



1-61 Internal Affairs Force Division

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1-61-1 Purpose

The purpose of this policy is to outline the functions and responsibilities of the Internal Affairs Force Division (IAFD).

1-61-2 Policy

It is the policy of the Department for IAFD to conduct administrative investigations for level 2 and level 3 use of force, or any other investigation assigned by the Chief of Police. IAFD shall thoroughly and objectively identify, document, investigate, and recommend discipline pursuant to policy for all policy, training, tactical, equipment, and supervisory deficiencies.

1-61-3 Definitions

A. Apparent Criminal Misconduct

An act or omission that violates United States or New Mexico criminal statutes, with the exception of minor traffic violations pursuant to NMSA Section 66-7-1 et seq., but including driving while intoxicated (DWI), reckless driving, leaving the scene of an accident, and vehicular homicide. Parking violations are not apparent criminal misconduct.

B. Assisting Officer



An officer who touches an individual and does not use force.

C. Collateral Allegation

An issue of concern that arises during an investigation that was not identified as a complaint during the initial review of an incident. A collateral allegation can be misconduct, policy deficiency, equipment issues, and/or training issues.

D. Force Investigation Section (FIS)

The section of detectives responsible for investigating use of force.

E. Individual

For purposes of this policy, an individual is defined as the person on whom force and/or a show of force was applied.

F. Internal Affairs Tracking Data Base (IA Tracking Database)

A data warehouse designed for the Department to track, analyze, and maintain internal investigations, early intervention systems, and uses of force.

G. Involved Officer

The officer or supervisor who ordered, used, participated in, directed, or influenced the use of force.

H. Public Safety Statement (PSS)

A series of questions formulated to secure aid for the injured and to provide for the safety of the public and responding officers in situations where there is a death of an individual or a critical firearms discharge. These questions will be asked by the first non-involved supervisor to arrive on the scene. The supervisor will ask only the following five questions and will not deviate from them. Additionally, the involved officer answering the questions shall provide only information relevant to the questions and shall avoid elaborating on his or her answers. These are the five questions:

1. If you know of anyone who is injured, what is their location?



2. If you know of any outstanding suspects, what is their description and direction of travel?
3. Do you know of any other risk to the safety of the public or to the other officers as a result of the incident?
4. Are you aware of any evidence that needs to be protected?
5. Are you aware of any witnesses who need to be located?

I. Witness Officer

An officer (including supervisors) who did not participate in or directly use force or show force, but who did observe the use of force while on the scene.

J. Video Reviewer

A civilian employee of the Department or a City of Albuquerque contracted employee who has successfully completed the VRU training module and is assigned to the IAFD VRU.

1-61-4 Rules and Responsibilities

A. Responsibilities

1. FIS personnel will respond to and will investigate:
 - a. All level 2 and 3 use of force incidents;
 - b. Level 1 use of force where the responding supervisor or their chain of command believe the use of force could have been criminal; and
 - c. Any level 1 use of force re-assigned by the Chief of Police to IAFD.

B. Rules

1. In conducting a use of force investigation, FIS personnel will identify, properly refer, or investigate the following concerns:
 - a. Policy violations;
 - b. Policy deficiencies;
 - c. Training deficiencies;
 - d. Tactics issues;
 - e. Equipment problems; or



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- f. Supervisory deficiencies.
2. When FIS personnel identify apparent criminal misconduct or actions that could be criminal, FIS personnel will notify Internal Affairs Professional Standards (IAPS) in order to track the referral. The referral will then be sent to the Criminal Investigations Division (CID). The CID supports IAFD by conducting criminal investigations in order to keep them separate from IAFD's administrative investigations.
 - a. Interviews of Department personnel who were identified in the referral will not be conducted by FIS personnel until after consultation with the proper prosecuting authority and the Chief of Police.
3. When a policy violation is identified in a use of force investigation:
 - a. The case will be assigned to a FIS detective as soon as practicable, no later than 10 working days from the date the policy violation was identified. The FIS detective will request a misconduct investigation from IAPS as soon as possible, but no later than 7 working days after assignment of an investigation.
 - b. Misconduct investigative timelines will be consistent with SOP – Complaints Involving Department Policy or Personnel.
 - c. Any criminal investigation shall remain separate from and independent of the administrative investigation into the use of force.
 - i. Compelled statements from Department personnel shall not be provided to criminal investigators.
4. FIS personnel will complete investigations within three months after being informed of the use of force.
 - a. Consistent with SOP – Use of Force: Review and Investigation by Department Personnel, within 60 calendar days the FIS detective will complete their use of force investigation and a FIS Sergeant will complete their review of the investigation. The investigation period will be considered complete once the Sergeant forwards the investigation to a FIS Lieutenant.
 - i. The FIS personnel is responsible for requesting an extension when necessary.
 - ii. The extension shall be requested using the Department's IA Tracking Database. The extension shall be no more than 30 days and will be approved by the IAFD commanding officer through consultation with the Chief of Police.



- b. The chain of command will have 30 days to review the investigation after the FIS Sergeant forwards the report to a FIS Lieutenant.
 - i. The FIS Lieutenant shall forward the use of force investigation to the commanding officer of IAFD within 15 days of receiving the investigation.
 - ii. The IAFD commanding officer shall complete the final review of the use of force investigation within 15 calendar days.
5. FIS personnel will complete an extension request through the Department's IA Tracking Database. No extension shall exceed 14 calendar days. The IAFD Commander, through consultation with the Chief of Police, will approve a request for an extension if appropriate.

1-61-5 Notification of FIS Personnel

- A. The primary on-call FIS supervisor should be contacted by dispatch. If the primary on-call supervisor cannot be reached, dispatch will contact the secondary supervisor on-call.
- B. The FIS Supervisor will make contact with the on-scene supervisor. Once the on-scene supervisor classifies an incident as a level 2, level 3, or articulates that a level 1 could have been a criminal application of force, the FIS supervisor will send at least one (1) on-call FIS detective.
- C. If dispatch notifies the FIS supervisor of an officer-involved shooting, a critical firearm discharge, or an in-custody death where any force was used, the FIS supervisor, the secondary supervisor, and at least one (1) FIS detective will respond to the scene.

1-61-6 On-scene Investigations

- A. FIS response to use of force investigations shall be consistent with SOP Use of Force: Review and Investigation by Department Personnel.
- B. For all Level 2 and 3 use of force investigations, FIS personnel shall complete an initial use of force data report. FIS personnel will submit the notification through the chain of command to the Chief of Police using the Department's IA Tracking Database as soon as possible, but no later than twenty-four (24) hours, after the use of force.
- C. When responding to use of force incidents where the Multi-Agency Task Force (MATF) is doing an on-scene investigation, the Primary and Secondary FIS supervisors and a FIS detective will respond to the scene.



1. FIS personnel shall be responsible for issuing written admonishments to any involved officer(s) and any witness officer(s) prior to the completion of the on-scene investigation.
2. FIS personnel shall attend the administrative briefing conducted by MATF personnel or their designee.
3. FIS personnel shall remain on-scene until the involved officer(s) leaves the scene, and the executive staff or FIS supervisor approves them to leave.

1-61-7 Level 2 and Level 3 Investigation Procedures

- A. FIS personnel investigation procedures for a use of force investigation shall be consistent with SOP- Use of Force: Review and Investigation by Department Personnel.
 1. FIS personnel will decide on-scene whether a written or recorded use of force narrative is appropriate.
 - a. Written narratives will be appropriate in most level 2 and level 3 use of force investigations except Officer Involved Shootings (OIS), death of an individual when any level of force is used, and when the application of force could be criminal.
 - b. Recorded narratives will be conducted in a timely manner when a written narrative is not conducted. The period of time will be after 48 hours but no later than 2 weeks.
 2. Officers involved in an OIS may choose to give a voluntary statement to MATF detectives. Witness officers will give a statement to MATF detectives. FIS Detectives may adopt the statement provided to MATF detectives.
 - a. When a voluntary statement is provided by the involved officer, FIS Detectives will get access to the recording and transcript. FIS detectives will evaluate the statement to ensure it meets all the requirements for a use of force narrative consistent with SOP – Use of Force: Reporting by Department Personnel requirements. FIS detectives may complete additional interviews to ensure any details not covered in the original interview are addressed.

1-61-8 Administrative Review

- A. The IAFD commanding officer shall:



1. Have the authority from the Chief of Police to approve extensions for use of force investigations assigned to the FIS;
2. Ensure the completeness, accuracy, and timeliness, of IAFD investigations and documentation;
3. Order additional investigation when there is relevant evidence that may assist in resolving inconsistencies, or that may improve the reliability or credibility of the findings, or where there is evidence of a collateral allegation falling under the purview of IAFD;
4. Take appropriate action to address inadequately supported determinations. The IAFD Commander or designee may remediate investigative deficiencies by assigning the case for additional investigation or other reasonable action when reviewing completed cases;
5. Ensure Department personnel make notification to the Chief of Police when an investigation identifies apparent or what could be criminal misconduct during a use of force incident investigated by IAFD; and
6. Ensure notification is made to the Chief of Police when there is a serious physical injury to an individual, death of a police officer, critical firearms discharge, or death of an individual that occurs as a result of a use of force.

1-61-9 Training Requirements for FIS Sworn Personnel

A. Required training for IAFD Sworn personnel includes:

1. 40 hours IAFD unit training - Before performing force investigations, FIS personnel shall receive force investigation training that includes, at a minimum, the following areas:
 - a. Force investigation procedures;
 - b. Call-out and investigative protocols;
 - c. Proper roles of on-scene counterparts such as crime scene technicians, the Office of the Medical Investigator, District Attorney staff, the Multi-Agency Task Force, City Attorney staff, and Civilian Police Oversight Agency staff; and
 - d. Investigative equipment and techniques.



2. FIS personnel shall also receive the following force investigation annual in-service training:
 - a. Internal Affairs Training;
 - b. Backlog investigations course;
 - c. Interviewing; and
 - d. On scene investigations.
3. Three training case reviews standardized by IAFD as practice cases for new FIS Personnel.
4. Each FIS detective will go to no less than four call-outs with a FIS mentor prior to being put in an on-call rotation alone.
5. If FIS personnel conduct two or more deficient investigations or reviews, additional training will be conducted as deemed appropriate by the IAFD commanding officer.
6. IAFD FIS shall maintain a handbook for training and guidance for assigned personnel.

1-61-10 Video Review Unit (VRU)

- A. The Department will provide trained video review staff who will view all officer On Body Recording Device (OBRD) videos that are related to a use of force incident and whose mission is to improve the effectiveness and efficiency of use of force investigations. During their reviews, VRU personnel will identify and note any policy, equipment, supervisory, training, or tactical deficiencies. VRU personnel will be assigned within IAFD and will assist investigators on all use of force incidents. VRU personnel will keep track of monthly outputs to include the number of use of force investigations assigned, number of policy, training, equipment, supervisory, or tactical deficiencies discovered, and number of hours spent reviewing videos from each use of force investigation. VRU personnel will complete a Department-certified VRU training module and will abide by the IAFD confidentiality agreement.
- B. Video Reviewer
 1. A video reviewer shall:
 - a. Successfully complete the VRU training module;



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- b. Be issued and maintain a City of Albuquerque e-mail account and an Evidence.com account;
- c. Be assigned to the IAFD VRU, and take OBRD video case responsibility for each Level 2 or Level 3 use of force incident assigned to an IAFD Investigator;
- d. Access and review each involved officer and witness officers' OBRD videos that were generated during the use of force incident;
- e. Complete the IAFD Video Review Form for each use of force incident;
- f. Upon completion of the IAFD Video Review Form, the Video Reviewer shall submit the completed IAFD Video Review Form to the primary investigator (Detective) assigned as case agent over that specific use of force incident; and
- g. Review all other videos as directed by the chain of command.

C. Procedures

1. The VRU shall review all available video associated with a use of force incident for all personnel logged on any relevant CADS for an incident.
2. Any chain of command may request the VRU to view videos from a use of force investigation. The VRU will bookmark sections of the video that could indicate a show of force, use of force, training concerns, tactics, equipment, supervision, policy deficiencies, and/or policy violations. The VRU will not make any determination about any bookmarked section.
 - a. VRU requests may be requested by sending the case number(s) for an investigation by emailing APDVRU@cabq.gov.

D. IAFD Chain of Command Responsibilities

1. When a video reviewer inserts a "bookmark" into a video, the following actions will be taken going up the chain of command within the IAFD:
 - a. The IAFD case agent will review the marked portions of the video and make an assessment as to whether the identified event was within or out of policy.
 - b. The IAFD Sergeant reviewing a submitted case will ensure the markers identified by the IAFD investigator are addressed appropriately.
 - c. The IAFD Lieutenant will ensure proper referrals are made based upon the findings of an event that is out of policy.
 - d. The IAFD Commander will ensure that everyone has taken proper action and fulfilled their roles based on their assignment.

E. Uniforms / Dress Attire



1. VRU personnel will dress in business casual work attire and will have a Department ID card visible at all times during work hours.

3-61-11 Cooperation with the Citizens Police Oversight Agency (CPOA)

IAFD shall provide CPOA staff with reasonable access to IAFD files, documents, reports and other materials that are reasonably necessary for the agency to perform thorough, independent investigations of civilian complaints and reviews of level 3 use of force incidents to include officer-involved shootings.

3-61-12 Annual Reporting

- A. Each year coinciding with this policy's review, the Commanders of IAPS and IAFD shall present to the Chief a report including but not limited to the following information:
 1. Number and type of complaints received and considered, including any dispositions by the Executive Director, the agency, and the Chief;
 2. Demographic category of complainants;
 3. Policy changes specific to this policy submitted by Department personnel, including any dispositions by the Executive Director of the CPOA, and the Chief; and
 4. Trends and issues identified regarding Department policies and training.
- B. Internal Affairs shall provide a weekly update to the Director of CPOA on all open internal investigations. This report shall contain but is not limited to the following information:
 1. Investigator assigned;
 2. Case number;
 3. Investigation open date;
 4. Employee subject of the investigation;
 5. Alleged violations;
 6. Investigator findings; and



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7. Discipline recommendation.

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