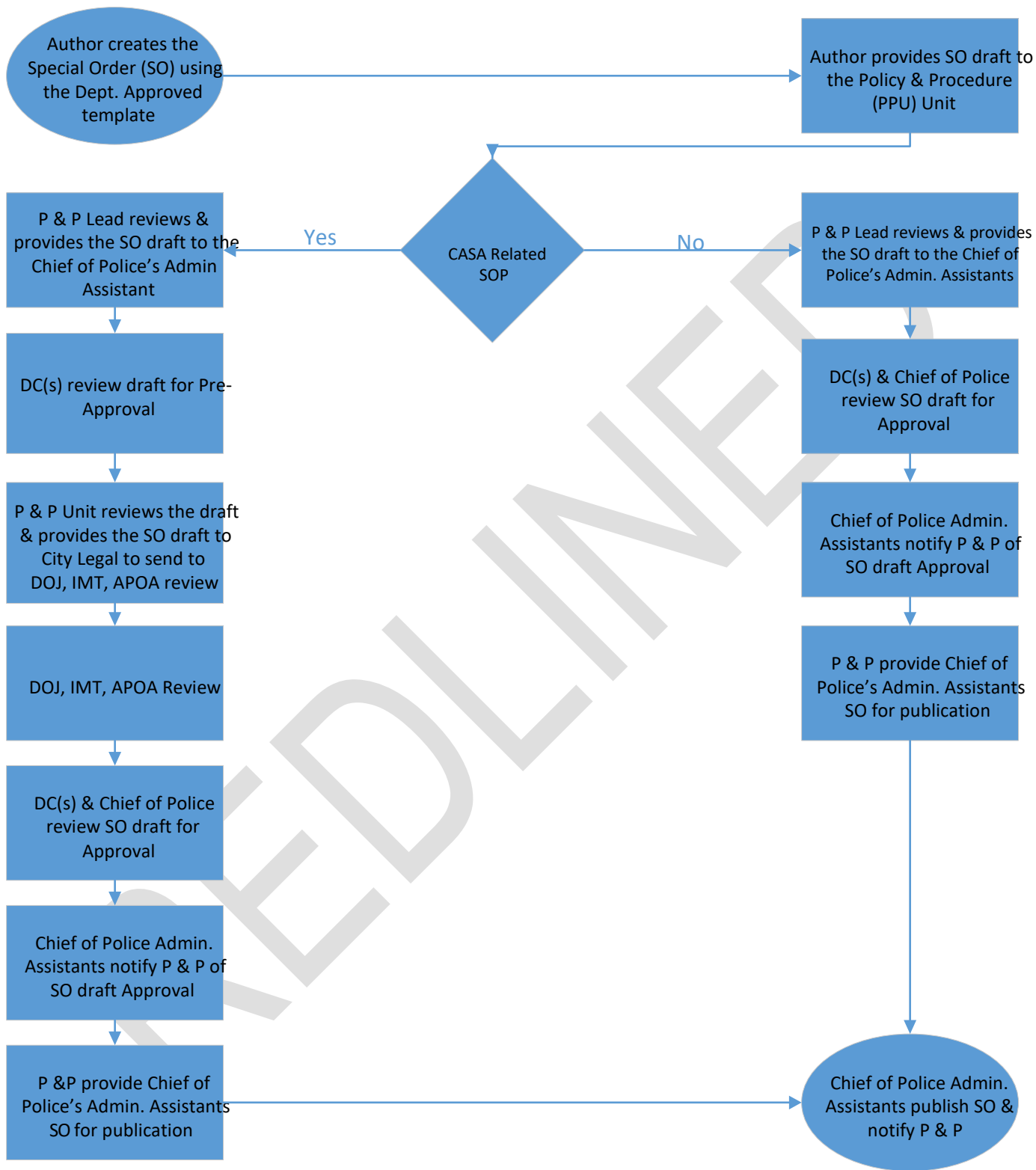
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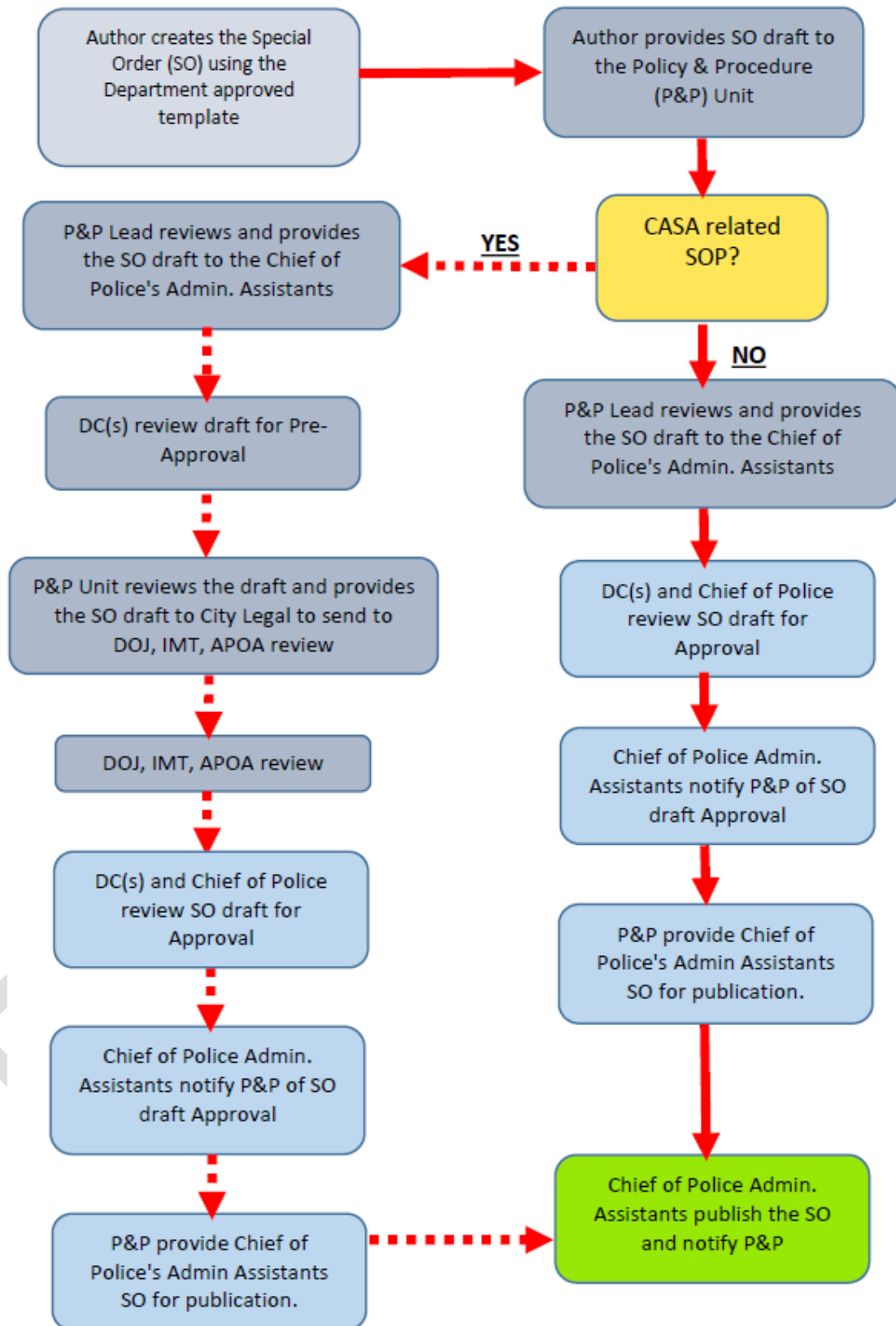




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ADMINISTRATIVE ORDERS

SOP 3-51 (Formerly 3-20)

CPOAB Draft 03/20/2025





ALBUQUERQUE POLICE DEPARTMENT
GENERAL ORDERS

SOP 1-2 (Formerly 1-44)

Effective: 10/15/2024 Review: 10/15/2025 Replaces: 08/15/2023

1-2 SOCIAL MEDIA

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

A. Related SOP(s)

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

B. Form(s)

None

C. Other Resource(s)

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

D. Rescinded Special Order(s)

None

1-2-1 Purpose

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

1-2-2 Policy

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

N/A 1-2-3 Definitions

A. Concerted Activity

The right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their choosing, and to engage in other concerted activities for collective bargaining or other mutual aid or protection, as well as the right to refrain from any or all such activities (Refer to the Public Employee Bargaining Act).



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B. Pornography

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

C. Protected Classes

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

D. Public Domain

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

E. Social Media

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

F. Substantive Speech

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

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1-2-4 Rules and Responsibilities

A. Permitted Social Media Use

1. Department personnel may speak out on issues of public concern when acting as a private person. Department personnel are encouraged to include a disclaimer when feasible, if they are commenting on City business in their personal capacity and state that the comments represent their own opinions and do not represent those of the City.
2. If social media use can be associated or identified as relating to the Department or its personnel, that use shall conform to the Department's mission statement, as well as the Department's values and code of conduct. Individual Department personnel shall be responsible for assessing potential social media content to



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ensure that it contributes to the values of the Department and neither could nor tend to cause harm or disruption to the mission and function of the Department. For any questions regarding the suitability of social media content, Department personnel shall contact their chain of command, and the Public Information Officer (PIO), in writing, prior to any social media posts.

3. It is not possible to list every possible permitted use; therefore, Department personnel shall contact their chain of command, as well as the PIO, in writing, when they have questions about speech that may violate this Standard Operating Procedure (SOP). Examples of permissible social media uses include, but are not limited to:
 - a. Concerted activity;
 - b. Politics, unless otherwise prohibited;
 - c. Social issues, unless otherwise prohibited;
 - d. Personal issues, unless otherwise prohibited;
 - e. Viewing legal content, adult or otherwise; or
 - f. Linking to and or re-posting content unless otherwise prohibited.
4. Department personnel are permitted to administer a Department-authorized website (Refer to SOP Use of Computer Systems, SOP Personnel Code of Conduct, and City of Albuquerque Administrative Instruction Number 2-25 Social Media Policy regarding restrictions on using social media during work hours or using Department-issued equipment for social media).
5. Department personnel are permitted to upload, display, and or distribute on social media photographs of themselves in uniform or display official Department identification, as long as the photographs do not reflect behavior that is otherwise prohibited while on duty or that violates SOP Personnel Code of Conduct.
- 5 6. Department personnel intentionally creating the impression that the employee is a spokesperson of the Department without permission of the PIO is prohibited.
7. Only when necessary during official investigations may content be posted that would otherwise violate this SOP. Permissive uses for investigative units may include, but are not limited to:
 - a. Internet Crimes Against Children;
 - b. Child Exploitation Detail;
 - c. Narcotics Section;
 - d. Tactical Section;
 - e. Gang Unit; and
 - f. Intelligence investigations.



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B. Prohibited Social Media Use

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

1-3

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

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vii. Revealing the identities or displaying photographs of Department personnel who work in an undercover or covert capacity to non-employees of the Department;

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

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

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

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

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

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

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

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

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C. Department Authorized Social Media Use

1. Department personnel approved to run or administer a Department-authorized social media site and speak on behalf of the Department are reminded that the First Amendment does not protect their speech. Therefore, due diligence and coordination with the PIO should take place before releasing any information. All Department-authorized social media use shall comply with City of Albuquerque Administrative Instruction Number 2-25 Social Media Policy.

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

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

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

a. Include an introductory statement specifying the purpose and scope of the website;

b. Contain a link to the Department's official website;



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- c. Provide contact information for the website's administrator;
- d. Not promote products or political candidates;
- e. Comply with all restrictions in this SOP; and
- f. Comply with all federal, state, and local laws.



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SOP 1-11

Effective: 04/12/2024 Review: 10/12/2024 Replaces: N/A

1-11 TRANSIT SAFETY SECTION (TSS)

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

A. Related SOP(s)

[2-1 Uniforms \(Formerly 2-06\)](#)

[2-8 Use of On-Body Recording Devices \(Formerly 1-39\)](#)

[2-16 Reports \(Formerly 1-05\)](#)

[2-46 Response to Traffic Crashes](#)

[2-106 Lost and Found Government-Issued Identification Cards and Driver's Licenses \(Formerly 3-21 and 4-27\)](#)

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

1-11-1 Purpose

The purpose of this policy is to outline the job duties and responsibilities of the Albuquerque Police Department (Department) Transit Safety Section (TSS).

1-11-2 Policy

It is the policy of the Department for the TSS to provide security services for assigned City transit facilities and infrastructure, including vehicles and equipment, and to protect from unlawful intrusion and criminal acts and ensure public safety.

N/A 1-11-3 Definitions

A. Sleeping Individual

An individual who is considered sleeping and unresponsive due to possible intoxication, substance abuse, and/or unknown medical issues.

7 1-11-4 Training

A. A TSS Officer shall:



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1. Complete the City of Albuquerque TSS screening process and any other required examinations as determined by Background Investigations Unit personnel; and
2. Participate in pre-service training conducted by Academy Division personnel.

7 1-11-5 **General Responsibilities**

6 A. A TSS Supervisor shall:

1. Supervise, coordinate, and monitor the daily work activities of an assigned shift in the TSS;
2. Ensure the TSS personnel report for duty at the time and place required by assignment or order;
3. Be physically and mentally fit to perform their duties;
4. Be required to maintain adequate staffing levels for basic TSS operations;
5. On a weekly basis, ensure that TSS Sergeants review when TSS personnel are on scheduled leave to determine whether overtime is necessary to maintain adequate staffing levels;
6. Ensure that TSS personnel are in a serviceable uniform with all Department-issued duty belt equipment and On-Body Recording Devices (OBRD) so they may immediately assume their duties, in accordance with SOP Uniforms;
7. Conduct a briefing with TSS personnel and communicate necessary Department information and safety instructions, including pertinent information that needs to be relayed from prior shifts; and
8. Ensure that assigned vehicles are inspected and that the Transit Safety Daily Inspection Log is completed at the beginning and end of each shift.

B. A TSS Officer shall:

1. Provide transit security services for assigned City transit facilities and infrastructure, including vehicles and equipment;
2. Conduct periodic watches at transit stops and infrastructure;
3. Conduct safety patrols as assigned;
4. Provide crowd and traffic control as needed in and around City transit property and vehicles;



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5. Respond to calls for service and reports of crimes in progress;
6. Call for emergency medical services or police services as needed;
7. Assist law enforcement agencies as needed;
8. Conduct preliminary investigations to determine if a crime has been committed and determine whether further action is warranted;
9. Document incidents and prepare reports, in accordance with SOP Reports;
10. Receive and document all lost and found articles;
11. Assist citizens as needed;
12. Be physically and mentally fit to perform their duties; and
13. Perform any other duties as directed by a supervisor.

7 1-11-6 **Assisting With Calls For Service**

A. Response to Traffic Crashes Involving City Busses or Sun Vans

1. TSS personnel shall:

- a. Investigate traffic crashes involving City transit busses or Sun Vans;
 - i. If the TSS personnel identifies elements or contributing factors that appear to be criminal in nature, they shall discontinue their investigation and request for sworn personnel to assist with their investigation and/or to transfer investigative responsibility potentially.
- b. Investigate crashes on private property consistent with the requirements outlined in SOP Response to Traffic Crashes;
 - i. If the TSS personnel identifies elements or contributing factors that appear to be criminal in nature, they shall discontinue their investigation and request for sworn personnel to assist with their investigation and/or to transfer investigative responsibility potentially.
- c. Assist sworn personnel at the scene of traffic crashes that involve injuries and fatal crashes by:
 - i. Securing the scene;
 - ii. Directing and controlling traffic;
 - iii. Locating and obtaining witnesses;
 - iv. Completing tow-in reports;
 - v. Tagging evidence; and
 - vi. Any other assistance as directed by a supervisor.
- d. If necessary, TSS personnel may function as the primary responding employee for traffic crashes that involve injuries when:

N/A



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- i. Sworn personnel are unable to respond to the crash in a timely manner;
 1. If no sworn personnel are available to respond, an on-duty supervisor may authorize the TSS personnel to be the primary responding employee on the traffic crash.
 2. If any person(s) is medically transported, the TSS personnel shall notify the on-duty supervisor of the reason for the medical transport and the category/severity of the injuries.
- ii. No injuries are sustained from the traffic crash, or the injured person signed a medical waiver with Albuquerque Fire Rescue (AFR); or
 1. If the person signed a waiver, the TSS personnel shall notify the supervisor and request to change the call type to a traffic crash with no injuries.
- iii. When a traffic crash contains elements or contributing factors that appear to be criminal in nature.
 1. The TSS personnel shall stop the investigation and request sworn personnel to assist and potentially turn over the investigation.

2. Hit and Run Crashes

N/A

- a. TSS personnel may be dispatched as primary responding personnel where there is no indication of an individual on-scene or in the area.
- b. When responding to a hit-and-run crash, TSS personnel shall take the proper investigative measures to ensure that all information that is known about the individual is collected.
- c. In the event the provided vehicle information matches the registered vehicle description, sworn personnel shall be dispatched to assist with the follow-up investigation, in accordance with SOP Response to Traffic Crashes.

B. Abandoned Vehicles on Public or City Property

1. Before placing an abandoned vehicle sticker on the vehicle, TSS personnel shall determine whether the vehicle is abandoned by confirming that:
 - a. The vehicle is parked on or along any street, alley, or public way and does not display a current license plate;
 - b. The vehicle was left unattended on or along any street, alley, or public way in the same place for thirty-six (36) hours; or
 - c. The vehicle is violating a parking ordinance.
 - i. TSS personnel shall issue appropriate citation(s).
2. When the owner cannot be contacted or refuses to move the vehicle, TSS personnel shall complete an Abandoned Vehicle Notification and place an abandoned vehicle sticker on the vehicle.
 - a. TSS personnel shall complete an Abandoned Vehicle Notification in the Records Management System (RMS) and notify the Emergency Communications Center (ECC).



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- b. When practical, the TSS personnel who prepared the abandoned vehicle sticker shall be the same employee who has the vehicle towed.
 - c. After seven (7) days from placing the abandoned vehicle sticker, TSS personnel may have the vehicle towed.
 - i. TSS personnel shall obtain permission from a TSS supervisor, or an on-duty Field Services Bureau (FSB) supervisor before having the vehicle towed.
 - d. When the abandoned vehicle is being towed, TSS personnel shall complete a Tow-In Report, Towed Vehicle Notification, and a Uniform Incident Report, and shall issue the appropriate citation(s).
 - e. If notice is received from the City Hearing Officer that the registered owner contests the action, TSS personnel shall not have the vehicle towed until the City Hearing Officer decides how to proceed.
3. When a vehicle is abandoned on a public roadway and causing a traffic hazard, TSS personnel shall ensure the vehicle is removed from the roadway after receiving authorization from a TSS supervisor or an FSB supervisor.
- a. TSS personnel shall stand by for a minimum of thirty (30) minutes from the time the call was created to see if the owner returns.
 - i. If the owner returns, TSS personnel shall assist the motorist with removing the vehicle from the roadway.
 - ii. If the owner does not return after thirty (30) minutes, TSS personnel shall issue the appropriate citation(s) and have the vehicle towed.
4. TSS personnel shall not tow vehicles that have been abandoned on private property.
- a. TSS personnel are encouraged to make referrals to City of Albuquerque Zoning personnel.
5. Parking Enforcement
- a. TSS personnel shall be responsible for enforcing parking violations on Transit Department property.
- C. Calls for Service for Vandalism or Larceny and Periodic Watches
- 1. TSS personnel may be dispatched as the primary responding personnel for vandalism or larceny calls for service at Transit sites where there is no indication of an individual on-scene or in the area.
 - 2. TSS personnel may take initial vandalism or larceny calls for service.
 - 3. TSS personnel shall determine whether the incident is a felony or a misdemeanor.
 - a. If TSS personnel determine that the incident is a misdemeanor, they shall complete a Uniform Incident Report.

N/A

N/A



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- i. If any potential leads develop, TSS personnel shall obtain the individual's information and forward it to their direct supervisor to provide to sworn personnel to conduct a follow-up investigation.
- b. If the incident is determined to be a felony, TSS personnel shall take the initial call for service, collect any viable individual information or leads, and forward it to the appropriate impact team for follow-up investigation.

4. TSS personnel shall conduct periodic watches on Transit facilities.

D. Found Items

1. TSS personnel shall:
 - a. Pick up found items;
 - b. Complete a Uniform Incident Report; and
 - c. Make a reasonable effort to contact the rightful owner of the recovered property.
 - i. If an owner is not located, TSS personnel shall tag the property into evidence before the end of their shift, in accordance with SOP Lost and Found Government-Issued Identification Cards and Driver's Licenses.

E. Response to Sleeping Individuals

N/A

1. TSS personnel may be dispatched to a call for service involving a sleeping individual (39-6) where the only reason for the call is that the individual is sleeping or otherwise down and non-responsive due to intoxication.
2. TSS personnel shall handle calls for service in accordance with their training and this SOP.
3. Supervisors and ECC dispatchers shall review calls for service to ensure the safety of TSS personnel, and if requested by TSS personnel, an officer shall be dispatched to assist.
4. If TSS personnel find a suspicious situation, a disorder, or the individual becomes disorderly, they shall move to a safe distance or away from the area, notify the ECC, and request an officer.
5. If the call has the possibility of containing criminal elements/activity, TSS personnel shall request for an officer to assist and potentially turn over the investigation.
6. When TSS personnel are unavailable, or a call for service is outside the Rapid Transit's service area, ECC dispatchers shall dispatch a Police Service Aide (PSA).
 - a. If no PSAs are available, sworn personnel shall be dispatched.

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F. Calls for Service Not Handled by TSS Personnel



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1. TSS personnel shall not respond to the following types of calls for service unless they have been directed to do so and after the scene has been secured by an FSB supervisor or sworn personnel:
 - a. To assist sworn personnel;
 - b. Police vehicle pursuits;
 - c. Any crime that is in progress where an individual may be present;
 - d. Suspicious/unattended deaths;
 - e. To assist sworn personnel who are involved in a foot pursuit; or
 - f. Welfare check on emotionally disturbed persons who are displaying indications of violent behavior.

2. TSS personnel shall not:
 - a. Engage in self-initiated traffic stops or follow traffic violators;
 - b. Be used to arrest or assist with an arrest, including searching any person for any reason;
 - c. Be used to stand by or guard individuals; or
 - d. Actively pursue investigative leads that potentially lead to physical contact with an individual.

6 1-11-7 **Crimes Committed in the Presence of TSS Personnel in Public**

- A. TSS personnel do not have the authority to arrest; however, due to the scope of the job and interaction with the public, crimes may be committed in the presence of TSS personnel. TSS personnel shall complete the following procedures to avoid violating any constitutional rights of community members:

- 5**
 1. TSS personnel and supervisors shall only intervene if the situation requires contact based on physical danger to themselves, physical danger to the public, physical danger to community members or Department sworn personnel;
 2. TSS personnel shall transmit through their radio information on the crime being committed, the location where the crime is being committed, a description of the individual(s) involved, and a request for sworn personnel to respond to the scene; and
 3. If the situation requires TSS personnel to immediately make physical contact with the individual based on the threat of harm to themselves or the threat of physical harm to the public, they shall transmit through their radio that they are physically engaging the individual and request immediate backup from sworn personnel.



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-7 (Formerly 2-02)

Effective: 04/01/2025 Review: 04/01/2026 Replaces: 02/26/2024

2-7 DAMAGE TO CIVILIAN PROPERTY

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

A. Related SOP(s)

[1-35 Crime Scene Specialists \(CSS\) Unit \(Formerly 5-8\)](#)

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-7-1 Purpose

The purpose of this policy is to outline the procedures for Albuquerque Police Department (Department) personnel when they damage civilian property or commercial buildings in the course of their official duties.

2-7-2 Policy

It is the policy of the Department to document when Department personnel damage civilian property or commercial buildings during the course of their official duties.

N/A 2-7-3 Definitions

A. Civilian Property

Personal property or real property belonging to a community member.

7 2-7-4 Procedures

N/A A. Civilian property may include, but not limited to:

1. Backpacks;
2. Cell phones;
3. Purses;



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4. Residential property, including, but not limited to, doors, gates, and fences;
5. Wallets; or
6. Vehicles.

B. When Department personnel damage civilian property, they shall:

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1. Complete a Uniform Incident Report documenting the damage;
 - a. If the primary officer caused the damage, they shall document the information in their Uniform Incident Report.
 - b. If another officer caused the damage, they shall document the information in a Supplemental Report.

N/A

2. Request the Emergency Communications Center (ECC) to dispatch a Crime Scene Specialist (CSS), in accordance with SOP Crime Scene Specialists (CSS) Unit;
 - a. The primary officer or their designee shall remain on-scene until photographs of the damaged items have been taken.
 - b. A supervisor or trained sworn personnel may also take photographs of the damaged property.

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3. Forward a copy of the Uniform Incident Report to the City of Albuquerque's Risk Management Division at riskmgmt@cabq.gov before the end of their next work shift;
 - a. If the incident occurs on the last day of the Department employee's workweek, they shall forward a copy of the Uniform Incident Report to the City's Risk Management Division by the end of their work shift.
4. Provide their name and the case number to the property owner;
5. Provide the Risk Management Division's email address (riskmgmt@cabq.gov) and phone number (505-768-3080) to the property owner; and
6. Advise the property owner that the Risk Management Division will investigate and determine if compensation will be provided for damaged property.

C. ECC personnel shall not dispatch Department personnel to document damage caused by Albuquerque Fire Rescue (AFR).

N/A

1. AFR is responsible for documenting damages that they caused unless the damage was caused at the request of Department personnel.

6

D. When Department personnel cause damage to a residence or commercial building, they shall:



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1. Attempt to contact the owner;
 - a. If contact is established, advise the owner that the Risk Management Division will investigate and determine if compensation will be provided for damaged property.
2. Make a reasonable attempt to secure the residence or commercial building;
3. Contact the ECC and request a periodic watch (10-10) for the location if they are unable to secure the residence or commercial building; and
4. Document the efforts made in the police report.