



1-14 RAPID ACCOUNTABILITY DIVERSION (RAD) PROGRAM

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

None

B. Form(s)

RAD Program Agreement
RAD Program Brochure

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

1-14-1 Purpose

The purpose of this policy to outline the requirements of the Albuquerque Police Department (Department) Rapid Accountability Diversion (RAD) Program, which provides adults and juveniles who are eligible for the RAD Program the opportunity to participate in diversion programs prior to involvement in the court system, thereby reducing the likelihood of recidivism, and also reducing costs to the judicial system, stakeholders, and the Department.

1-14-2 Policy

It is the policy of the Department to facilitate the diversion of eligible individuals from the court system.

N/A

1-14-3 Definitions

A. Pre-Arrest Diversion

An alternative to entry into and prosecution by the court and criminal justice system for individuals in need of behavioral, social, and health interventions.

B. Probation Officer

A government employee, employed by the New Mexico Children, Youth, and Families Department (CYFD) or the New Mexico Corrections Department, responsible for supervising individuals who are on probation through the court. Probation officers include adult probation officers and Juvenile Probation Officers (JPO).



C. Restorative Justice

A means to resolve an act that has caused harm to an individual, family, or other part of the community. This is accomplished by engaging all parties involved to have a say in how to resolve the harm perpetrated. Perpetrators are held accountable and victims have a say in what the consequences will be and how consequences will be handed out.

7 1-14-4 **RAD Program Referral Process**

A. Officer Responsibilities

N/A

1. When an officer comes into contact with an individual who is eligible, the officer may ask the individual if they would rather participate in the RAD Program, as opposed to proceeding to court.
 - a. The officer shall check the National Crime Information Center (NCIC) to determine whether the individual has an active warrant. If there is an outstanding warrant, the individual is ineligible to participate in the RAD Program.
 - b. The officer shall check the Rapid Accountability Diversion (RAD) Program tab on APDWeb/Protopage to determine whether the individual is eligible.
2. When the officer offers the opportunity for an individual to participate in the RAD Program, the officer shall ensure that the individual is not in handcuffs or under arrest.
 - a. If the individual denies participating in the RAD Program, the officer shall take the appropriate enforcement action (e.g., citation or summons).
 - b. If the individual agrees to participate in the RAD Program, the officer shall:
 - i. Have the individual sign the RAD Program Agreement in the RAD Program Brochure as confirmation that they agree to participate in the RAD Program;
 - ii. Provide the individual with the RAD Program Brochure;
 - iii. Gather and document the individual's current mailing address, phone number, and email address;
 - iv. Complete a Uniform Incident Report and designate the individual as "Interviewed" or "Other";
 - v. Within forty-eight (48) hours of completing the Uniform Incident Report, send it to the Program Director by emailing it to RADProgram@cabq.gov; and
 - vi. Document in the narrative that the report was forwarded to the RAD Program. The documentation shall include the name of the individual who is referred to the RAD Program.
3. Upon notification by the Program Director that the individual is ineligible for the RAD Program or failed to complete the RAD Program, the officer shall complete a



supplemental report designating the individual as “Suspect” or “Summoned” and take appropriate enforcement action.

4. Nothing outlined in this Standard Operating Procedure (SOP) shall remove an officer’s discretion from issuing a verbal warning, citation, summons, other diversion programs, or arrest, even when not offering participation in the RAD Program.

B. Program Director Responsibilities

1. General Responsibilities

- a. The Program Director shall:
 - i. Make recommendations to the Chief of Police regarding eligible offenses and individuals based on research and data. The Chief of Police shall determine the eligible offenses and individuals;
 - ii. Ensure that sworn personnel are regularly advised regarding eligible offenses and individuals. The Program Director shall publish such criteria on the APDWeb/Protopage and by all other means reasonably calculated to inform sworn personnel of the criteria;
 - iii. Respond to the Chief of Police or their designee;
 - iv. Manage the RAD Program by ensuring eligible referrals receive appropriate diversion opportunities in an attempt to provide guidance and reduce recidivism;
 - v. Foster positive relationships with the community to include other law enforcement entities, other City Departments, non-profit organizations, and those within the community that may assist in furthering the mission of reducing recidivism through diversion;
 - vi. Provide training and education for Department personnel and community members in order to educate them about the benefits of Restorative Justice and how they can be involved; and
 - vii. Develop and maintain a database of relevant diversion program providers.

2. Relevant Diversion Programs

- a. The Program Director will develop relevant diversion programs.

3. Management of Program Candidates

- a. The Program Director shall:
 - i. Check the RAD Program email account for referrals each business day;
 - ii. Check the RAD Program database and eligibility criteria to determine whether the candidate is eligible to participate in the program;
 1. Within five (5) business days of receiving the referral, if the candidate is ineligible:
 - A. Notify the officer that the candidate is ineligible by email; and



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4. Recidivism;
 5. Race;
 6. Gender;
 7. Ethnicity;
 8. Age;
 9. Activities;
 10. Specific programs; and
 11. Crime.
- iii. Every six (6) months, request the Violence Intervention Program (VIP) Data Analyst or Real Time Crime Center (RTCC) Data Analyst to determine recidivism for candidates who completed and failed to complete the RAD Program within the last three (3) years.

REDLINED



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7 1-14-4 **RAD Program Referral Process**

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 - a. The officer shall check the National Crime Information Center (NCIC) to determine whether the individual has an active warrant. If there is an outstanding warrant, the individual is ineligible to participate in the RAD Program.
 - b. The officer shall check the Rapid Accountability Diversion (RAD) Program tab on APDWeb/Protopage to determine whether the individual is eligible.
2. When the officer offers the opportunity for an individual to participate in the RAD Program, the officer shall ensure that the individual is not in handcuffs or under arrest.
 - a. If the individual denies participating in the RAD Program, the officer shall take the appropriate enforcement action (e.g., citation or summons).
 - b. If the individual agrees to participate in the RAD Program, the officer shall:
 - i. Have the individual sign the RAD Program Agreement in the RAD Program Brochure as confirmation that they agree to participate in the RAD Program;
 - ii. Provide the individual with the RAD Program Brochure;
 - iii. Gather and document the individual's current mailing address, phone number, and email address;
 - iv. Complete a Uniform Incident Report and designate the individual as "Interviewed" or "Other";
 - v. Within forty-eight (48) hours of completing the Uniform Incident Report, send it to the Program Director by emailing it to RADProgram@cabq.gov; and
 - vi. Document in the narrative that the report was forwarded to the RAD Program. The documentation shall include the name of the individual who is referred to the RAD Program.



3. Upon notification by the Program Director that the individual is ineligible for the RAD Program or failed to complete the RAD Program, the officer shall complete a supplemental report designating the individual as "Suspect" or "Summoned" and take appropriate enforcement action.
4. Nothing outlined in this Standard Operating Procedure (SOP) shall remove an officer's discretion from issuing a verbal warning, citation, summons, other diversion programs, or arrest, even when not offering participation in the RAD Program.

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 - iii. Respond to the Chief of Police or their designee;
 - iv. Manage the RAD Program by ensuring eligible referrals receive appropriate diversion opportunities in an attempt to provide guidance and reduce recidivism;
 - v. Foster positive relationships with the community to include other law enforcement entities, other City Departments, non-profit organizations, and those within the community that may assist in furthering the mission of reducing recidivism through diversion;
 - vi. Provide training and education for Department personnel and community members in order to educate them about the benefits of Restorative Justice and how they can be involved; and
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2. Relevant Diversion Programs

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3. Management of Program Candidates

- a. The Program Director shall:
 - i. Check the RAD Program email account for referrals each business day;
 - ii. Check the RAD Program database and eligibility criteria to determine whether the candidate is eligible to participate in the program;
 1. Within five (5) business days of receiving the referral, if the candidate is ineligible:



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- A. Notify the officer that the candidate is ineligible by email; and
 - B. Notify ineligible candidates by email and/or mail that they are ineligible for the RAD Program and a summons may be filed with the court for the criminal charge.
 2. Within the five (5) business days of receiving the referral, if the candidate is eligible:
 - A. Determine which diversion program is best suited for the candidate;
 - B. Notify the officer by email that the candidate is eligible; and
 - C. Notify the eligible candidate that they are eligible to participate in the RAD Program and notifying them of the event dates, times, locations, and required actions.
 - iii. If the candidate is eligible for participation in the RAD Program, enroll the candidate in the relevant diversion program; and
 - iv. If the candidate is a juvenile, before the juvenile begins the program, obtain written permission from the juvenile's guardian for the juvenile candidate to participate in the program.
 1. The juvenile candidate is not eligible without guardian permission. The Program Director will follow the procedures for ineligible candidates.
4. RAD Program Completion
 - a. The Program Director shall track RAD Program candidate completion.
 - i. If the candidate does not complete the RAD Program requirements, the Program Director shall:
 1. Document the failure to complete the program, and the reason for the failure to complete the program, if known;
 2. Notify the officer by email that the candidate failed to complete the requirements of the program. The Program Director shall include:
 - A. The reason for the failure to complete the program, if known, in the notice to the officer; and
 - B. Instructions to revise the Uniform Incident Report and to complete a summons.
 3. Notify the candidate who failed to complete the program by email and/or mail that a summons may be filed with the court for the criminal charge.
 - ii. If the candidate completes the RAD Program requirements, the Program Director shall notify the candidate and officer by email and/or mail that they have successfully completed the RAD Program.
5. RAD Program Data Analysis
 - a. The Program Director shall:
 - i. Track, document, and maintain RAD Program data;
 - ii. Provide the collected data to the Chief of Police or their designee on a quarterly basis. The data will include, but are not limited to, the following variables:
 1. Referral intake;
 2. Program completion;



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3. Program incompleteness;
 4. Recidivism;
 5. Race;
 6. Gender;
 7. Ethnicity;
 8. Age;
 9. Activities;
 10. Specific programs; and
 11. Crime.
- iii. Every six (6) months, request the Violence Intervention Program (VIP) Data Analyst or Real Time Crime Center (RTCC) Data Analyst to determine recidivism for candidates who completed and failed to complete the RAD Program within the last three (3) years.

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