



# CITY OF ALBUQUERQUE

Albuquerque Police Department

Office of Policy Analysis (OPA)

**MEETING MINUTES: 19-14**

**DATE: October 23, 2019**

**TIME: 1:00 pm – 3:00 pm**

**VENUE: 400 Roma Ave. NW, Chief's Conference Room, 5<sup>th</sup> Floor, LEC**

## ATTENDEES:

Kim Prince, SOP Liaison  
Diane McDermott, CPOA  
Det. Chermaine Carter, Compliance  
Edward Harness, CPOA  
Greg Mondragon, PTU  
Justin Montgomery, APOA  
Lindsay Van Meter, City Legal  
Sharon Walton, Compliance

Amir Chapel, Policy Manager  
Matt Fisher, APOA  
Vicente Martinez, Backgrounds  
DC Garcia, Compliance  
Cmdr. C. Lowe, AOD  
Elizabeth Martinez, USAO/DOJ  
E. Frank Galanis, Risk Mgmt.

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1. SOP 2-8 On-Body Recording Device (OBRD)	Presented by: Cmdr. C. Lowe
Discussion:	<p>An overview of the draft policy was presented to the Office of Policy Analysis (OPA) for review. The Office of Policy Analysis was presented with a version of SOP 2-8 on October 25, 2018. After a thoughtful and thorough review of the policy, it was determined that there were gaps in the content and language that needed to be clarified. Because of this, the policy was rewritten and presented again to OPA for review.</p> <p>The presenter touched on several sections within the policy that were addressed during the editing of SOP 2-8 such as;</p> <p>The definition in Section 2-8-3(B) on Constitutional Policing was drafted by APD's Chief Michael Geier. The definition section is a new addition to the policy.</p> <p>Clarifying language was added to section 2-8-4(F), which references</p>

docking the device and uploading its content once per shift. The presenter noted that docking the device can take place during daily breaks. Another benefit of docking the device is that its battery will charge. Discussion occurred regarding the battery's life. If one OBRD isn't sufficient between battery charges, an additional OBRD may be requested. Officers will not be held accountable for devices that malfunction or run out of battery. Auditing will identify when a camera is turned on and functioning properly.

The section, Mandatory Recording (2-8-5), was revised. Some clarifying language was added regarding when an OBRD should be turned on and off. Traffic stops have been a source of confusion for officers concerning their OBRD – to activate it or not. This issue is addressed in this section. The presenter noted that the camera should be activated for accidents with or without injuries and when an officer anticipates adversarial contact with an individual. Discussion occurred concerning when an OBRD should be activated when a call for service has been accepted or when an officer is initiating a law enforcement encounter (2-8-5(B)). Revisions also clarified that during a mandatory recording, the event shall be recorded in its entirety. The policy stipulates that the activation of OBRD shall be "en route" to a call for service. Some OPA participants felt this language was too vague and needed to be more specific. The presenter stated that this wording was chosen as to not lock down a specific time of activation – allowing officers some discretion, but recognizes the issue and is open to suggestions for clarifying the language. The issue of when a camera can be turned off was discussed as well. There are very specific situations mentioned in the policy as to when a camera may be deactivated (2-8-5(C1 and D)). There was some discussion regarding more officer discretion being implemented into policy concerning when the camera may be deactivated. It was suggested that officers be able to determine if a situation "calms" and would allow for more personable conversation between the officer and the encountered individual. This type of discretion is subjective, and therefore the recording shall be in its entirety.

In section 2-8-7, Discretionary Recording, language was added to take into account the issue of privacy expectations. The phrase "legitimate privacy concerns" was added (2-8-7(B)). All other activation exceptions are addressed in the "Mandatory Recording" section. The presenter noted the officer should error on the side of caution and leave the camera on for their protection.

There were changes made to section 2-8-9, Retention and Release. The length of time a recording is stored is a concern to groups such as CPOAB, who receive citizen complaints after the 120 days, as

	<p>designated in the policy, expires. A suggestion was made during the meeting that additional storage be considered to increase the retention factor. In this same section, releasing footage from the cameras was addressed due to abuse of the footage used by outside public sources.</p> <p>Conversation regarding these issues will continue as the policy moves through the different stages of the policy process.</p>
Action:	<ol style="list-style-type: none"><li>1. The draft SOP, as presented, was reviewed by OPA and will be posted on PowerDMS for 15 Day Commentary.</li></ol>