

**Progress and Status Summary of the USDOJ Settlement Agreement
Entered into by the United States of America and the City of Albuquerque
Regarding the Albuquerque Police Department
Seventeenth Reporting Period
August 1, 2022 to January 31, 2023**

EXHIBIT
 A

Table of Contents

Acronym List.....	3
Letter from Chief Harold J. Medina	4
Executive Summary.....	5
Section 1: Use of Force Controls & Accountability Paragraphs 14 - 89	8
Section 2: Specialized Units Paragraphs 90 – 109.....	13
Section 3: Crisis Intervention Paragraphs 110 - 137	15
Section 4: Policies and Training Paragraphs 138 – 161	19
Section 5: Misconduct & Adjudication Paragraphs 162 - 202.....	22
Section 6: Staffing & Supervision Paragraphs 203 - 231	24
Section 7: Recruitment, Selection, & Promotions Paragraphs 232 – 246.....	27
Section 8: Officer Assistance & Support Paragraphs 247 - 253.....	29
Section 9: Community Engagement & Oversight Paragraphs 255 – 265.....	31
Conclusion.....	33
Appendix A: CASA Paragraphs and IMR16 Recommendations.....	34
Appendix B: Sample of ReformStat Action Items	58

Acronym List

AAR After Action Report
 ACS Albuquerque Community Safety
 BSS Behavioral Sciences Section
 BNMM Black New Mexico Movement
 CAC Crimes Against Children
 CAD Computer Aided Dispatch
 CARE Child Abuse Response Evaluators
 CASA Court Approved Settlement Agreement
 CIS Crisis Intervention Section
 CIU Crisis Intervention Unit
 CJCC Criminal Justice Coordinating Council
 CNT Crisis Negotiation Team
 COA City of Albuquerque
 COAST Crisis Outreach and Support Team
 COD Compliance and Oversight Division
 CEU Community Engagement Unit
 COP Community Oriented Policing
 CPC Civilian Police Complaint (IAPS and CPOA)
 CPCs Community Policing Councils
 CPOA Civilian Police Oversight Agency
 CTU Comprehensive Training Unit
 DAP Discipline Action Packet
 DOJ Department of Justice
 DTI Department of Technology and Innovation
 ECC Emergency Communication Center
 ECIT Enhanced Crisis Intervention Team
 ECW Electronic Control Weapon (Taser)
 EIS Early Intervention System
 EIRS Early Intervention and Recognition System
 ELMS Enterprise Learning Management System
 ERP Enterprise Resource Planning
 ERT Emergency Response Team
 FRB Force Review Board
 FSB Field Service Bureau
 FTAL Field Training Area Lieutenant
 FTAS Field Training Area Sergeant
 FTEP Field Training Evaluation Program
 FTO Field Training Officer
 GVRU Gun Violence Reduction Unit
 HIPAA Health Insurance Portability and Accountability Act
 IADLEST International Association of Directors of Law
 Enforcement Standards and Training
 IAFD Internal Affairs Force Division
 IAPS Internal Affairs Professional Standards
 IAR Internal Affairs Request
 IM Independent Monitor
 IMR Independent Monitor's Report
 IMT Independent Monitoring Team
 MATF Multi-Agency Task Force
 MHRAC Mental Health Response Advisory Committee
 MOE Maintenance of Effort
 MOU Memorandum of Understanding
 NASRO National Association of School Resource Officers
 NCP National Certification Program
 NNSC National Network for Safe Communities
 OBRD On-Body Recording Device
 OIS Officer Involved Shooting
 OJT On the Job Training
 OPA Office of Policy Analysis
 PDH Pre-Determination Hearing
 PEMS Performance Evaluation Management System
 PIA Process Improvement Analyst
 PMU Performance Metrics Unit
 POP Problem Oriented Policing
 PPRB Policy and Procedures Review Board
 PRT Proactive Response Team
 PRU Performance Review Unit
 RAD Rapid Accountability Diversion
 RAM Risk Assessment Matrix
 SAP Self-Assessment Plan
 SCION Selfcare Interactive Online Network
 SID Special Investigation Division
 SOD Special Operations Division
 SOP Standard Operating Procedure
 SRO School Resource Officer
 TDY Temporary Duty
 TraCs Traffic and Criminal Software
 TRU Telephone Reporting Unit
 USDOJ United States Department of Justice

Letter from Chief Harold J. Medina

I am pleased to present the Seventeenth Progress Report for the Albuquerque Police Department (APD). We continued our efforts during this reporting period through hard work and dedication. I want to thank all of our officers and professional staff for their commitment to reform.

Not only do we continue to sustain full operational compliance in several areas of the Settlement Agreement, but we are making significant progress in the area of force investigations, misconduct investigations, and early intervention.

We have a team of dedicated front-line officers, supervisors, command staff, curriculum developers, implementation teams, and quality assurance teams whose resolve and dedication to strengthen our Department for the community we serve is one I am honored to be a part of.

To all members of the community, our efforts are first and foremost for you. We will continue to work towards making our Department one that continuously looks inward to improve, collaborate, evolve, and more importantly to serve.

Respectfully,

Harold J. Medina

Chief of Police



Executive Summary

IMR17: August 2022 – January 2023

APD aimed to continue its progress towards operational compliance with all paragraphs documented in the Independent Monitor Report (IMR) 16. Specifically, in this monitoring period, APD completed several trainings that were necessary for compliance with certain CASA paragraphs. APD also focused on improvement in paragraphs related to how data is used to impact management decisions.

APD published the revised use of force policy suite on January 26, 2023. The department recognized the policies could include clearer language for a better understanding by officers. For example, differentiating between the actual use of less lethal force and the show of a less lethal force option, consistent language between less lethal force options such as beanbag and the 40 mm launcher, and eliminating confusion between immediate and imminent threat definitions.

APD continues to complete timely and thorough investigations into Level 2 and Level 3 use of force incidents. The External Force Investigation Team (EFIT) continues their work with the Internal Affairs Force Division (IAFD). The IAFD has improved all facets of force investigations. All cases were thorough and complete, and completed within timelines. During this reporting period, EFIT did not assume any cases, resulting in 100% of cases completed by IAFD. The City continues to conduct quality and timely investigations, leading to improved case presentations at the Force Review Board. Quality and timely cases is the ultimate goal for IAFD and the department considers the last two reporting periods successful.

APD remains aware of the concerns about sustainability in IAFD from staffing to continued timely and complete use of force investigations beyond EFIT's existence with APD. With two consecutive reporting periods with over 99% of the cases successfully completed by IAFD, the department is proving the processes are working.

Staffing within APD has stabilized, there is a core group eight (8) investigators/detectives and four supervisors that have remained in IAFD for the last 18 months allowing for consistent mentoring of new personnel into the division. In addition, one detective was promoted to sergeant and returned to the division and one detective has served in an acting sergeant position and is now on the sergeant promotional list. Both of which have been in IAFD for more than 18 months. Any law enforcement agency anticipates fluctuation within its department and APD is not any different. There will continue to be turnover in staffing levels throughout the department, to include IAFD. Those who promote or transfer out of IAFD take with them training and experience, and that knowledge can be expanded to other areas like the Field Services Bureau. The department cannot control resignations or retirements through natural attrition in any agency.

As contemplated by the Amended Order establishing EFIT, APD and EFIT have worked together to return control of investigations to APD staff. EFIT has established a transition plan that includes several phases of IAFD investigator mentorship. IAFD investigators gradually increase their autonomy over investigations as they complete the phases. After the investigator "graduates" from the transition process, he/she completes investigations independently. Thus, APD is building its capacity to conduct its own investigations even while EFIT continues to assist. Since the implementation of the transition plan, three IAFD investigators have graduated and nine others are in various stages of the process.

There are going to be opportunities for some of these supervisors to return to IAFD in higher ranked capacities when positions become available and many want to return. For those who do not return, their training and experience can transfer into their new positions while benefiting the department and other officers external to the division. IAFD continues to prepare for inevitable promotions, retirements, resignations, or transfers by recruiting at various ranks into the division.

The EFIT Stipulated Order requires a documented investigative process, called the Process Narrative, which was developed and implemented when EFIT began their work with APD. The Process Narrative is a step-by-step description of investigative steps from the use of force itself through the completion of the investigation. In previous reporting periods, IAFD struggled to comply with all components of the Process Narrative, which included administrative functions such as uploading documents into the investigative repository or completing an investigative plan. During the first quarter of 2022, IAFD did not meet the process narrative requirements approximately 60% of the time. However, with the current IAFD commander and chain of command, IAFD reduced the failure rate to 12.5% during this reporting period, to include reaching 97.3% compliance rate for the last month of this reporting period. It should be noted that a failure in the Process Narrative does not indicate a failure or deficiency in the investigation nor does it imply that the force is out of policy. The Process Narrative is a tool to assist in case completion and case management.

The City worked with the DOJ and IMT to address the use of force backlog, which includes (667) incomplete 2020 and 2021 Level 2 and Level 3 use of force cases. The second EFIT or EFIT2 was created and tasked with completing the backlog. EFIT2 began on June 20, 2022.

During the last reporting period, the Department developed and received approval by the IMT and DOJ for a Level 1 Use of Force pilot. APD has since trained participating personnel, which was also approved by the IMT and DOJ. The pilot began in August 2022 and continues today. APD considers this pilot a success and intends on expanding department-wide in Summer 2023.

The Office of the Superintendent was created, ensuring consistent and fair discipline in accordance with policy. Additionally, APD has refined tracking of how imposed discipline compares with its Disciplinary Matrix to aid in these goals.

The City continued to work with the DOJ and the Independent Monitor in order to transition the Department in multiple paragraphs towards self-assessment. The Department will take the place of the Independent Monitoring Team in the assessment and reporting of compliance levels for numerous Court-Approved Settlement Agreement (CASA) requirements. APD is proud to announce that 37% of CASA paragraphs are in self-assessment. APD intends to continue working with the DOJ to increase the number of paragraphs in self-assessment when sustained compliance is met.

APD continued to conduct weekly ReformStat meetings. As a reminder, ReformStat is designed to assist APD in achieving compliance for paragraphs not yet operational. ReformStat attributes these weekly meetings as the driving force for the increase of operational compliance from 70% to 80% in IMR-16. APD anticipates increased operational compliance during this reporting period. APD has used action plans since 2018; however, the department developed a stronger oversight framework for the reform effort. The action plans include the people who will be in charge of carrying out each task, deadlines, and milestones for each task, the resources needed to complete the tasks, and measures to evaluate the process. The addition of the ReformStat process has enhanced action plan efforts through regular meetings with executive leadership that provide valuable real-time accountability, support, guidance, oversight, and authorization. In the reporting period, 238 ReformStat action items were completed, 31 action items are in progress, and another 23 are planned but not started. A sampling of action items is available in Appendix B.

While difficult to measure, APD believes that supervision continues to be a contributing factor in improved overall operations over the last several years including meeting many requirements of the Settlement Agreement. Monthly scorecards are provided to divisions and area commands in which the department has experienced a significant increase in compliance since 2019. Included in scorecards are areas of evaluation specific to first-line supervision such as equipment inspections, required video reviews, and ensuring officers are complying with their scorecard requirements. Supervision in areas of consistent operational compliance such as recruitment, special operations, special investigations, behavioral health, Multi-Agency Task Force, and Field Training and Evaluation remain strong and effective.

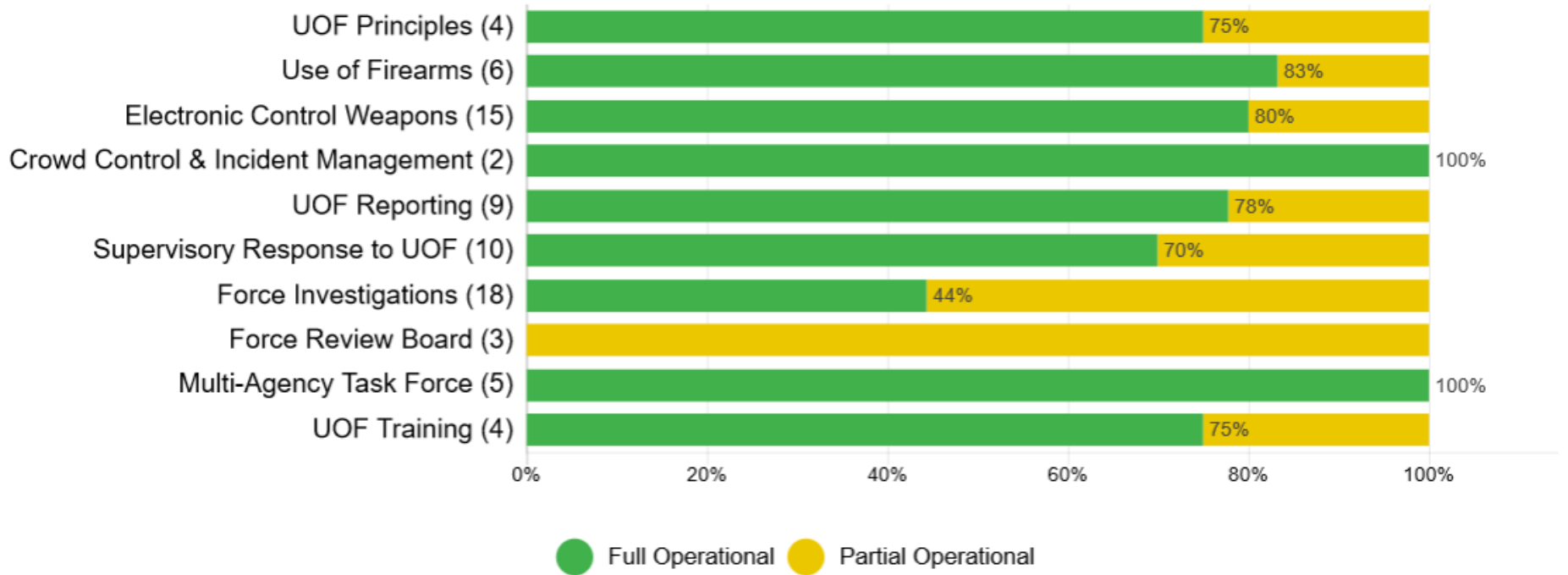
APD has also improved in command and executive staff management in areas such as discipline, the Force Review Board, and after-actions stemming from tactical and emergency response deployments.

APD continued to focus on the Benchmark FirstSign module, also known as the CASA Early Intervention System (EIS) or the APD Performance and Evaluation Management System (PEMS). The department has a working EIS and continues to improve upon processes.

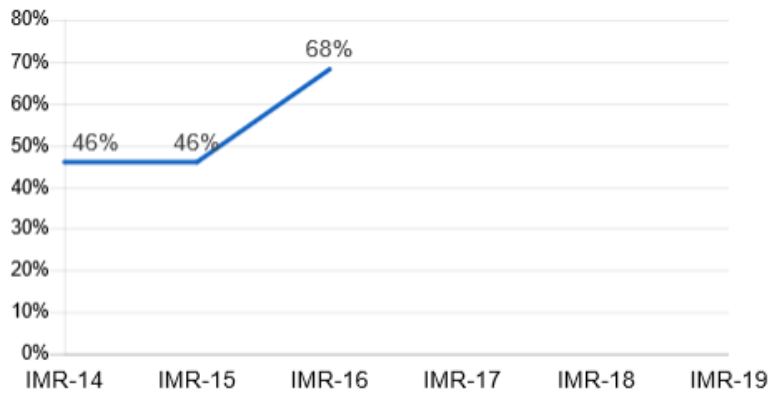
APD continued developing and growing the Data Analytics Division. The department hired a Data Manager and selected the Data Division Deputy Director during this reporting period. The Data Analytics Division completed the Preliminary 2021 Annual Use of Force Report and anticipates Summer 2023 for the completion of the 2022 Annual Use of Force Report. The division continued to complete in a timely manner multiple reports such as the IAPS Quarterly Report and the FRB Quarterly update.

The City remains determined to make every attempt to achieve operational compliance by IMR-19 or May 2024.

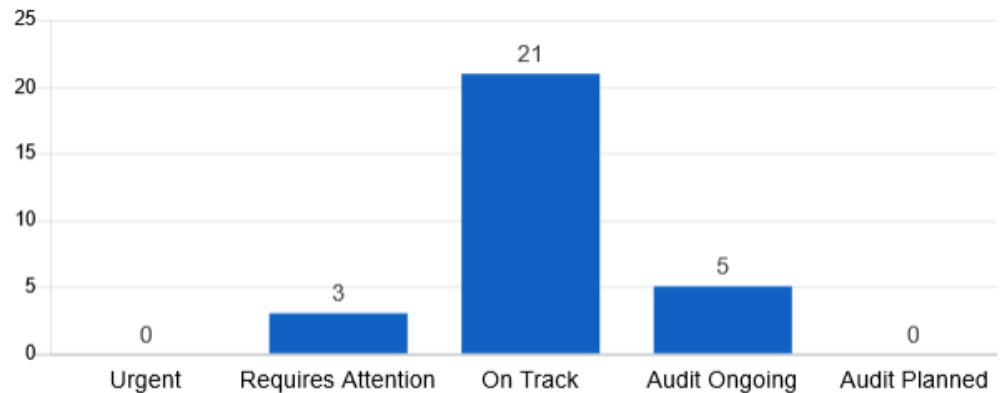
Section 1: Use of Force Controls & Accountability Paragraphs 14 - 89



Operational Compliance Over Time



Status of Remaining Paragraphs



Action Plan for Operational Compliance

The APD Compliance and Oversight Division (COD), in conjunction with the Internal Affairs Force Division (IAFD), has developed several clear and specific action items to move Section 1 CASA paragraphs into operational compliance. The action items include but are not limited to the following:

UOF Principles:

- The APD use of force policy suite was published on January 26, 2023. The updated policy complies with applicable law and comports with best practices, including all force techniques and both lethal and non-lethal weapons. The policies outline force options and factors that officers should consider in determining which use of force is appropriate.
- With the new policy suite in place, the UOF training will be amended to align with the new suite of policies.
- All officers will be trained on the updated use of force policies during the Spring and Summer of 2023.

Firearms/Electronic Control Weapons:

- The revised and published SOP 2-54 Intermediate Weapon Systems includes language for use of an ECW on a passive resistant individual and will be trained in the 2023 Use of Force training, which is a 20-hour training that includes both in-person classroom and Reality Based Training (RBT) sessions.

Reporting:

- The Department continues to adhere to SOP 2-56 Use of Force Reporting by Department Personnel and any policy violations identified are reported.
- APD plans to publish the 2022 Annual Use of Force Report in mid-2023.
- The 2020 and 2021 Annual Use of Force Reports will be published once the use of force backlog is completed.

Quality of Supervisory Force Investigations:

- APD is working to ensure supervisors include the quality of Use of Force Investigations during their performance evaluations. The Performance Evaluation Management System (PEMS) is developing a process to analyze the number of deficient use of force investigations compared to the number of investigations completed by the supervisor.
- SOP 3-32 Performance Evaluations is in the annual review process and is expected to publish in 2023. The SOP will include provisions for sworn supervisors to document deficient use of force investigations.

Force investigations:

- APD continues to investigate all levels of force to objectively and thoroughly determine whether personnel used the minimum amount of force that was reasonable and necessary supported by a preponderance of the evidence, based on the totality of the circumstances to bring about a lawful objective.

- IAFD continues to adhere to the March 2022 EFIT Stipulated Order which includes a documented investigative process, called the Process Narrative. The Process Narrative is a step-by-step description of administrative requirements from the use of force through the investigation's completion.

Force Review Board (FRB):

- Quarterly use of force data is presented to and analyzed by the FRB to evaluate and identify trends, and correct deficiencies.
- The FRB will continue to review all specialized unit deployments.
- The FRB continues to identify areas of concern by submitting referrals for corrective action. A total of forty-four (44) referrals have been generated by FRB in this reporting period. Referrals may include modifications to policy, training, equipment, or tactics.

Training:

- The new Use of Force SOPs will be taught both in-person and in the classroom at a reality-based training (RBT) facility.
- UOF training will include ECW guidelines for passive-resistant subjects.

Section Accomplishments

- Paragraphs 18, 20, 26, 28, 30-37, and 81-85 are suspended from independent monitoring and will now be self-assessed by the department.

UOF Principles:

- The Use of Force Policy Suite (SOP 2-52 through 2-57) was updated and published in January 2023.
- APD updated the IAFD handbook, which is used as an onboarding and reference tool for IAFD. The handbook outlines all agency policies and expectations.

Firearms/Electronic Control Weapons:

- The Academy conducted 2022 Firearm Qualification Training for all sworn personnel on Department-issued and personally owned firearms. 98.74% of sworn officers were trained.
- Firearms training included day and night firearms qualifications, and proper techniques for unholstering, drawing, or exhibiting firearms, Department weapons.
- ECW recertification training was conducted to include Axon proprietary training materials; removal of ECW probes; understanding risks of positional asphyxia; use of restraint and recovery techniques; and monitoring all individuals of force who have received an ECW application while in police custody.

Reporting:

- Force Investigations for Supervisors guided sworn supervisors on how to properly report, classify force and conduct use of force investigations. This training ensured that these practices are performed consistently across the Department. The training was completed with a 96.72% compliance rate

Supervisory Response to UOF:

- IAFD conducted a pilot to improve the Investigative Plan for supervisors responsible for oversight and tracking of force investigations. The Investigative Plan pilot was completed in October 2022. IAFD supervisors began using the new Investigation Plan; which requires a 15-day Status Meeting and a weekly status update thereafter with their detectives.

Force investigations:

- IAFD tracks the accuracy of the Process Narrative and since September of 2022, the compliance with the process narrative has jumped an average of 87%. More notably, in the last two months of the reporting period, IAFD has averaged a 97% compliance rating with the Process Narrative.
- Pursuant to the established EFIT protocols, IAFD detectives/investigators are transitioning to conduct interviews without EFIT's direct supervision. Four investigators graduated from the transition process and are conducting UOF investigations with minimal EFIT oversight. Another ten (10) IAFD detectives/investigators will soon transition to conducting UOF investigations without the direct supervision of EFIT.
- To ensure force incidents are forwarded to the commanding officer of IAFD, the Investigative Plan, which was originally the detective's responsibility has now been shifted to the sergeant's responsibility to ensure adequate supervision of investigations.
- APD continues to conduct a Level 1 use of force pilot. Level 1 use of force investigations are being completed within the time frame and with no extension requests. A mid-pilot review showed 94% of cases were completed within the 3-business day timeline, which is an 80% increase from APD's baseline data that looked at non-piloted level 1 use of force investigations completed by area commands.

Force Review Board:

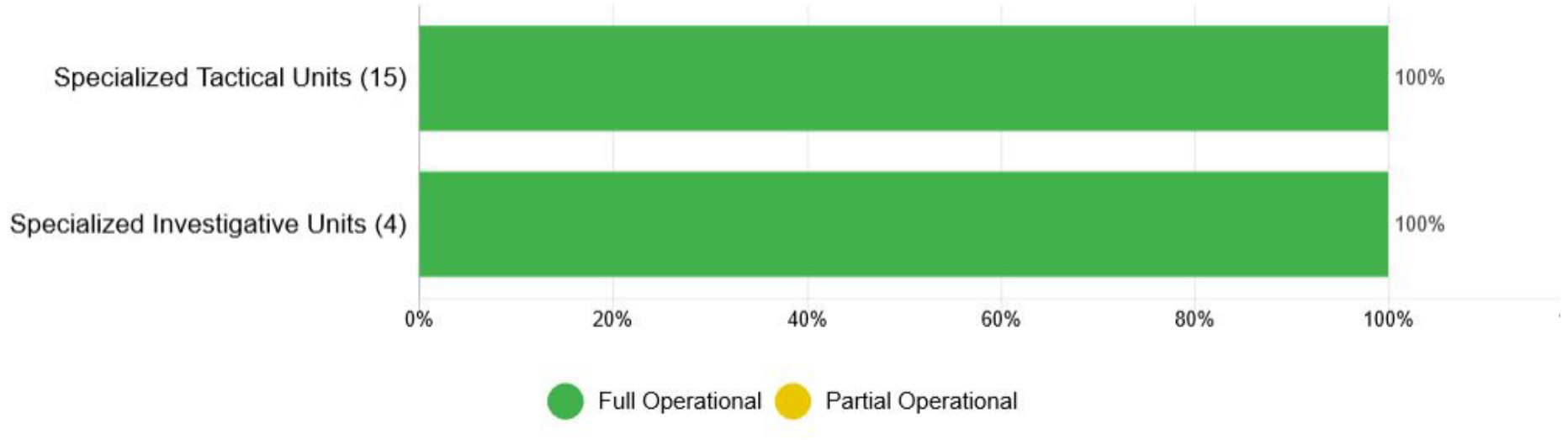
- The FRB Unit is fully staffed and successfully submits weekly FRB outcome reports to the Chief.
- The FRB completed reviews of 100% of the use of force backlogged cases and APD has created data dashboards to track FRB current case progress.
- In December 2022, an amendment was made to SOP 2-58 Force Review Board, in which APD defined and standardized the FRB process for notification of completed Level 2 and 3 force investigations by IAFD. This updated process has increased communication between the FRB Unit and IAFD.

Training:

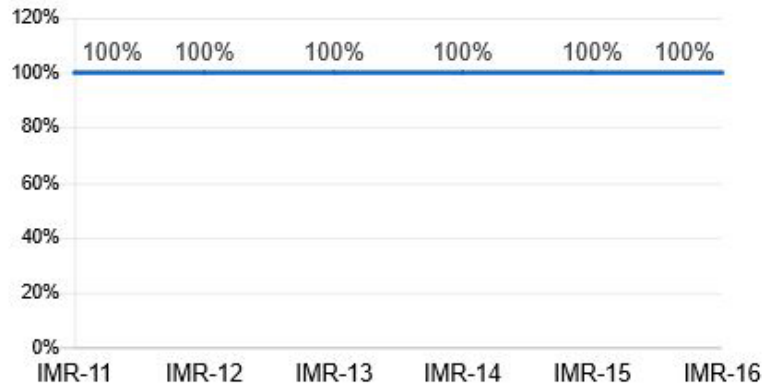
- Performance Evaluation for Supervisor Training was held September – November 2022. The goal of this training was to provide sworn supervisors with a refresher on the process for completing performance evaluations with an emphasis on integrity and use of force reviews. 96.72 % of all sworn and acting supervisors were trained.
- FRB training was delivered in August and October 2022. Twenty (20) department employees are qualified to serve on the board if needed.
- Use of force training and attendance compliance rates for this reporting period are as follows:

Course Description	Percentage Trained
2022 RBT	96.20%
2022 Firearms Qualifications	98.74%
2022 Taser Training	98.74%
2022 Miranda Warning Refresher Training	98.66%
2022 Search & Seizure Refresher Training	97.80%
2022 Foot Pursuit Training	99.02%
2022 Use of Force Tier 1	99.89%
2022 Use of Force Tier 2	99.77%
2022 Use of Force Tier 3	99.70%
2022 Use of Force Tier 4 RBT Training	98.62%
2022 Use of Force Tier 4 MARC Training	98.85%
2022 Field Services Response to Demonstrations & Civil Disturbances (Crowd Control)	98.68%
2022 Biennium Training Phase 2 (physical assessment, domestic violence, legal updates part 2, cop pop)	96.24%
2022 Axon Capture	95.17%
2022 Incident Management	95.17%
Force Investigations and Performance Evaluations for Supervisors	96.72%
Perceptions and Leadership (DISC) Supervisor Training	96.32%
2022 IAPS Supervisor Training	96.68%

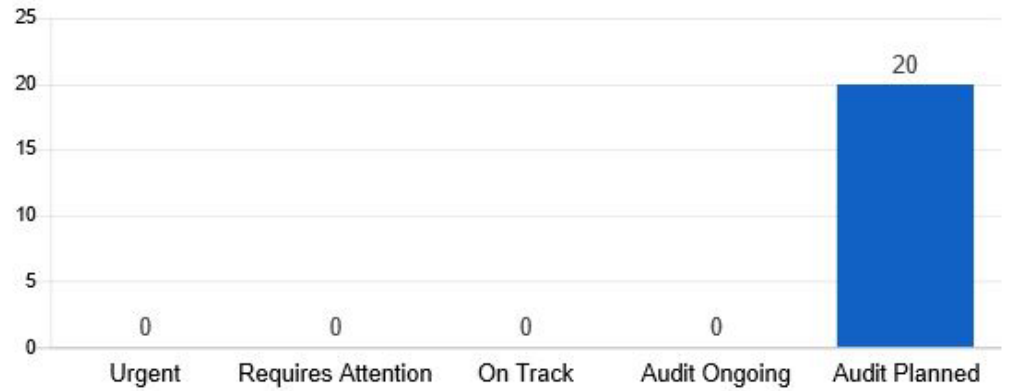
Section 2: Specialized Units Paragraphs 90 – 109



Operational Compliance Over Time



Status of Remaining Paragraphs

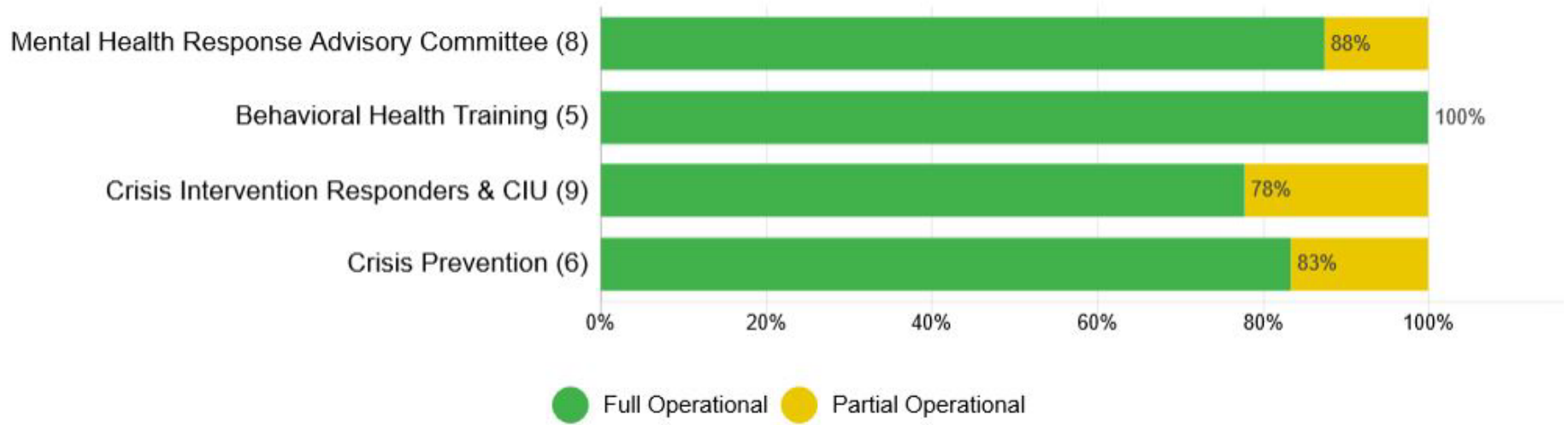


Section Accomplishments

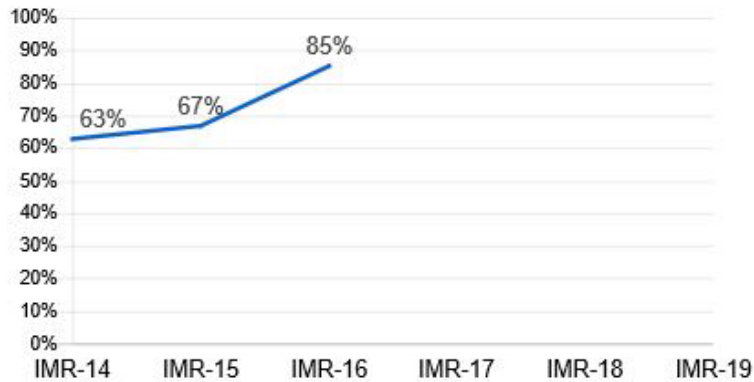
- Paragraphs 91, 94 – 100, and 102 - 105 are suspended from independent monitoring and will now be self-assessed by the Department.
- The Special Investigations Division (SID) also known as Investigative Support Division continues to revise the unit handbooks annually. Each handbook has specific training checklists which outline the duties and responsibilities of unit members, ensuring personnel receive the training they need to comply with department policies and expectations.
- After Actions Reviews continue to be utilized to identify improvements and capture lessons learned.
- SOD continues to cultivate working relationships with IAFD and Academy staff to ensure continued collaboration and work product improvement related to the use of force, reporting, and investigations.
- The SOD conducted the following specialized trainings in the current reporting period:

Name of Training	Number of Training Sessions
Bomb Trainings	28
Joint Trainings	2
K9 Trainings	28
ROOK Trainings	13
SWAT Trainings	33

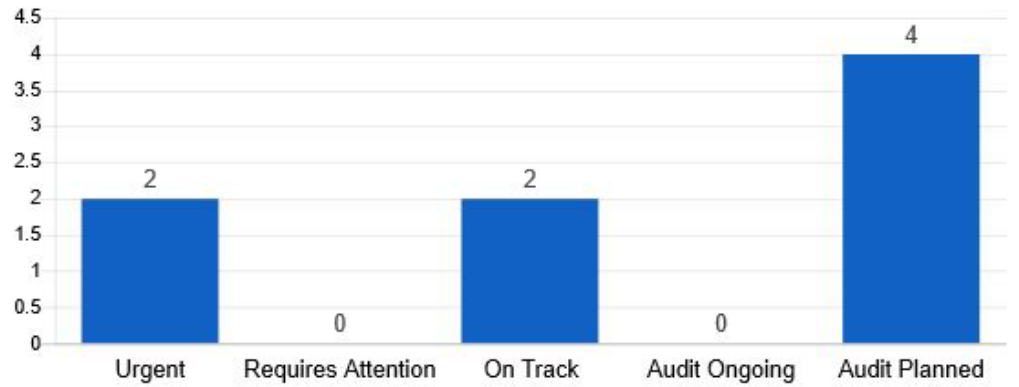
Section 3: Crisis Intervention Paragraphs 110 - 137



Operational Compliance Over Time



Status of Remaining Paragraphs



Action Plan for Operational Compliance

- APD continues to meet monthly with the Mental Health Response Advisory Committee (MHRAC) to identify and develop solutions and interventions that are designed to lead to improved outcomes for individuals perceived to be or actually suffering from mental illness or experiencing a mental health crisis.
- APD continues to forward special orders, policies, and training that relate to homelessness and mental health to MHRAC for review and commentary.
- APD and MHRAC maintain and regularly update resource cards as an important tool for responders to hand out to individuals needing assistance.
- The MHRAC/APD Resource Card was updated twice during this monitoring period and two orders of 5,000 resource cards each were placed due to the demand for them. Albuquerque Community Safety Department, Family and Community Services, the Homeless Encampment team, and APD officers all distribute cards.
- Members of both APD's Crisis Intervention Division and Field Service Bureau sergeants and lieutenants continue to meet with area hospitals to address issues as they emerge.
- The Crisis Intervention Division has twelve assigned detectives, eight of which are assigned for follow-up visits to work with individuals who have repeated interactions with law enforcement and a behavioral health concern. The remaining four detectives are assigned to full time curriculum development and delivery of training APD personnel, in addition to working with area providers. Additionally, APD has staffed the officer requirements for the four co-responder teams (Mobile Crisis Team) along with an Albuquerque Community Safety Department clinician who responds to 911 crisis calls.
- CID supervisors and members of the MCT will be participating in the architectural design of the first responder drop off at the upcoming University of New Mexico and Bernalillo County Behavioral Health Services Crisis Triage Center. The Crisis Triage Center, along with the Gibson Health Hub, will be a huge improvement for behavioral health support, not just for first responders, but all community members of Albuquerque and surrounding areas.

Section Accomplishments

- Crisis Intervention paragraphs 111-113, 115-121, 124-126, 130, 132-134, and 136 are suspended from independent monitoring and will now be self-assessed by the Department.
- Training on the role of law enforcement and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) continues in the CIT 40-hour class.
- During this monitoring period, Crisis Intervention added Albuquerque Street Connect to a weekly information-sharing email to improve collaboration between our two programs.

- The Fall 2022 CIT data book was published this monitoring period and is available at <https://www.cabq.gov/mental-health-response-advisory-committee/mental-health-response-advisory-committee-documents>
- The Mental Health Response Advisory Committee completed three annual reports which are available at <https://www.cabq.gov/mental-health-response-advisory-committee/mental-health-response-advisory-committee-documents>
- In this monitoring period, APD Crisis Intervention in collaboration with MHRAC, developed a video for area mental health providers summarizing New Mexico Statute 43-1-10 Emergency Mental Health Evaluation and Care. The video outlines provisions of a Certificate for Evaluation issued by a qualified mental health professional, law enforcement detention and transportation of a person to a hospital for an emergency mental health evaluation, as well as APD standard operating procedures on the subject. The video is available at: <https://youtu.be/dHOBCUInuSM>
- APD's Crisis Intervention Division completed a curriculum needs assessment and is working with the Comprehensive Training Unit to develop this training which is scheduled to be delivered in the 2023-2024 bi-annual training cycle.
- ECIT response rate to clear identified behavioral health calls during the recent reporting period:

Month	August	September	October	November	December	January
City Wide Response Rate	80%	83%	83%	83%	79%	81%

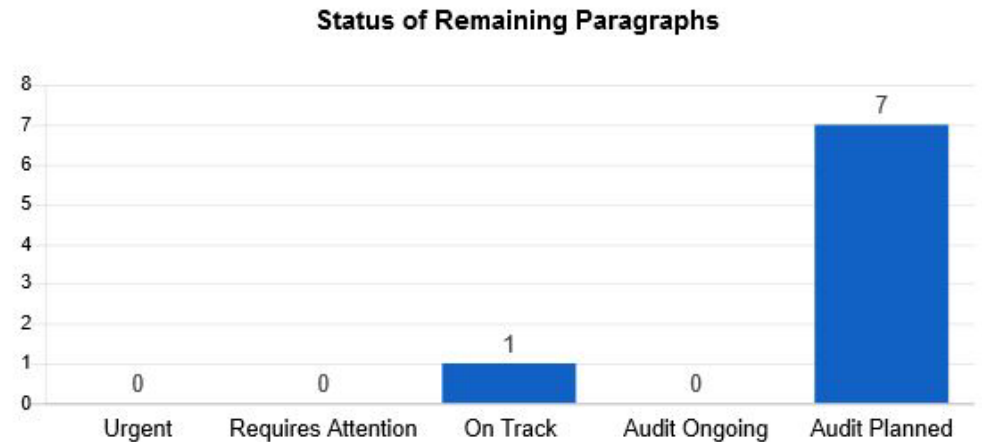
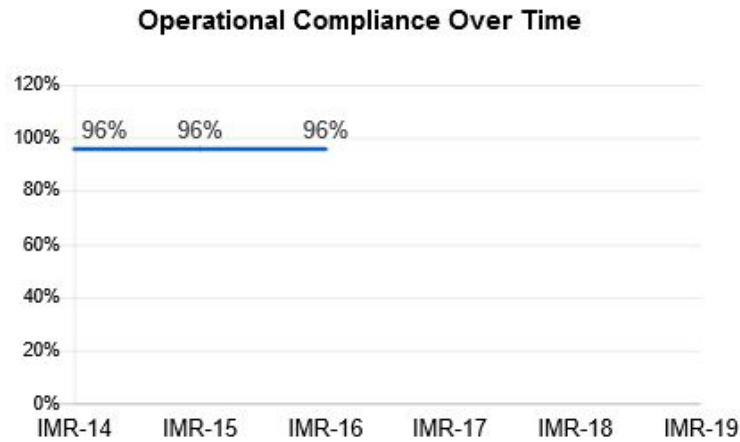
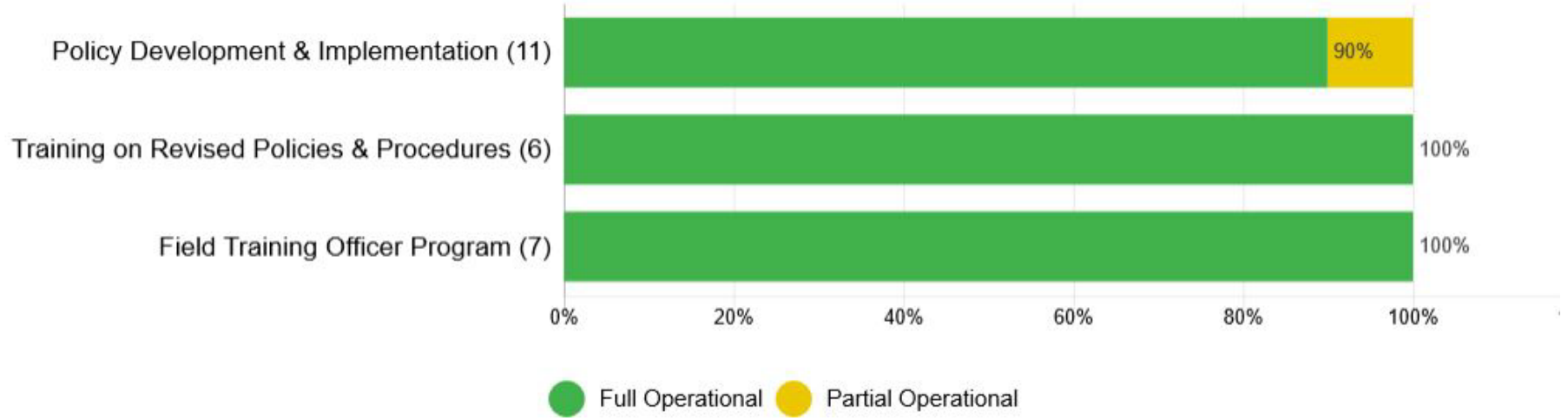
- IMR17 percentage of Field Service Bureau Officers that are ECIT certified:

Month	August	September	October	November	December	January
Percentage of FSB Officers ECIT Certified	53%	56%	54%	54%	55%	55%

- In this monitoring period, Crisis Intervention Division supervisors conducted twenty-three randomized call reviews of identified behavioral health calls to ensure that ECIT officers are taking a leading role in interactions with individuals in behavioral health crisis. In all 19 of the calls where ECIT arrived, the ECIT officer took a lead in the interaction. Two officers were nominated for letters of commendation for their skill on these types of calls and one officer was sent for mandatory re-training in de-escalation.
- APD has retained a local, well-known and respected data scientist to conduct the analysis of CIU data. A report of the findings analyzed by the data scientist is expected in the next monitoring period.

- In IMR17, there were zero tactical activations involving individuals who were barricaded and suicidal, consistent with APD Policy 2-20 Hostage Situations, Barricaded Individuals and Tactical Threat Assessments.
- Sixteen (16) ReformStat action items were completed in the IMR17 reporting period with the goal of becoming operational compliant. ReformStat action item tables can be found in Appendix B.

Section 4: Policies and Training Paragraphs 138 – 161



Action Plan for Operational Compliance

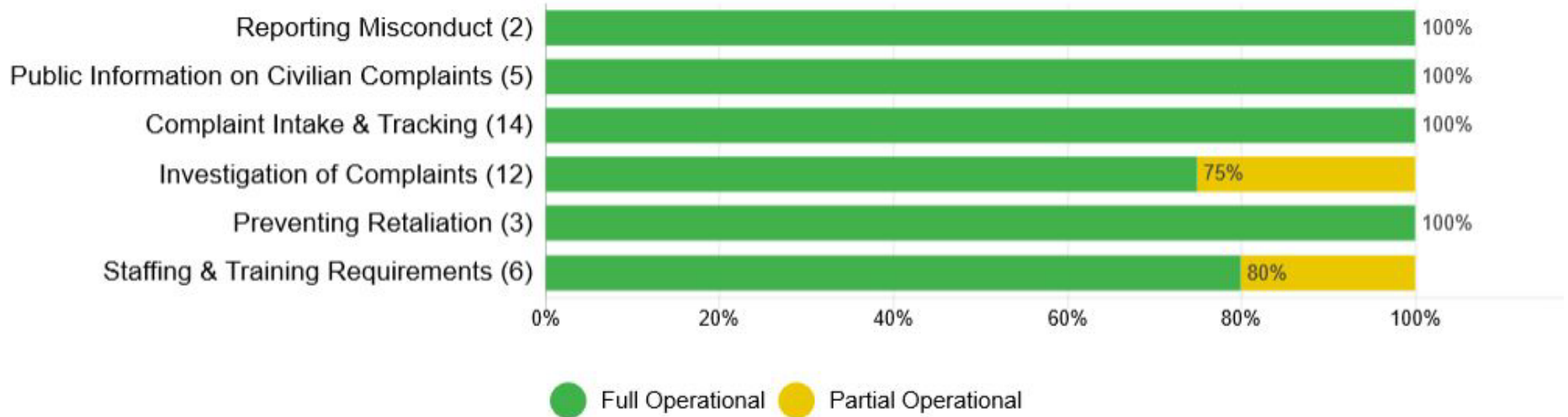
- APD will continue to reflect in policies the Department's core values and provide clear direction to officers and civilian professional staff in order to deliver effective and constitutional policing that comport with best practices.
- The Policy and Procedures Unit (PPU) continues to provide officers a method to review and comment on new and existing policies and procedures.
- The Policy and Procedures Review Board (PPRB) reviews policies or procedures six months after implementation and annually thereafter.
- APD continues to submit all policies, procedures, manuals, and other administrative orders or directives related to the CASA to the Monitor and DOJ for review, comment, and approval before publication and implementation.
- The remaining non-operational paragraph in the Policy Development & Implementation subsection directly relates to discipline, which is discussed in that section.
- Policy development and oversight remains strong and fully operational within the department.
- APD continues to present the CASA to all new cadet classes.
- An online training calendar is updated regularly. The DOJ and IMT have been provided unlimited access to the calendar.
- Recruits are given the opportunity to critique their Field Training Officer (FTO) using confidential surveys for the purpose of program evaluation and improvement.
- APD continues to require 16 weeks of field training upon graduation from the basic cadet program.

Section Accomplishments

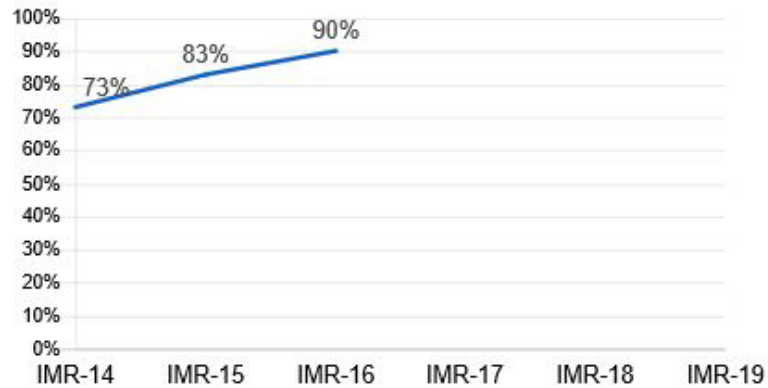
The following fourteen (14) CASA-related SOPs were either published or republished in the IMR17 Reporting Period:

SOP Number	SOP Title	Publication Date
1-10	Peer Support Program	12/22/2022
1-30	Community Ambassador Program	1/17/2023
1-50	Gun Violence Reduction Unit	12/22/2022
1-61	Internal Affairs Force Division (IAFD)	8/24/2022
1-92	Special Weapons and Tactics (SWAT)	8/18/2022
1-96	Crisis Negotiation Team (CNT)	1/26/2023
2-52	Use of Force: General	1/26/2023
2-53	Use of Force: Definitions	1/26/2023
2-54	Use of Force: Intermediate Weapon Systems	1/26/2023
2-55	Use of Force: De-escalation	1/26/2023
2-56	Use of Force: Reporting by Department Personnel	1/26/2023
2-57	Use of Force: Review and Investigation by Department Personnel	1/26/2023
3-33	Performance Evaluation and Management System (PEMS)	10/17/2022
3-44	Review of Completed Administrative Investigation Cases	12/21/2022

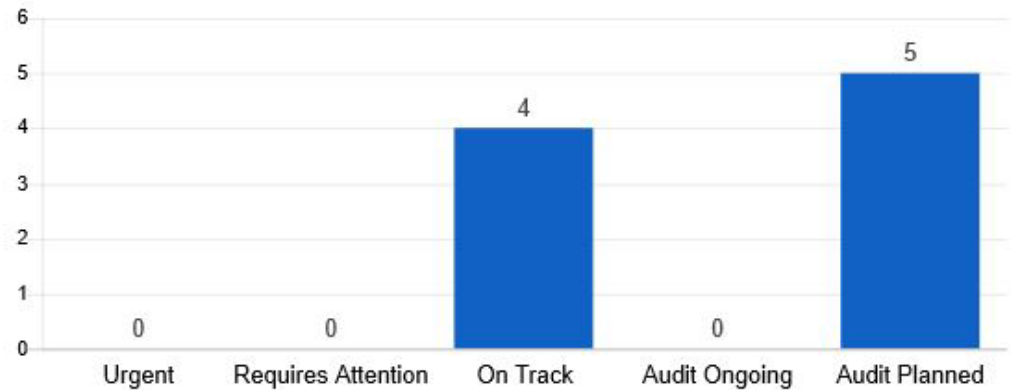
Section 5: Misconduct & Adjudication Paragraphs 162 - 202



Operational Compliance Over Time



Status of Remaining Paragraphs



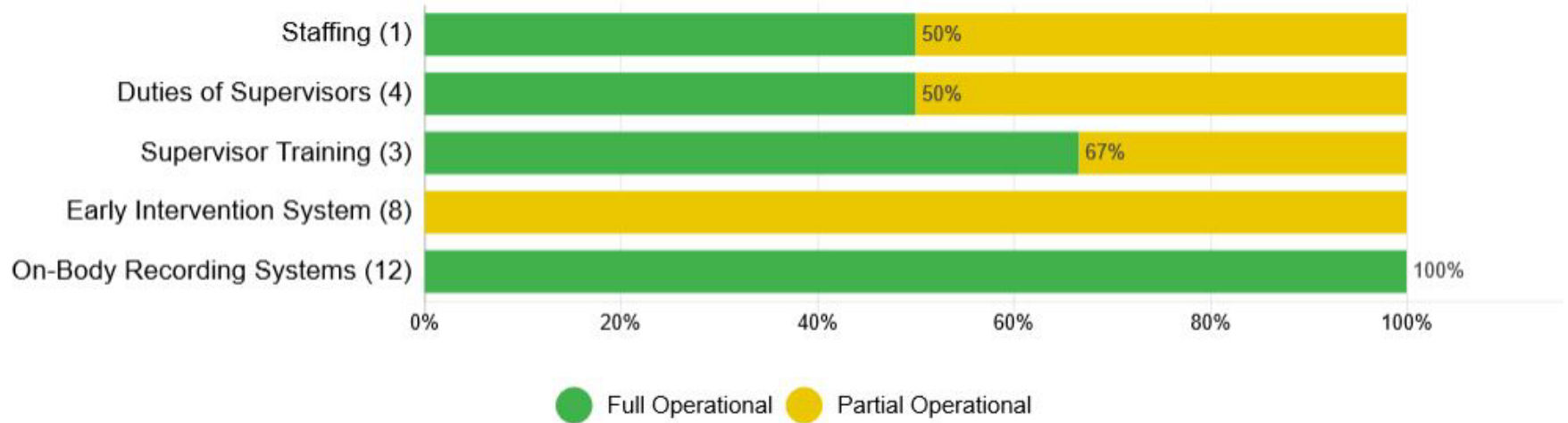
Action Plan for Operational Compliance

- APD will continue to ensure all allegations of officer misconduct are received and are fully and fairly investigated; that all findings in administrative investigations are supported by a preponderance of the evidence; and that all officers are held accountable pursuant to a fair and consistent disciplinary system.
 - APD will continue to train all supervisors in the Department on misconduct investigations.
 - Disciplinary reviews will continue to be finalized by the Disciplinary Executive staff to ensure discipline is being applied uniformly across the department.
-

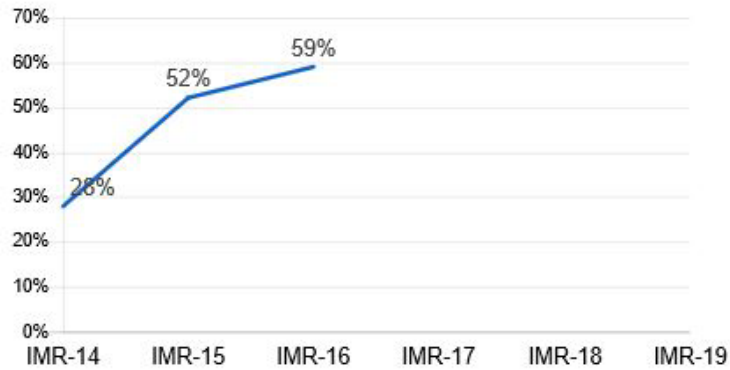
Section Accomplishments

- Paragraphs 164 - 168 are suspended from independent monitoring and will now be self-assessed by the Department.
- IAPS has upgraded the misconduct investigative administrative process to include new Case Disciplinary and Case Review trackers, which are expected to enhance the accountability system, and ensure area command cases include interviews of subject employees through the IAPS Lieutenant review.
- IAPS has made officer misconduct case reviews as thorough as necessary to reach reliable and complete findings a priority. Every IAPS case is reviewed by at least two supervisors; most cases are reviewed by three supervisors.
- IAPS Investigators document why an interview was not conducted, which must be approved by a supervisor while the investigator is working on the case.
- APD conducted briefings with division heads to improve investigation scrutiny and ensure that cases reviewed by the area commands are held to the same standards that apply to IAPS, to include recording interviews.
- To fulfill CASA training requirements for misconduct investigations, 96.7% of the sworn supervisors and acting supervisors were trained on APD policies, and protocols for taking compelled statements and conducting parallel statements.

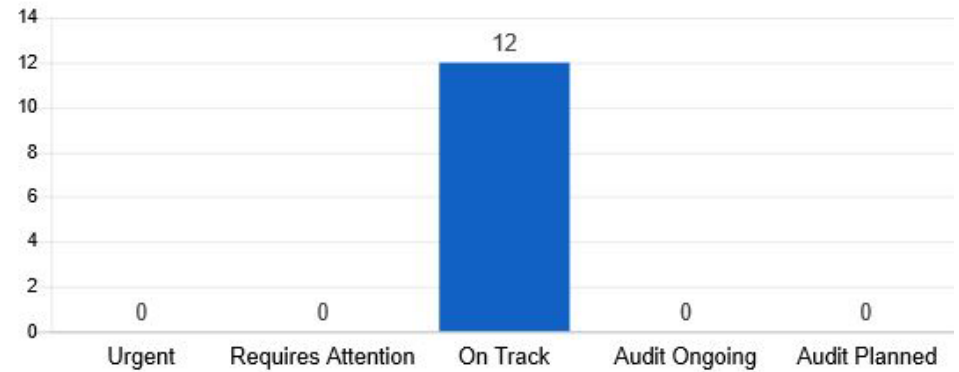
Section 6: Staffing & Supervision Paragraphs 203 - 231



Operational Compliance Over Time



Status of Remaining Paragraphs



Action Plan for Operational Compliance

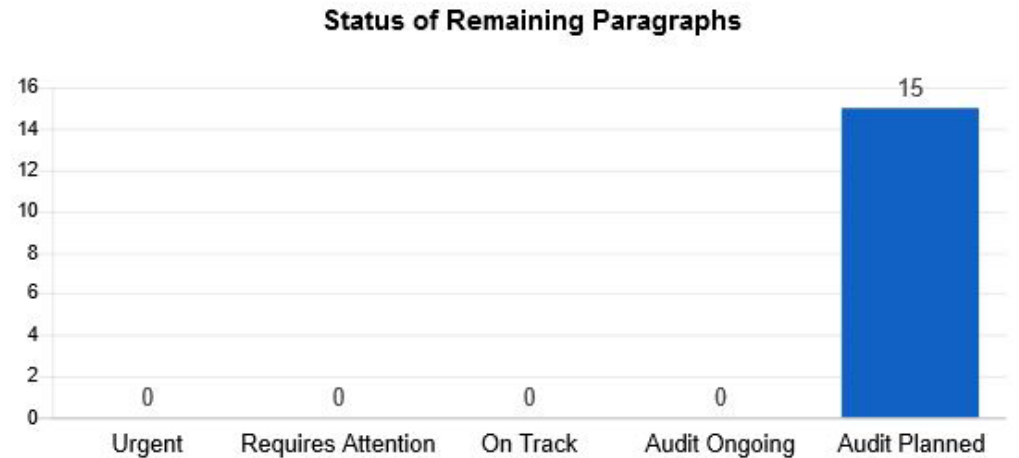
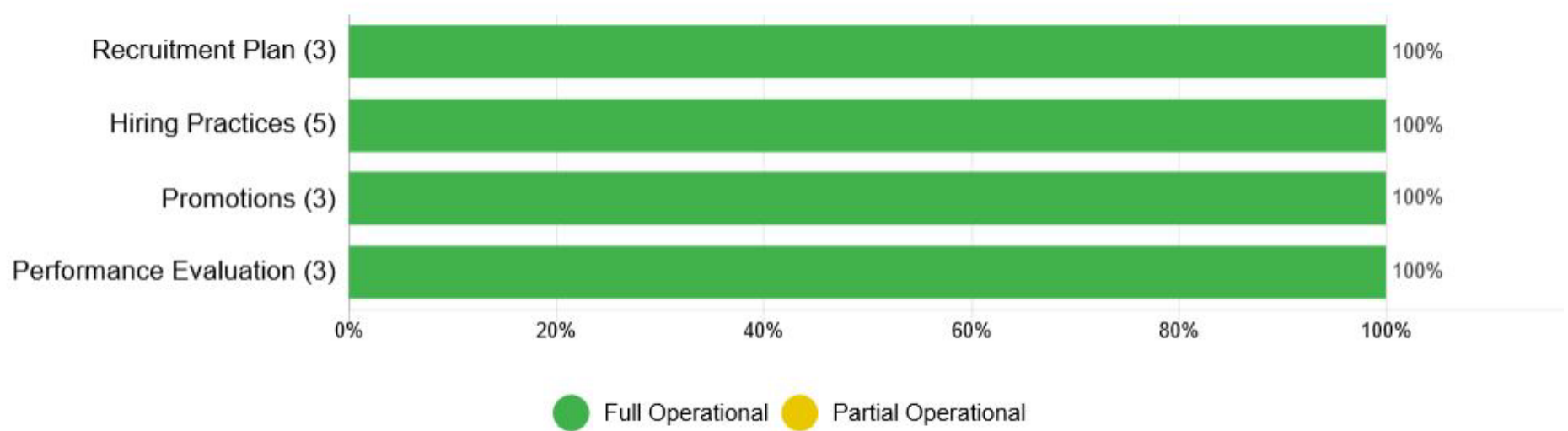
- It is the policy of the Department to use a data-driven system to monitor and manage performance to advance the mission and goals of constitutional policing. It is also the policy of the Department to train supervisors to interpret data to encourage excellence, improve performance, manage risk and liability, and address underlying stressors in order to promote employee well-being.
- Paragraph 205 states that “first-line supervisors shall investigate officers’ use of force as described in Section IV of this Agreement”. APD is doing two things to meet this requirement. For one, the Field Service Bureau (FSB) Deputy Chief receives a weekly report providing progress for open Level 1 use of force incidents. In August 2022, APD began a Level 1 pilot in two area commands (Valley and Southeast Area Commands), which includes one centralized unit completing Level 1 reviews. This pilot has proven successful and will be expanded department-wide in Summer 2023 after officers and supervisors are trained on the updated requirements.
- APD continues to utilize the Community Event Tracker (CET) that enables first-line supervisors to track how officers are engaging with the community to increase public trust and safety. Some examples of officer outreach activities tracked by the CET include meetings with community block captains, attending Community Policing Councils (CPC), neighborhood associations, and businesses.
- APD continues to assign all field officers to a primary, clearly identified first-line supervisor. First-line supervisors are responsible for closely and consistently supervising all officers under their primary command. Supervisors are also responsible for supervising all officers under their chain of command on any shift to which they are assigned to ensure accountability across the Department.
- APD SOP 3-33 Performance Evaluation Management System (PEMS) is operational. PEMS is a proactive-management tool that promotes employee and supervisory awareness using an automated early intervention system (EIS) and a standardized review process. The primary purpose of PEMS is to provide timely and reliable data to designated personnel and supervisors in order to make informed decisions, as early as possible, regarding personnel’s well-being, training, career development, and performance concerns. PEMS is a non-punitive process designed to identify both commendable performance and areas that need improvement, in order to enhance the overall performance of sworn personnel and the efficiency of the Department.
- APD will continue to track the number of case reviews completed by the Performance Review Unit of Level one (1) use of force and track and report average compliance rate findings.
- APD will continue to obtain the number of IARs filed by Sergeants and Lieutenants for violations against the use of force supervisory requirements and report this information every quarter to FRB members.
- APD supervisors will continue to perform line inspections on officers in their chain of command.
- APD will continue to utilize the Performance Metrics Unit which will conduct audits and report line inspection data to ensure officers are carrying only the equipment they have been trained on and approved by policy.
- The Accountability Bureau continues to hold monthly meetings with Commanders to inform and forecast any positive or adverse trends in compliance ratings. These meetings require commanders to communicate information with their lieutenants, lieutenants to their sergeants, and sergeants to their officers. This has assisted in ensuring commanders and lieutenants are providing close supervision of their personnel.
- As per CASA paragraphs 209 and 210, the Department will continue to provide a minimum of 40 hours of mandatory supervisory leadership and command accountability training to all new supervisors before assuming supervisory responsibilities.
- APD will continue to evaluate staffing and resource allocation as numbers either increase or decrease and as priorities arise.

Section Accomplishments

- Paragraph 204 is suspended from independent monitoring and will now be self-assessed by the Department.
- APD continued to assign a primary supervisor to no more than eight officers.
- APD contracted with a professional research and analysis company to perform a staffing study. Recommendations have been adopted pertaining to 12-hour shifts, reduction of traffic accidents without injuries, false alarm criteria for officer dispatch, and the recommended number of IAPS detective/investigator positions.
- SOP 3-33 Performance Evaluation Measurement System (PEMS) was revised in October 2022.
- Supervisory training in this reporting period included:

Name of Training	Percentage Trained
Force Investigations for Supervisors	96.27%
Performance Evaluations for Supervisors	95.61%
Incident Management for Supervisors	98.50%
Perceptions & Leadership Training	95.82%
Axon Capture for Supervisors Training	97.01%
Internal Affairs Professional Standard Supervisor Training	97.33%

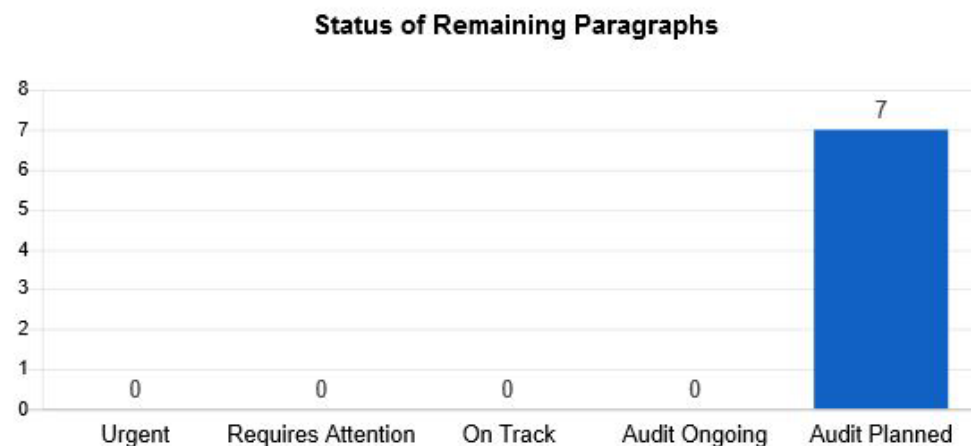
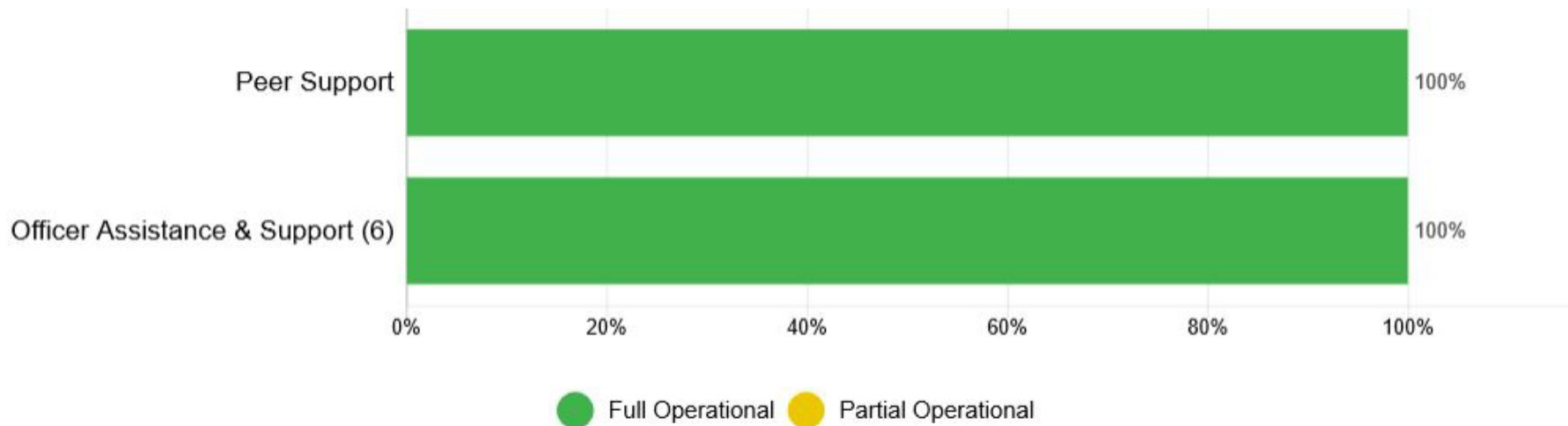
Section 7: Recruitment, Selection, & Promotions Paragraphs 232 – 246



Section Accomplishments

- Paragraphs 232 – 246 are suspended from independent monitoring and will now be self-assessed by the Department.
- Mandatory annual review of SOP 1-85 Recruiting Unit began in this reporting period and is expected to be fully revised and republished in 2023.
- The APD Recruitment Unit conducted 99 outreach efforts in this reporting period including Applicant Engagement, Community Engagement, Events and Community Meetings, In-person and Virtual Hiring, Process Improvement, Testing, and Training.
- APD's recruitment efforts continue to provide an array of strategies and concepts for recruiting prospective applicants including; digital platforms, social media, Zoom meetings, videos, TV and radio, as well as events related to transitioning from military to civilian life. Flyers and posters have been delivered to unemployment offices, gyms, car shows, sporting events, the State Fair, Balloon Festival, ABQ Pride Events, and other venues. Additionally, APD utilizes a patrol vehicle and a van as mobile recruiting billboards.
- APD continues to require all candidates for sworn positions to undergo psychological, medical, and polygraph examinations.
- The APD Backgrounds Unit continues to complete thorough and objective background investigations with clear deadlines established, in conjunction with the completion and submission of law enforcement applicant packets for the Department of Public Safety.
- APD continues to publish an annual recruitment plan that establishes the strategic plan and goals for recruiting efforts.
- There were 360 cadet and lateral application referrals from nineteen states during this reporting period.
- APD implemented a new academy recruitment tracker and a dashboard that documents and reports the total net gain to the department in real-time from the start of the selection process to the end of on-the-job training (OJT) for each cadet class, CNM class, lateral class, and PSA class. APD intends to use the data to evaluate, calculate, and improve recruitment attrition rates.
- Personnel who advanced in rank were promoted as required by monitor-approved policies and process.

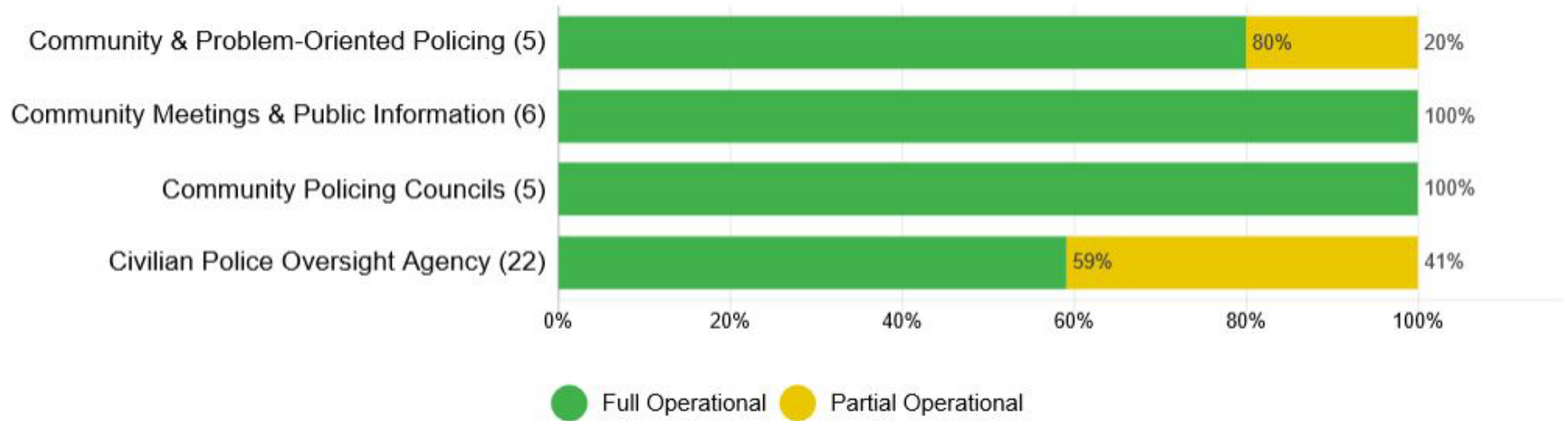
Section 8: Officer Assistance & Support Paragraphs 247 - 253



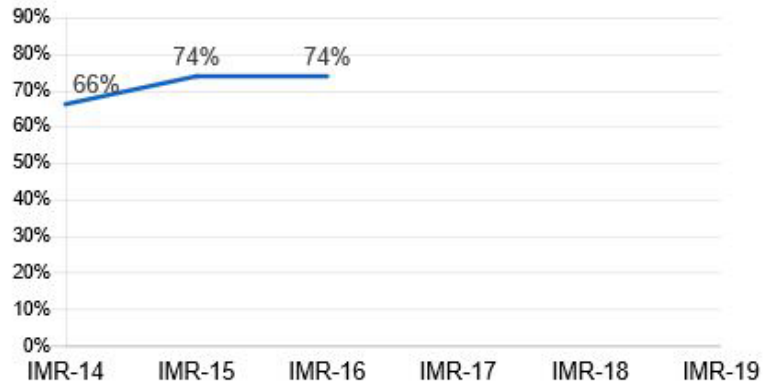
Section Accomplishments

- All Section 8 Officer Assistance & Support Paragraphs (247-253) are suspended from independent monitoring and will now be self-assessed by the Department.
- APD's Behavioral Science Section (BSS) offers a wide range of mental health services that is in line with best practices and current professional standards. Ease of access continues to be a hallmark of BSS, which offers counseling services, critical incident debriefings, crisis counseling, stress management training, and mental health evaluations.
- Because of increasing demand and the anticipation of higher demand the BSS expanded their work force hours during this reporting period.
- APD continues to provide training to management and supervisory personnel in officer support protocols to ensure support services are accessible in a manner that minimizes stigma.
- APD continues to ensure that any mental health counseling services provided to employees remain confidential in accordance with federal law and generally accepted practices in the field of mental health care. Electronic medical records are used for ease of record keeping and confidentiality.
- The Selfcare Interactive Online Network (SCION) is a monthly online session for law enforcement held with a psychiatrist and other mental health professionals that is designed to present ways to cope and deal with adversity and issues in a healthy way. SCION its all-time highest number of attendees with over 60 people logged on to the program during this reporting period. An article about the program was accepted to Police Chief Magazine. Additionally, the program will be presented at an IACP conference in April.

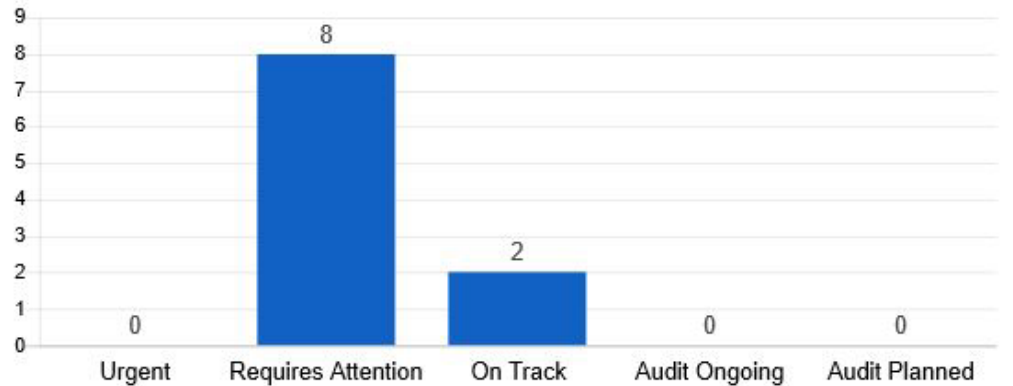
Section 9: Community Engagement & Oversight Paragraphs 255 – 265



Operational Compliance Over Time



Status of Remaining Paragraphs



Action Plan for Operational Compliance

- APD will continue to implement methods and strategies to improve public safety and crime prevention through community engagement.
- APD continues to staff Proactive Response Team (PRT) members in each area command to supply resources to the community.
- APD will continue to provide officers with information specific to the area they work to ensure they are able to provide service exclusive to the needs of that community.
- APD Area Commanders present community-oriented policing initiatives to their respective area commands on an ongoing basis.
- APD will analyze data obtained by the Community Event Tracker to determine areas in need of improvement and areas that are doing well.
- APD area commands continue to create and post monthly newsletters and upcoming events on its website
- APD will analyze data obtained by the Community Event Tracker to determine areas in need of improvement and areas that are doing well.
- APD will continue to post crime stats online.
- APD will continue to collaborate with the Community Policing Councils (CPC) at each of the six area commands. The councils are comprised of a cross-section of community members that facilitate regular communication between APD and local leaders. The CASA paragraphs covering CPCs have been in operational compliance since IMR14.

Section Accomplishments

- APD POP/COP (Problem Oriented Policing and Community Oriented Policing) refresher curriculum was completed and trained in 2022 meeting the in-service requirement for Paragraph 258. The 2023 COP POP training curriculum, with the approval of the IMT, will be taught in three 2-hour courses on a 3-year cycle meeting the requirements of Paragraph 258 and ensuring officers are not receiving repeat content every year.
- APD has civilianized the sworn position that formerly oversaw community engagement activities. The new Community Engagement Manager has extensive communications experience with the City and is responsible for promoting Department transparency, problem-solving, and goal-oriented participation with external community affiliations.

Conclusion

In this reporting period, APD continued to conduct weekly ReformStat meetings to plan compliance efforts for all CASA paragraphs not yet operational. These regular meetings with executive leadership have enhanced action plan efforts and are believed to be the driving force that increased the overall operational compliance from 70% to 80% in IMR-16.

APD held training related to every section of the CASA that is necessary for compliance during this reporting period.

The Data Analytics Division continues to develop, allowing APD to focus on operationalizing data to measure the transfer of knowledge, behavior changes, and impact on the Department. The Data Analytics Division completed the Preliminary 2021 Annual Use of Force Report and anticipates Summer 2023 for the completion of the 2022 Annual Use of Force Report. The division continues to complete reports in a timely manner, such as the IAPS Quarterly Reports and the FRB Quarterly update.

Timely and thorough investigations into all levels of force continue to meet CASA requirements. APD and EFIT have worked together to return control of investigations to APD staff, and EFIT has established a transition plan that includes several phases of IAFD investigator mentorship.

APD staffing has stabilized and the Department continues to prepare for inevitable promotions, retirements, resignations, or transfers by recruiting at various ranks into the division.

The creation of the Office of the Superintendent has proven to successfully deliver a compliant discipline review and imposition process. Additionally, APD has refined tracking of how imposed discipline compares with its Disciplinary Matrix to aid in these goals.

The City continued to work with the DOJ and the Independent Monitor in order to transition the Department in multiple paragraphs towards self-assessment. A self-assessment program that will take the place of the Independent Monitoring Team in the assessment and reporting of compliance levels for numerous Court-Approved Settlement Agreement (CASA) requirements has begun. APD is proud to announce that 37% of CASA operational paragraphs are now in self-assessment. The Department will continue working with the DOJ to increase the number of paragraphs in self-assessment as sustained compliance requirements are met.

APD believes that supervision continues to be a contributing factor in improved overall operations over the last several years including meeting many requirements of the Settlement Agreement. Monthly scorecards document areas of evaluation specific to first-line supervision such as equipment inspections, required video reviews, and ensuring officers are complying with their scorecard requirements. Supervision in areas of consistent operational compliance such as recruitment, special operations, special investigations, behavioral health, Multi-Agency Task Force, and Field Training and Evaluation remain strong and effective. APD has also improved in command and executive staff management in areas such as discipline, the Force Review Board, and after-actions stemming from tactical and emergency response deployments.

APD continues to focus on the CASA Early Intervention System (EIS) and the APD Performance and Evaluation Management System (PEMS). The department now has a working EIS and continues to improve upon processes.

APD remains determined to make every attempt to achieve operational compliance by IMR-19 or May 2024.

Appendix A: CASA Paragraphs and IMR16 Recommendations

Compliance Level	Paragraph #	Paragraph	Recommendations
Secondary	23	APD shall track all critical firearm discharges. APD shall include all critical firearm discharges and discharges at animals in its Early Intervention System and document such discharges in its use of force annual report.	4.7.10a: Cycle forward 2020 and 2021 data related to Paragraph 23 to ensure the Annual Use of Force Report is finalized and statistics remain up to date and accurate.
			4.7.10b: Coordinate efforts with EFIT-2 to ensure that data compiled following the completion of all backlogged use of force cases are quickly included in finalized 2020 and 2021 Annual Use of Force Reports to avoid having multiple “preliminary” reports disseminated simultaneously.
Secondary	24	ECWs shall not be used solely as a compliance technique or to overcome passive resistance. Officers may use ECWs only when such force is necessary to protect the officer, the subject, or another person from physical harm and after considering less intrusive means based on the threat or resistance encountered. Officers are authorized to use ECWs to control an actively resistant person when attempts to subdue the person by other tactics have been, or will likely be, ineffective and there is a reasonable expectation that it will be unsafe for officers to approach the person within contact range.	4.7.11a: Reinforce training regarding the prohibition of utilizing ECWs on passively resistant subjects.
Secondary	29	Officers shall determine the reasonableness of ECW use based upon all circumstances, including the subject’s age, size, physical condition, and the feasibility of lesser force options. ECWs should generally not be used against visibly pregnant women, elderly persons, young children, or visibly frail persons. In some cases, other control techniques may be more appropriate as determined by the subject’s threat level to themselves or others. Officers shall be trained on the increased risks that ECWs may present to the above-listed vulnerable populations.	4.7.16a: Same as the recommendation for Paragraph 24, reinforce the training regarding the prohibition of utilizing ECWs on passively resistant subjects.

Secondary	38	APD agrees to include the number of ECWs in operation and assigned to officers, and the number of ECW uses, as elements of the Early Intervention System. Analysis of this data shall include a determination of whether ECWs result in an increase in the use of force, and whether officer and subject injuries are affected by the rate of ECW use. Probe deployments, except those described in Paragraph 30, shall not be considered injuries. APD shall track all ECW laser painting and arcing and their effects on compliance rates as part of its data collection and analysis. ECW data analysis shall be included in APD's use of force annual report.	4.7.25a: Operationalize the PEMS process as soon as practicable following training of those who will be using the system. We recommend that the training plan be proffered to the monitor for review and assessment prior to implementation.
			4.7.25b: Complete and submit the Annual Use of Force Report for 2021 and update any preliminary reports for the preceding years.
			4.7.24-5c: Build business processes and monitor investigative and field commands that consistently or intermittently score below standards for OBRD and ECW requirements for Paragraphs 37 and 38. Data monitoring should isolate squads and commands that may be impacting compliance rates and identify whether personnel reporting to specific supervisors and commanders are demonstrating patterns of non-compliance.
Secondary	46	The three levels of use of force will have different kinds of departmental review. All uses of force by APD shall be subject to supervisory review, and Level 2 and Level 3 uses of force are subject to force investigations as set forth below. All force reviews and investigations shall comply with applicable law and comport with best practices. All force reviews and investigations shall determine whether each involved officer's conduct was legally justified and complied with APD policy.	Recommendations for paragraphs 41-59 are listed below after paragraph # 59.

Primary	47	The quality of supervisory force reviews shall be taken into account in the performance evaluations of the officers performing such reviews.	4.7.34a: Complete the approved training.
			4.7.34b: Document the proposed audit process through PEMS and ensure that assessments are timely, accurate, and reliable.
Secondary	51	A supervisor who was involved in a reportable use of force, including by participating in or ordering the force being reviewed, shall not review the incident or Use of Force Reports for approval.	Recommendations for paragraphs 41-59 are listed below after paragraph # 59.
Secondary	52	For all supervisory reviews of Level 1 uses of force, the supervisor shall: a) respond to the scene and immediately identify the officer(s) involved in Level 1 use of force; b) review the involved officer's lapel video, determining whether the incident involves a Level 1 use of force; c) review the lapel video of other officers on-scene where uncertainty remains about whether the incident rises to a Level 2 or Level 3 use of force; d) examine personnel and the subject for injuries and request medical attention where appropriate.; e) contact the Internal Affairs Division to conduct a Level 2 or Level 3 use of force investigation if lapel video does not affirm a Level 1 use of force; f) gather any evidence located at the scene of the Level 1 use of force; g) capture photographs of the officer(s) and subject involved in the Level 1 use of force; h) require the submission of a Use of Force Report from the involved officer by the end of shift; and i) conduct any other fact-gathering activities while on-scene, as necessary, to reach reliable conclusions regarding the officer's use of Level 1 force.	Recommendations for paragraphs 41-59 are listed below after paragraph # 59.
Secondary	57	When the Commander finds that the supervisory force review is complete and the findings are supported by the evidence, the file shall be forwarded to the Performance Review Unit of the Compliance Bureau. The Performance Review Unit shall	Recommendations for paragraphs 41-59 are listed below after paragraph # 59.

		<p>review the supervisory force review to ensure that it is complete and that the findings are supported by the evidence. The Performance Review Unit shall ensure that the file is forwarded to the Internal Affairs Division for recordkeeping. Where the Performance Review Unit of the Compliance Bureau determines that a supervisory force review, which has been completed by the supervisor and reviewed by the chain of command, is deficient, the Performance Review Unit shall forward the review to the supervisor for correction. Any performance deficiencies in the investigation or review will be noted in the affected Commander's performance records.</p>	
Secondary	59	<p>Where, after a supervisory force review, a use of force is found to violate policy, the Chief shall direct and ensure appropriate discipline and/or corrective action. Where the use of force indicates policy, training, tactical, or equipment concerns, the Chief shall also ensure that necessary training is delivered and that policy, tactical, or equipment concerns are resolved.</p>	<p>Recommendations for paragraphs 41-59 are listed below after paragraph # 59.</p>
			<p>4.7.45a: APD should re-assess the monitor's comments on paragraphs 41-59 and, where non-compliance was noted, conduct failure analyses to determine the issues causing non-compliance.</p>
			<p>4.7.45c: Consider modeling IAFD/EFIT practices and process regarding use of force investigative processes while adhering to CASA timelines.</p>
Secondary	60	<p>The Force Investigation Section of the Internal Affairs Division shall respond to the scene and conduct investigations of Level 2 and Level 3 uses of force, uses of force indicating apparent criminal conduct by an officer, uses of force by APD personnel of a rank higher than sergeant, or uses of force reassigned to the Internal Affairs Division by the Chief. In cases where an investigator in the Force Investigation Section initiates a Level 2 or Level 3 use of force investigation and identifies indications of apparent criminal conduct, the Section shall refer the use of force to an investigator in the Section, with no involvement in the initial administrative investigation into the Level 2 or 3 use of force, to conduct a criminal investigation. The criminal investigation shall remain separate from and independent of any administrative investigation. In instances where the Multi-Agency Task Force is conducting the criminal investigation of a use of</p>	<p>Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75:</p> <p>4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.</p>

		force, the Internal Affairs Division shall conduct the administrative investigation.	
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	61	The Force Investigation Section of the Internal Affairs Division will be responsible for conducting both criminal and administrative investigations, except as stated in Paragraph 60. The Force Investigation Section of the Internal Affairs Division shall include sufficient personnel who are specially trained in both criminal and administrative investigations.	Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75: 4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	63	Within 39 months from the Operational Date, APD shall ensure that there are sufficient trained personnel assigned to the Internal Affairs Division and Force Investigation Section to fulfill the requirements of this Agreement. APD shall ensure that all Level 2 and Level 3 uses of force are investigated fully and fairly by individuals with appropriate expertise, independence, and investigative skills so that uses of force that are contrary to law or policy are identified and appropriately resolved; that policy, training, equipment, or tactical deficiencies related to the use of force are identified and corrected; and that investigations of sufficient quality are conducted so that officers can be held accountable, if necessary. At the discretion of the Chief, APD may hire and retain personnel, or reassign current APD employees, with sufficient expertise and skills to the Internal Affairs Division or Force Investigation Section.	Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75: 4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.

<p>Secondary</p>	<p>69</p>	<p>In conducting its investigations of Level 2 or Level 3 uses of force, as defined in this Agreement, the Force Investigation Section shall:</p> <ul style="list-style-type: none"> a) respond to the scene and consult with the on-scene supervisor to ensure that all personnel and subject(s) of use of force have been examined for injuries, that the use of force has been classified according to APD’s classification procedures, that subject(s) have been interviewed for complaints of pain after advising the subject(s) of his or her rights, and that all officers and/or subject(s) have received medical attention, if applicable; b) ensure that all evidence to establish material facts related to the use of force, including but not limited to audio and video recordings, photographs, and other documentation of injuries or the absence of injuries is collected; c) ensure that a canvass for, and interview of, witnesses is conducted. In addition, witnesses should be encouraged to provide and sign a written statement in their own words; d) ensure, consistent with applicable law, that all officers witnessing a Level 2 or Level 3 use of force by another officer provide a use of force narrative of the facts leading to the use of force; e) provide a written admonishment to involved and witness officer(s) to the use of force that they are not to speak about the force incident with anyone until they are interviewed by the investigator of the Force Investigation Section; f) conduct only one-on-one interviews with involved and witness officers; g) review all Use of Force Reports to ensure that these statements include the information required by this Agreement and APD policy; h) ensure that all Use of Force Reports identify all officers who were involved in the incident, witnessed the incident, or were on the scene when it occurred; i) conduct investigations in a rigorous manner designed to determine the facts and, when conducting interviews, avoid asking leading questions and never ask officers or other witnesses any questions that may suggest legal justifications for the officers’ conduct; j) record all interviews; k) consider all relevant evidence, including circumstantial, 	<p>Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75:</p> <p>4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.</p>
------------------	-----------	---	--

		<p>direct, and physical evidence, as appropriate, and make credibility determinations, if feasible;</p> <p>l) make all reasonable efforts to resolve material inconsistencies between the officer, subject, and witness statements, as well as inconsistencies between the level of force described by the officer and any injuries to personnel or subjects; and</p> <p>m) train all Internal Affairs Division force investigators on the factors to consider when evaluating credibility, incorporating credibility instructions provided to jurors.</p>	
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	71	<p>The Force Investigation Section shall complete Level 2 or Level 3 administrative investigations within three months after learning of the use of force. Any request for an extension to this time limit must be approved by the commanding officer of the Force Investigation Section through consultation with the Chief or by the Chief. At the conclusion of each use of force investigation, the Force Investigation Section shall prepare an investigation report. The report shall include:</p> <p>a) a narrative description of the incident, including a precise description of the evidence that either justifies or fails to justify the officer's conduct based on the Force Investigation Section's independent review of the facts and circumstances of the incident;</p> <p>b) documentation of all evidence that was gathered, including names, phone numbers, addresses of witnesses to the incident, and all underlying Use of Force Data Reports. In situations in which there are no known witnesses, the report shall specifically state this fact. In situations in which witnesses were present but circumstances prevented the author of the report from determining the identification, phone number, or address of those witnesses, the report shall state the reasons why. The report should also include all available identifying information for anyone who refuses to provide a statement;</p> <p>c) the names of all other APD officers or employees witnessing the use of force;</p> <p>d) the Force Investigation Section's narrative evaluating the</p>	<p>Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75:</p> <p>4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.</p>

		<p>use of force, based on the evidence gathered, including a determination of whether the officer's actions complied with APD policy and state and federal law; and an assessment of the incident for tactical and training implications, including whether the use of force could have been avoided through the use of de-escalation techniques or lesser force options;</p> <p>e) if a weapon was used by an officer, documentation that the officer's certification and training for the weapon were current at the time of the incident; and</p> <p>f) the complete disciplinary history of the target officers involved in the use of force.</p>	
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	72	<p>Upon completion of the Force Investigation Section investigation report, the Force Investigation Section investigator shall forward the report through his or her chain of command to the commanding officer of the Internal Affairs Division. The Internal Affairs Division commanding officer shall review the report to ensure that it is complete and that, for administrative investigations, the findings are supported using the preponderance of the evidence standard. The Internal Affairs Division commanding officer shall order additional investigation when it appears that there is additional relevant evidence that may assist in resolving inconsistencies or improve the reliability or credibility of the findings.</p>	<p>Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75:</p> <p>4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.</p>
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.

Secondary	73	For administrative investigations, where the findings of the Force Investigation Section investigation are not supported by a preponderance of the evidence, the Internal Affairs Division commanding officer shall document the reasons for this determination and shall include this documentation as an addendum to the original investigation report. The commanding officer of the Internal Affairs Division shall take appropriate action to address any inadequately supported determination and any investigative deficiencies that led to it. The Internal Affairs Division commanding officer shall be responsible for the accuracy and completeness of investigation reports prepared by the Internal Affairs Division.	Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75: 4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	74	Where a member of the Force Investigation Section repeatedly conducts deficient force investigations, the member shall receive the appropriate corrective and/or disciplinary action, including training or removal from the Force Investigation Section in accordance with performance evaluation procedures and consistent with any existing collective bargaining agreements, personnel rules, Labor Management Relations Ordinance, Merit System Ordinance, regulations, or administrative rules.	Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75: 4.7.47 - 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	75	When the commanding officer of the Internal Affairs Division determines that the force investigation is complete and the findings are supported by the evidence, the investigation report file shall be forwarded to the Force Review Board with copy to the Chief.	Recommendations for Paragraphs 60, 61, 63, 69, 71, 72, 73, 74, and 75: 4.7.47 – 61a: Utilize the IAFD/EFIT practices and processes regarding use of force investigative practices.
			4.7.47 – 61b: Transmit cases to the FRB and the Chief of Police without unreasonable delay.
Secondary	77	Where, after an administrative force investigation, a use of force is found to violate policy, the Chief shall direct and ensure appropriate discipline and/or corrective action. Where a force investigation indicates apparent criminal conduct by an officer, the Chief shall ensure that the Internal Affairs	4.7.64a: APD should carefully review the recommendations of Paragraphs 201 below, and develop a coherent strategy to improve proactive measures to ensure conformance with extant APD policies related to officers' use of force modalities.

		<p>Division or the Multi-Agency Task Force consults with the District Attorney’s Office or the USAO, as appropriate. The Chief need not delay the imposition of discipline until the outcome of the criminal investigation. In use of force investigations, where the incident indicates policy, training, tactical, or equipment concerns, the Chief shall ensure that necessary training is delivered and that policy, tactical, or equipment concerns are resolved.</p>	
<p>Secondary</p>	<p>78</p>	<p>APD shall develop and implement a Force Review Board to review Level 2 and Level 3 uses of force. The Force Review Board shall be comprised of at least the following members: Deputy Chief of the Administrative Support Bureau, Deputy Chief of the Field Services Bureau, the Deputy Chief of the Investigative Bureau, a Field Services Commander, the Academy Division Commander, and the Legal Advisor. The Force Review Board shall conduct timely, comprehensive, and reliable reviews of Level 2 and Level 3 use of force investigations. The Force Review Board shall:</p> <ul style="list-style-type: none"> a) review each use of force investigation completed by the Force Investigation Section within 30 days of receiving the investigation report to ensure that it is complete and, for administrative investigations, that the findings are supported by a preponderance of the evidence; b) hear the case presentation from the lead investigator and discuss the case as necessary with the investigator to gain a full understanding of the facts of the incident. The officer(s) who used the force subject to investigation, or who are otherwise the subject(s) of the Internal Affairs Division investigation, shall not be present; c) order additional investigation when it appears that there is additional relevant evidence that may assist in resolving inconsistencies or improve the reliability or credibility of the force investigation findings. For administrative investigations, where the findings are not supported by a preponderance of the evidence, the Force Review Board shall document the reasons for this determination, which shall be included as an addendum to the original force investigation, including the specific evidence or analysis supporting their conclusions; d) determine whether the use of force violated APD policy. If the use of force violated APD policy, the Force Review Board 	<p>4.7.44a: Continue utilizing the Secondary Force Review Board for the current backlog of cases required to be reviewed.</p>

		<p>shall refer it to the Chief for appropriate disciplinary and/or corrective action;</p> <p>e) determine whether the incident raises policy, training, equipment, or tactical concerns, and refer such incidents to the appropriate unit within APD to ensure the concerns are resolved;</p> <p>f) document its findings and recommendations in a Force Review Board Report within 45 days of receiving the completed use of force investigation and within 15 days of the Force Review Board case presentation; and</p> <p>g) review and analyze use of force data, on at least a quarterly basis, to determine significant trends and to identify and correct deficiencies revealed by this analysis."</p>	
			<p>4.7.44b: Report regularly to the Chief of Police on progress toward the established goals and objectives related to the entire FRB process. The report should include statuses on the FRBs' progress in addressing all cases required to be reviewed.</p>
			<p>4.7.44c: FRB should focus attention on uses of force trend data to ensure policy and training are properly addressing performance in the field.</p>
Secondary	79	<p>At least annually, APD shall publish a Use of Force Annual Report. At a minimum, the following information should be included in the Annual Use of Force Report:</p> <p>a) number of calls for service;</p> <p>b) number of officer-initiated actions;</p> <p>c) number of aggregate uses of force, and uses of force by Level;</p> <p>d) number of arrests;</p> <p>e) number of custodial arrests that involved use of force;</p> <p>f) number of SWAT deployments by type of call out;</p> <p>g) number of incidents involving officers shooting at or from moving vehicles;</p> <p>h) number of individuals armed with weapons;</p> <p>i) number of individuals unarmed;</p> <p>j) number of individuals injured during arrest, including APD</p>	<p>4.7.66a: APD's must ensure the use of force investigation backlog is reconciled, and the complete data required by Paragraph 79 requirements should be incorporated into a final Annual Use of Force Report.</p>

		and other law enforcement personnel; k) number of individuals requiring hospitalization, including APD and other law enforcement personnel; l) demographic category; and m) geographic data, including street, location, or Area Command.	
			4.7.66b: APD should monitor use of force, serious use of force, and show of force reporting discrepancies that are found. Reporting errors must be reconciled to ensure that statistics published in its Annual Use of Force Reports are accurate.
Secondary	80	APD shall be responsible for maintaining a reliable and accurate tracking system on all officers' use of force; all force reviews carried out by supervisors; all force investigations carried out by the Force Investigation Section, Internal Affairs Division, or Multi-Agency Task Force; and all force reviews conducted by the Performance Review Unit of the Compliance Bureau and the Force Review Board. APD shall integrate the use of force tracking system with the Early Intervention System database and shall utilize the tracking system to collect and analyze use of force data to prepare the Use of Force Annual Report and other reports, as necessary.	4.7.67a: Continue to ensure that accurate use of force information is tracked and utilized to complete the Annual Use of Force report as well as other reports, as necessary.
Primary	88	Supervisors of all ranks, including those assigned to the Internal Affairs Division, as part of their initial and annual in-service supervisory training, shall receive additional training that includes: a) conducting use of force reviews or investigations, including evaluating officer, subject, and witness credibility; b) strategies for effectively directing officers to minimize uses of force and to intervene effectively to prevent or stop unreasonable force; c) incident management; and d) supporting officers who report unreasonable or unreported force, or who are retaliated against for using only reasonable force or attempting to prevent unreasonable force.	4.7.73-75a: APD should devise and implement a cogent plan to address use of force training requirements for 2023 and the next reporting period, considering agency-wide initiatives to "pilot" new programs, and revisions being made to APD's use of force suite of policies. The goal of sustaining Operational Compliance of Paragraphs 86 and 87 should be paramount. Curriculum developed for annual use of force training should incorporate specific needs of officers and supervisors in the field, and address each component of Paragraphs 86-88.

			4.7.73-75b: The Academy staff should be properly staffed to ensure the quality of training curriculum and to ensure training systems are not negatively impacted due to staffing shortages. Staffing should contemplate the Academy's ongoing, annual training responsibilities relevant to numerous CASA requirements.
			4.7.73-75c: APD personnel assigned to non-Academy commands that carry significant training requirements should receive training commensurate with the Academy staff. This will ensure continuity in curriculum development across the organization.
			4.7.73-75d: APD's Training Committee meetings should occur on at least a quarterly basis until operational compliance is achieved in the field.
			4.7.73-75e: Ensure that the Academy is the central point for review and approval of all training development and delivery processes for APD.
			4.7.73-75f: APD should continue to carefully review training that is developed from sources outside the Academy before it is delivered to the department, regardless of its origin. Training programs should be developed based on best practices and APD policy and must adhere to the requirements of the CASA.

Operational	114	APD, with guidance from the Advisory Committee, shall develop protocols that govern the release and exchange of information about individuals with known mental illness to facilitate necessary and appropriate communication while protecting their confidentiality.	4.7.101a: Monitor in-field results of finalized protocols and adjust as needed based on in-field activities and extant needs.
-------------	-----	---	---

			4.7.101b: The City should seek clear guidance from the Advisory Committee (MHRAC) about its current protocols that “govern the release and exchange of information about individuals with known mental illness to facilitate necessary and appropriate communication while protecting their confidentiality” regarding whether additional considerations are necessary.
Secondary	127	Within 18 months of the Operational Date, APD will ensure that there is sufficient coverage of crisis intervention certified responders to maximize the availability of specialized responses to incidents and calls for service involving individuals in mental health crisis; and warrant service, tactical deployments, and welfare checks involving individuals with known mental illness.	4.7.114a: APD should continue to re-assess its 40 percent guideline for CIU-trained officers, in light of recent incidents involving individuals in mental health crises and determine if the 40 percent staffing level continues to meet community and department needs.
Secondary	129	APD shall collect data on the use of crisis intervention certified responders and CIU. This data will be collected for management purposes only and shall not include personal identifying information of subjects or complainants. APD shall collect the following data: a) date, shift, and area command of the incident; b) subject’s age, race/ethnicity, and gender; c) whether the subject was armed and the type of weapon; d) whether the subject claims to be a U.S. military veteran; e) name and badge number of crisis intervention certified responder or CIU detective on the scene; f) whether a supervisor responded to the scene; g) techniques or equipment used; h) any injuries to officers, subjects, or others; i) disposition of the encounter (e.g., arrest, citation, referral); and j) a brief narrative of the event (if not included in any other document).	4.7.116a: Staff and properly supervise appropriately trained personnel to provide accurate and complete data and analytics in a timely fashion to meet the requirements of this paragraph, which include collecting data “for management purposes.”
Secondary	137	APD shall collect and analyze data to demonstrate the impact of and inform modifications to crisis prevention services. This data will be collected for management purposes only and shall not include personal identifying information of subjects or complainants. APD shall collect the following data: a) number of individuals in the COAST and CIU caseloads; b) number of individuals receiving crisis prevention services; c) date, shift, and area command of incidents or follow up	4.7.124a: Identify data necessary to fulfill. for analysis.

		<p>encounters;</p> <p>d) subject's age, race/ethnicity, and gender;</p> <p>e) whether the subject claims to be a U.S. military veteran;</p> <p>f) techniques or equipment used;</p> <p>g) any injuries to officers, subjects, or others;</p> <p>h) disposition of the encounter (e.g., arrest, citation, referral);</p> <p>and</p> <p>i) a brief narrative of the event (if not included in any other document).</p>	
			4.7.124c: Explore innovative methods for the oversight and development of information stipulated in Paragraph 137.
Secondary	146	APD shall apply policies uniformly and hold officers accountable for complying with APD policy and procedure.	4.7.132a: APD should redouble efforts to standardize discipline among like-patterned violations, although we understand that some disparity is necessary to allow the agency to consider past violations while imposing appropriate discipline.
Secondary	183	APD and the Civilian Police Oversight Agency shall ensure that investigations of officer misconduct complaints shall be as thorough as necessary to reach reliable and complete findings. The misconduct complaint investigator shall interview each complainant in person, absent exceptional circumstances, and this interview shall be recorded in its entirety, absent specific, documented objection by the complainant. All officers in a position to observe an incident, or involved in any significant event before or after the original incident, shall provide a written statement regarding their observations, even to state that they did not observe anything.	4.7.169a: Investigations in which the complainant or logical witnesses are not interviewed or in matters that are administratively closed, the investigation should include a clear explanation of why the interviews were not conducted and or why further investigative steps were not warranted. These should be subject to managerial oversight regarding appropriateness.
			4.7.169b: APD must ensure that investigations conducted by the area commands are held to the same standards that apply to IAPS and CPOA and are CASA compliant.
			4.7.169c: APD must ensure that investigations conducted by the area commands are held to the

			same standards that apply to IAPS and CPOA and are CASA compliant.
			4.7.169c: All interviews should be recorded to ensure proper administrative procedures were adhered to and to codify exactly what was stated.
Secondary	190	In each investigation, APD and the Civilian Police Oversight Agency shall consider all relevant evidence, including circumstantial, direct, and physical evidence. There will be no automatic preference for an officer's statement over a non-officer's statement, nor will APD or the Civilian Police Oversight Agency disregard a witness's statement merely because the witness has some connection to the complainant or because of any criminal history. During their investigation, APD and the Civilian Police Oversight Agency shall take into account any convictions for crimes of dishonesty of the complainant or any witness. APD and the Civilian Police Oversight Agency shall also take into account the record of any involved officers who have been determined to have been deceptive or untruthful in any legal proceeding, misconduct investigation, or other investigation. APD and the Civilian Police Oversight Agency shall make efforts to resolve material inconsistencies between witness statements.	4.7.176a: APD should ensure all investigators at the Area Commands, who will conduct investigations of minor misconduct receive appropriate training relating to internal affairs investigations and CASA requirements.
			4.7.176b: APD IAPS should require all pertinent and relevant evidence be recovered and considered in all internal affairs investigations. All evidence for internal investigations should be secured in an evidence security facility and/or included in the case file.
Secondary	191	All administrative investigations conducted by the Internal Affairs Division or the Civilian Police Oversight Agency shall be completed within 90 days of the initiation of the complaint investigation. The 90-day period shall not include time for review. An extension of the investigation of up to 30 days may be granted but only if the request for an extension is in writing and is approved by the Chief. Review and final approval of the investigation, and the determination and imposition of the appropriate discipline, shall be completed within 30 days of the completion of the investigation. To the extent permitted by state and city law, extensions may also be granted in	4.7.177a: CPOA supervisors should ensure that investigations are completed in a timely manner, and that cases with exigent circumstances are closely monitored for timeliness and accuracy.

		extenuating circumstances, such as military deployments, hospitalizations of the officer, and extended absences.	
Secondary	201	APD shall ensure that discipline for sustained allegations of misconduct is consistently applied, fair, and based on the nature of the allegation, and that mitigating and aggravating factors are set out and applied consistently.	4.7.187a: Ensure that all disciplinary decisions fall within the range of the disciplinary matrix unless written reasons for departure from the matrix range accompany the decision.
			4.7.187b: Ensure that adequate explanation is given for selecting a classification level where there is more than one level of classification associated with a regulation for which a sustained finding is made.
			4.7.187c: All investigations involving sustained charges where discipline cannot be imposed due to violations of time constraints should be reported quarterly to the chief, the City Attorney, DOJ, and the monitor.
			4.7.187d: APD should continue to ensure that all PDHs are recorded and preserved as part of the investigative file.
			4.7.187e: IAPS and CPOA should continue to determine if any prior violations count as prior offenses for all investigations requiring review of sustained charges by the appropriate Area Command, the Professional Integrity Commander, and/or the Disciplinary Authority.
			4.7.187f: The explanation of time limitations on the chart of sanctions, 3-46-4B2, and the explanation of prior-related offenses, 3-46-3K, must be understood and followed in DAP calculations and by the Disciplinary Authorities.

			<p>4.7.187g: To accurately calculate whether prior offenses come within the time periods specified in the disciplinary regulation, it is important that the date of imposition of prior discipline and the date of the conduct under review in the current case be readily discernible. We continue to recommend that the date discipline was imposed be clearly entered on the retention cards. We further recommend that the date of conduct under review be clearly set forth in the recommended findings and conclusions section of investigative reports, that is, entering an “on or about” date for the conduct referenced in each specification.</p>
			<p>4.7.187h: To accurately calculate whether prior offenses count for purposes of progressive discipline, the current sustained allegations should be labeled appropriately as either “performance” or “misconduct” violations, and prior offenses should likewise be labeled.</p>
Secondary	203	<p>To maintain high-level, quality service; to ensure officer safety and accountability; and to promote constitutional, effective policing, the City shall ensure that APD has the staffing necessary to implement the terms of this Agreement. APD shall also deploy a sufficient number of first-line supervisors to respond to scenes of uses of force; investigate thoroughly each use of force to identify, correct, and prevent misconduct; and provide close and effective supervision necessary for officers to improve and develop professionally. APD shall revise and implement policies for supervision that set out clear requirements for supervision and comport with best practices.</p>	<p>4.7.189a: APD should develop quantitative goals and objectives related to “adequate staffing” of APD and its individual units, clearly stating whether or not they agree with externally generated findings, and should work to ensure that “recommended” staffing levels are achieved.</p>
Secondary	205	<p>First-line supervisors shall investigate officers’ use of force as described in Section IV of this Agreement, ensure that officers are working actively to engage the community and increase public trust and safety, review each arrest report, and perform all other duties as assigned and as described in departmental policy.</p>	<p>44.7.194a: Assess and implement the current plan for addressing the requirements of Paragraphs 205 and 206.</p>

Secondary	206	All field officers shall be assigned to a primary, clearly identified first-line supervisor and shall also report to any other first-line supervisor within the chain of command. First-line supervisors shall be responsible for closely and consistently supervising all officers under their primary command. Supervisors shall also be responsible for supervising all officers under their chain of command on any shift to which they are assigned to ensure accountability across the Department.	44.7.194a: Assess and implement the current plan for addressing the requirements of Paragraphs 205 and 206.
Secondary	211	All sworn supervisors shall also receive a minimum of 32 hours of in-service management training, which may include updates and lessons learned related to the topics covered in the sergeant training and other areas covered by this Agreement.	4.7.197a: APD should continue its current practices of training design, development, and delivery, and should carefully identify and monitor personnel needing training and those who have received training.
			4.7.197b: Complete training as scheduled.
Secondary	212	Within nine months of the Operational Date, APD shall revise and update its Early Intervention System to enhance its effectiveness as a management tool that promotes supervisory awareness and proactive identification of both potentially problematic as well as commendable behavior among officers. APD supervisors shall be trained to proficiency in the interpretation of Early Intervention System data and the range of non-punitive corrective action to modify behavior and improve performance; manage risk and liability; and address underlying stressors to promote officer well-being.	Recommendations for 212-219 are listed below after paragraph # 219.
Secondary	213	APD shall review and adjust, where appropriate, the threshold levels for each Early Identification System indicator to allow for peer-group comparisons between officers with similar assignments and duties.	Recommendations for 212-219 are listed below after paragraph # 219.
Secondary	214	APD shall implement rolling thresholds so that an officer who has received an intervention of use of force should not be permitted to engage in additional uses of force before again triggering a review.	Recommendations for 212-219 are listed below after paragraph # 219.

Secondary	215	<p>The Early Intervention System shall be a component of an integrated employee management system and shall include a computerized relational database, which shall be used to collect, maintain, integrate, and retrieve data department-wide and for each officer regarding, at a minimum:</p> <ul style="list-style-type: none"> a) uses of force; b) injuries and deaths to persons in custody; c) failures to record incidents with on-body recording systems that are required to be recorded under APD policy, whether or not corrective action was taken, and cited violations of the APD's on-body recording policy; d) all civilian or administrative complaints and their dispositions; e) all judicial proceedings where an officer is the subject of a protective or restraining order; f) all vehicle pursuits and traffic collisions involving APD equipment; g) all instances in which APD is informed by a prosecuting authority that a declination to prosecute any crime occurred, in whole or in part, because the officer failed to activate his or her on-body recording system; h) all disciplinary action taken against employees; i) all non-punitive corrective action required of employees; j) all awards and commendations received by employees, including those received from civilians, as well as special acts performed by employees; k) demographic category for each civilian involved in a use of force or search and seizure incident sufficient to assess bias; l) all criminal proceedings initiated against an officer, as well as all civil or administrative claims filed with, and all civil lawsuits served upon, the City and/or its officers or agents, allegedly resulting from APD operations or the actions of APD personnel; and m) all offense reports in which an officer is a suspect or offender. 	Recommendations for 212-219 are listed below after paragraph # 219.
Secondary	216	<p>APD shall develop and implement a protocol for using the updated Early Intervention System and information obtained from it. The protocol for using the Early Intervention System shall address data storage, data retrieval, reporting, data analysis, pattern identification, supervisory use, supervisory/departmental intervention, documentation and</p>	Recommendations for 212-219 are listed below after paragraph # 219.

		audits, access to the system, and confidentiality of personally identifiable information. The protocol shall also require unit supervisors to periodically review Early Intervention System data for officers under their command.	
Secondary	217	APD shall maintain all personally identifying information about an officer included in the Early Intervention System for at least five years following the officer's separation from the agency except where prohibited by law. Information necessary for aggregate statistical analysis will be maintained indefinitely in the Early Intervention System. On an ongoing basis, APD will enter information into the Early Intervention System in a timely, accurate, and complete manner and shall maintain the data in a secure and confidential manner.	Recommendations for 212-219 are listed below after paragraph # 219.
Primary	218	APD shall provide in-service training to all employees, including officers, supervisors, and commanders, regarding the updated Early Intervention System protocols within six months of the system improvements specified in Paragraphs 212-215 to ensure proper understanding and use of the system. APD supervisors shall be trained to use the Early Intervention System as designed and to help improve the performance of officers under their command. Commanders and supervisors shall be trained in evaluating and making appropriate comparisons in order to identify any significant individual or group patterns of behavior.	Recommendations for 212-219 are listed below after paragraph # 219.
Primary	219	Following the initial implementation of the updated Early Intervention System, and as experience and the availability of new technology may warrant, the City may add, subtract, or modify thresholds, data tables and fields; modify the list of documents scanned or electronically attached; and add, subtract, or modify standardized reports and queries as appropriate. The Parties shall jointly review all proposals that limit the functions of the Early Intervention System that are required by this Agreement before such proposals are implemented to ensure they continue to comply with the intent of this Agreement.	Recommendations for 212-219 are listed below after paragraph # 219. 4.7.198-205a: Continue to periodically evaluate the effectiveness of audit protocols and the ability of APD to identify and correct actions not in compliance with the requirements of this paragraph.

Secondary	258	<p>Within 12 months of the Operational Date, APD agrees to provide 16 hours of initial structured training on community and problem-oriented policing methods and skills for all officers, including supervisors, commanders, and executives. This training shall include:</p> <p>a) methods and strategies to improve public safety and crime prevention through community engagement;</p> <p>b) leadership, ethics, and interpersonal skills;</p> <p>c) community engagement, including how to establish formal partnerships and actively engage community organizations, including youth, homeless, and mental health communities;</p> <p>d) problem-oriented policing tactics, including a review of the principles behind the problem solving framework developed under the "SARA Model" (Scanning, Analysis, Response, Assessment), which promotes a collaborative, systematic process to address issues of the community, safety, and quality of life;</p> <p>e) conflict resolution and verbal de-escalation of conflict; and</p> <p>f) cultural awareness and sensitivity training.</p>	4.7.243a: Ensure that supervisory processes are aligned with the COP training and COP goals and objectives.
			4.7243b: Complete 2022 COP/POP in service refresher training and ensure future training schedules that provide annualized refresher training.
			4.7243c: Develop assessment processes to measure the impact of training on-field practices.
Secondary	273	<p>The City shall ensure that the individuals appointed to serve on the agency are drawn from a broad cross-section of Albuquerque and have a demonstrated commitment to impartial, transparent, and objective adjudication of civilian complaints and effective and constitutional policing in Albuquerque.</p>	4.7.258a: Ensure that appointments and reappointments of CPOA Board members are timely and meet the qualification requirements set forth in the Ordinance and paragraph 273 of the CASA and that continued service and reappointments meet the training requirements set forth in the ordinance and paragraphs 274-276 of the CASA.

Secondary	274	<p>Within six months of their appointment, the City shall provide 24 hours of training to each individual appointed to serve on the agency that covers, at a minimum, the following topics:</p> <p>a) This Agreement and the United States' Findings Letter of April 10, 2014;</p> <p>b) The City ordinance under which the agency is created;</p> <p>c) State and local laws regarding public meetings and the conduct of public officials;</p> <p>d) Civil rights, including the Fourth Amendment right to be free from unreasonable searches and seizures, including unreasonable uses of force;</p> <p>e) All APD policies related to use of force, including policies related to APD's internal review of force incidents; and</p> <p>f) Training provided to APD officers on use of force.</p>	4.7.259a: Ensure that newly appointed CPOA members receive the necessary 24 hours of training within the required six-month time period.
Secondary	275	The City shall provide eight hours of training annually to those appointed to serve on the agency on any changes in law, policy, or training in the above areas, as well as developments in the implementation of this Agreement.	4.7.260a: Ensure that current CPOA Board members complete the agreed-upon assessment requirements of annual training within an established time frame.
Secondary	276	The City shall require those appointed to the agency to perform at least two ride-alongs with APD officers every six months.	4.7.261a: Members of the CPOAB should complete two ride-alongs during each reporting period.
Secondary	277	The City shall provide the agency sufficient resources and support to assess and make recommendations regarding APD's civilian complaints, serious uses of force, and officer-involved shootings; and to review and make recommendations about changes to APD policy and long-term trends in APD's use of force.	4.7.277a: A Memorandum of Understanding (MOU) between the City, CPOA/CPOAB, and the APOA on access to OIS/SUOF materials should be finalized and implemented, or some other solution reached, in order to allow the CPOAB more timely access to materials needed for review of OIS and SUOF incidents/investigations. This is a critical component of the CASA's community oversight processes.
Secondary	281	Investigation of all civilian complaints shall begin as soon as possible after assignment to an investigator and shall proceed as expeditiously as possible.	4.7.266a: Ensure all investigations are assigned within the agreed-upon seven days.

Secondary	282	The City shall ensure that the agency, including its investigative staff and the Executive Director, have access to all APD documents, reports, and other materials that are reasonably necessary for the agency to perform thorough, independent investigations of civilian complaints and reviews of serious uses of force and officer-involved shootings. At a minimum, the City shall provide the agency, its investigative staff, and the Executive Director access to: a) all civilian complaints, including those submitted anonymously or by a third party; b) the identities of officers involved in incidents under review; c) the complete disciplinary history of the officers involved in incidents under review; d) if requested, documents, reports, and other materials for incidents related to those under review, such as incidents involving the same officer(s); e) all APD policies and training; and f) if requested, documents, reports, and other materials for incidents that may evince an overall trend in APD's use of force, internal accountability, policies, or training.	Recommendation 4.7.267: The City should resolve on-going issues concerning APOA and the board related to access to OBRD videos as part of the investigative process at CPOA.
Secondary	289	For any of the agency's policy recommendations that the Chief decides not to follow, or any concerns that the agency has regarding changes to policy that Chief finds unfounded, the Chief shall provide a written report to the agency explaining any reasons why such policy recommendations will not be followed or why the agency's concerns are unfounded.	4.7.274a: Specific policy revision/creation reinforcing Paragraph 289 processes should be considered, developed, and submitted to the Parties and the monitor for review and comment.

Appendix B: Sample of ReformStat Action Items

CASA Section	CASA Sub-Section	Paragraph #	Action Item	Status	Due Date
UOF Internal Controls & Accountability	UOF Reporting	47	Build query to notify the Superintendent/Chief/FRB that includes: case number, in/out of policy, date of incident, and completed date.	Complete	08/01/22
UOF Internal Controls & Accountability	Electronic Control Weapons	25, 27, 29	Review any out of policy ECW violations since RBT training has started on 6/8/22	Complete	08/08/22
UOF Internal Controls & Accountability	UOF Training	88	Deliver training for COD Level One Unit	Complete	08/27/22
UOF Internal Controls & Accountability	UOF Training	88	Deliver Level One Use of Force pilot training with SE/VA officers and sergeants	Complete	08/27/22
UOF Internal Controls & Accountability	Level 1 UOF	49	Evaluate level one scorecards to determine if corrective action is necessary (Q3 2022)	Complete	09/30/22
UOF Internal Controls & Accountability	Force Review Board	78	Provide a backlog Reduction Count for September 2022 at the end of September 2022	Complete	09/30/22
UOF Internal Controls & Accountability	Level 1 UOF	15 49	Conduct second evaluation of Level 1 pilot	Complete	11/10/22
UOF Internal Controls & Accountability	UOF Reporting	47	PEMS Sergeant and PEMS Deputy Commander to train supervisors on how to complete Performance Evaluations	Complete	11/30/22
UOF Internal Controls & Accountability	UOF Principles	15	Complete 24 hours of annual UOF Training (2022)	Complete	12/31/22
UOF Internal Controls & Accountability	Force Review Board	78	Confirm that any officer(s) who used the force subject to the investigation, or who are the subject of the IA division investigation, are not present at the Force Review Board meetings;	Complete	01/03/23
UOF Internal Controls & Accountability	Force Review Board	78	Refer any Use of Force that violated APD policy identified by the Force Review Board (FRB) to the Chief for appropriate disciplinary and/or corrective action	Complete	01/03/23
UOF Internal Controls & Accountability	Use of Firearms	20	Complete the 2022 Firearms Training cycle and provide a signed COB.	Complete	01/31/23

CASA Section	CASA Sub-Section	Paragraph #	Action Item	Status	Due Date
UOF Internal Controls & Accountability	Use of Firearms	17 18 19	Submitted final 2022 Firearms Qual documentation and field check requirements to IMT.	Complete	03/01/23
UOF Internal Controls & Accountability	UOF Principles	41, 43, 44, 48, 50, 51, 56, 58, 59, 60, 71	Submit IAFD Quarterly Q1 report 2023 to City Legal	Complete	03/01/23
UOF Internal Controls & Accountability	Level 1 UOF	49	Obtain and Evaluate level one scorecards to determine if corrective action is necessary (Q1 2023)	In Progress	03/10/23
UOF Internal Controls & Accountability	Force Investigations	41	Implement training division wide (Onboarding)	In Progress	03/13/23
UOF Internal Controls & Accountability	UOF Reporting	47	Document the proposed audit process through PEMS and ensure that assessments are timely, accurate and reliable	In Progress	03/31/23
UOF Internal Controls & Accountability	UOF Reporting	47	Obtain a COA memorandum regarding 2023 Employee Workplan - Checkpoint 2	In Progress	04/28/23
UOF Internal Controls & Accountability	Use of Firearms	79	Submit 2022 data annual UOF report	In Progress	06/30/23
Crisis Intervention	Crisis Intervention Responders & CIU	127 129	Document how CIU distributes data this monitoring period to influence training, officer deployment and anytime data is provided to another agency surrounding their mental health programs	Complete	02/03/23
Crisis Intervention	Crisis Intervention Responders & CIU	131	Collaborate with SOD to produce a memo detailing any tactical deployments against individuals who are suicidal in their home.	Complete	02/03/23
Crisis Intervention	Crisis Intervention Responders & CIU	129 137	Create a COB document to demonstrate how data is to be used to include line ups showing ECIT officer assignment	Complete	02/17/23
Crisis Intervention	Crisis Intervention Responders & CIU	127 135	Develop a staffing study that includes information on "touch time" for BH-related CADs, shift relief factors and other analyses that enables APD to calculate staffing levels.	In Progress	
Crisis Intervention	Crisis Intervention Responders & CIU	129 137	Finalize data recommendation memo to address recommendations in CIU semi-annual report	In Progress	11/04/22
Crisis Intervention	Crisis Intervention Responders & CIU	127 135	Publish the 2022 Annual CIT Report.	In Progress	05/31/23

CASA Section	CASA Sub-Section	Paragraph #	Action Item	Status	Due Date
Policies & Training	Training on Revised Policies & Procedures	86	Obtain Academy Course of Business documents for the 2022 Phase II Biennium Training	Complete	09/16/22
Policies & Training	Training on Revised Policies & Procedures	150	All other training (Phase I MOE, Firearm Qualifications, Phase II MOE, etc.)	Complete	12/31/22
Misconduct Intake, Investigations & Adjudication	Investigation of Complaints	190	Conduct briefing with division heads for improving investigations	Complete	08/08/22
Misconduct Intake, Investigations & Adjudication	Staffing & Training Requirements	183	Ensure area command cases include interviews of subject employees through IAPS Lt. review	Complete	11/18/22
Misconduct Intake, Investigations & Adjudication	Staffing & Training Requirements	190	Ensure area command cases include interviews of subject employees through IAPS Lt. review	Complete	11/18/22
Misconduct Intake, Investigations & Adjudication	Staffing & Training Requirements	201	Evaluate deviation rate from old data tracking sheet for IMR 17	Complete	01/31/23
Misconduct Intake, Investigations & Adjudication	Staffing & Training Requirements	201	Ensure time limitations are considered as it relates to progressive discipline through retention card dates of offence and date discipline entered on employees card.	In Progress	
Misconduct Intake, Investigations & Adjudication	Staffing & Training Requirements	201	Ensure sustained allegations are labeled appropriately in the DAP through review by disciplinary authorities. (performance, misconduct, attendance)	In Progress	
Staffing & Supervision	On-Body Recording Systems	224	Develop OBRD Training encompassing policy on wifi and Axon's response.	Complete	08/01/22
Staffing & Supervision	On-Body Recording Systems	224 228	Initial meeting to strategize the start of a pilot for Axon wifi upload capabilities with IAPS Acting Commander, Scientific Evidence Division Commander and APD IT.	Complete	08/01/22
Staffing & Supervision	Early Intervention System	212	Train NW, SE, SW, Valley and Crisis Intervention Section Swing Shift Supervisors on the Benchmark First Sign System (Benchmark Course of Action Training)	Complete	08/25/22

CASA Section	CASA Sub-Section	Paragraph #	Action Item	Status	Due Date
Staffing & Supervision	Duties of Supervisors	205	Meet with data division to determine if information from the 75-1 sheets can be converted into a data report	Complete	08/26/22
Staffing & Supervision	Early Intervention System	212	Meeting with PEMS Deputy Commander, Compliance Commander, IMTs, PEMS Sergeant and Director of Analytics to discuss Benchmark Analytics Page, overview of how Actionable and Advisable alerts are created, how Elevated and High ratings are identified for performance measure, how the information is currently utilized by the dept. and discussion of any documentation IMT would like from APD/Benchmark for approval of Benchmark Analytic process	Complete	08/31/22
Staffing & Supervision	Early Intervention System	212	SOP 3-33 (PEMS) - Step 7: Review and Approval by DOJ	Complete	09/02/22
Staffing & Supervision	Early Intervention System	212 215	Data Analytics Director to correct the data UOF and compliant issues for the initial rollout of Benchmark Analytics	Complete	09/02/22
Staffing & Supervision	On-Body Recording Systems	224	Analyze scorecards for August completed by the Performance Metrics Unit.	Complete	09/09/22
Staffing & Supervision	On-Body Recording Systems	224 228	Draft a memo demonstrating the Department's ability to recognize violations and properly report said violations.	Complete	09/09/22
Staffing & Supervision	On-Body Recording Systems	224 228	Submit a memo to IMT demonstrating the Department's ability to recognize and properly report violations found internally.	Complete	09/09/22
Staffing & Supervision	On-Body Recording Systems	224	Academy Videographer to film OBRD Training video encompassing policy on wifi and Axon's response.	Complete	09/14/22
Staffing & Supervision	On-Body Recording Systems	224 228	PMU auditors to keep track of any issues that they see with the upload system since the rollout of the Wi-Fi upload functionality for the OBRD.	Complete	09/14/22
Staffing & Supervision	Early Intervention System	215	Assess feasibility for data sources that are challenging to obtain	Complete	09/15/22
Staffing & Supervision	Early Intervention System	215	Deputy Commander and the Data Analytics Director to create a memo identifying the challenges and issues in Paragraph 215	Complete	09/15/22

CASA Section	CASA Sub-Section	Paragraph #	Action Item	Status	Due Date
Staffing & Supervision	Duties of Supervisors	203 205 208	Build monthly meeting tracker for Sergeants and above that highlights monthly topics of concerns from the Compliance Bureau messaging these trends to officers	Complete	09/30/22
Staffing & Supervision	Duties of Supervisors	205	Create a strategic plan to include articulated goals, objectives, and timelines	Complete	09/30/22
Staffing & Supervision	Early Intervention System	213	Have Early Intervention System (EIS/PEMS) operational with thresholds with all indicators	Complete	09/30/22
Staffing & Supervision	Early Intervention System	214	Implement rolling thresholds in EIS/PEMS for officers who received intervention for uses of force	Complete	09/30/22
Staffing & Supervision	On-Body Recording Systems	224	OBRD Paragraph Lead to submit the OBRD training video to the Academy for review.	Complete	10/19/22
Staffing & Supervision	On-Body Recording Systems	224	Videographer to edit and compile video materials before publication.	Complete	10/21/22
Staffing & Supervision	Duties of Supervisors	203 205	Obtain IAR reports on supervision failing to identify use of force for Obtain Q3 Force Data report (this will be presented to the FRB Board)	Complete	10/31/22
Staffing & Supervision	On-Body Recording Systems	224	Deliver OBRD Training encompassing policy on wifi and Axon's response via PowerDMS video.	Complete	10/31/22
Staffing & Supervision	On-Body Recording Systems	224	Analyze scorecards for October completed by the Performance Metrics Unit.	Complete	11/02/22
Staffing & Supervision	On-Body Recording Systems	228	Set up an IAPS Meeting regarding discipline and filing IAR's for civilian personnel.	Complete	11/03/22
Staffing & Supervision	Staffing	203	Develop a process to ensure supervisors are mentoring and coaching their subordinates and correcting deficiencies in EWPs (Employee Work Plans)	Complete	12/30/22
Staffing & Supervision	Duties of Supervisors	205	Develop a process to ensure supervisors are mentoring and coaching their subordinates and correcting deficiencies in EWPs (Employee Work Plans)	Complete	12/31/22
Staffing & Supervision	Supervisor Training	209	Complete annual Supervisor training through the end of 2022 (100 hrs)	Complete	12/31/22

CASA Section	CASA Sub-Section	Paragraph #	Action Item	Status	Due Date
Staffing & Supervision	Early Intervention System	213	Conduct peer group comparisons between officers with similar assignments and duties	Complete	01/02/23
Staffing & Supervision	Staffing	203	Implement recommendation that APD should develop quantitative goals and objectives related to "adequate staffing" of APD and its individual units, clearly stating whether or not they agree with the externally generated findings, and should work to ensure that "recommended" staffing levels are achieved	Complete	01/16/23
Staffing & Supervision	On-Body Recording Systems	224 228	OBRD Paragraph Lead to meet with vendor (Axon) to acquire technical assistance in selected automatic triggering feature.	In Progress	
Community Engagement & Oversight	Community & Problem-Oriented Policing	258	Complete COP/POP Refresher training for 2022	Complete	08/31/22
Community Engagement & Oversight	Community & Problem-Oriented Policing	255	Complete sworn culture survey thru DMS	Complete	10/07/22
Community Engagement & Oversight	Community & Problem-Oriented Policing	255	Obtain culture survey results from Sandra at NMSU	Complete	10/28/22
Community Engagement & Oversight	Community Policing Councils	269	Obtain previously submitted recommendation forms	Complete	12/14/22
Community Engagement & Oversight	Community Policing Councils	269	Obtain ownership of the CE Recommendation Tracking Sheet	Complete	12/14/22
Community Engagement & Oversight	Community Policing Councils	269	Email previously submitted recommendations to SME for status update	Complete	12/19/22
Community Engagement & Oversight	Community Policing Councils	269	Email SME updates to CPC Liaison	Complete	01/31/23
Community Engagement & Oversight	Community & Problem-Oriented Policing	255	Determine steps to address APD culture survey results.	In Progress	03/31/23