



CITY OF ALBUQUERQUE
Albuquerque Police Department
Policy and Procedure Unit (P&P)

MEETING MINUTES: 22-3

DATE: January 12, 2022

TIME: 1:00 pm – 3:00 pm

VENUE: Zoom Web Conference

ATTENDEES:

Patricia Serna	Policy and Procedure Unit
Officer Tanya La Force	Policy and Procedure Unit
Angelina Medina	Policy and Procedure Unit
Trevor Rigler	City of Albuquerque Office of the City Attorney
Diane McDermott	Civilian Police Oversight Agency (CPOA) Executive Director
Dr. William Kass	Civilian Police Oversight Agency Board (CPOAB) Chair
Lt. Nicolas Wheeler	Metro Traffic Division (Presenter)
Sgt. Ryan Stone	Metro Traffic Division (Presenter)
Sgt. Bobby Pholphiboun	Missing Persons Unit (Presenter)
Sgt. Chris Schroeder	Open Space Unit (Presenter)
Lt. Ryan Nelson	Investigative Services Division (Presenter)
Vicki Williams	Northeast Community Policing Council (CPC)
Elizabeth Martinez	U.S. Department of Justice (DOJ)
Kelly Mensah	Community Policing Council (CPC) Liaison
Judge Sharon Walton	Compliance and Oversight Division Policy Consultant

1. SOP 1-59 (Formerly 4-4) Impact Team	Presented by: A/Commander Aaron Jones
Discussion:	The presentation of SOP 1-59 was rescheduled.
Action:	No action taken.

2. SOP 1-60 (Currently 5-3-6) Interagency Task Force	Presented by: Lieutenant Ryan Nelson
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Operations	
Discussion:	<p>Lt. Nelson stated this has become a stand-alone policy to identify duties of personnel assigned to a federal task force. A lot of the information on pages two and three was removed because it was specific to violent crimes call-outs. On page three, there is a list of the governmental agencies the Task Force Officers work with. Lt Nelson stated there was an update to what the Tactical Flight Officer (TFO) is expected to do and how they address any conflicts that occur. He stated that when working with a federal task force and federal investigation, they follow their policies and procedures. If there are discrepancies between the other agencies' policies and APD policy, he tries to address this in the MOU with City Legal and the other agency. When investigating a use of force, they can run concurrent investigations such that the other agency will do their use of force investigation and so will APD. In reference to use of force, will the other agency's policy trump APD's policy? Lt. Nelson stated no, the discrepancies would be addressed in the MOU. APD officers will not be allowed to violate APD policy. How much training do they get before going to work with the other agency? Lt. Nelson advised typically it depends on the agency but that they are required to complete a minimum of 80 hours of specific training to work with that agency. The officer then completes in-house training with that agency. Are the MOU's available for review or can they be requested? Lt. Nelson stated he does not know. He asked if they are talking about community members requesting the document or board members requesting the document. If the (CPOA) board wanted to request a copy of the MOU's, could this be done? Lt. Nelson stated he did not see an issue if the board requested a copy of the MOU. We have requested the MOU from another situation and that was provided. I would presume that if the MOU is mentioned in a policy, it would be available. Is there an order of who would be the host agency in a situation? Lt. Nelson stated the officers are assigned to the agency. The host agency would be the other agency. The host agency would request APD assistance and a Task Force Officer would be assigned to work with the host agency. The officer is then cross-commissioned to work with that agency and would have full arrest capabilities. The officer's duties and policies would be outlined and any discrepancies are then covered with the MOU. This helps with interagency communication and assists larger agencies work with local agencies.</p>
Action:	The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department's document management system for the 15-day commentary period.

3. SOP 1-66 (Formerly 5-3) Missing Persons Unit	Presented by: Sergeant Bobby Pholphiboun
Discussion:	Sgt. Pholphiboun stated the policy has been reorganized. There was a question about adding definitions for AMBER alerts, Silver alerts, and

	<p>Brittany alerts. Sgt. Pholphiboun stated the Mission Persons Unit does not issue AMBER alerts as this is taken care of by the Special Victims Section. He stated he could add a definition for the other types of alerts if this is needed. These types of calls does fall into endangered persons categories or calls that are of imminent danger. When receiving this type of call, the Field Services Bureau (FSB) supervisor will determine whether this qualifies to be a Missing Person Unit case and, if so, the FSB will contact the Emergency Communications Center (ECC) to contact the on-call Missing Persons Unit Detective. Where do we find the definitions of “Brittany Alert” and “Silver Alert”? Sgt. Pholphiboun stated he did not see they were added but he will send the definitions to be added. Typically, how long do you wait to initiate a missing person’s alert? Sgt. Pholphiboun stated there is a two (2) hour time line where it is expected for the FSB supervisor to investigate and if it meets the criteria, they would contact the Missing Persons Unit to take over the investigation. The alert would be sent out at that point of the investigation.</p>
Action:	<p>The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department’s document management system for the 15-day commentary period.</p>

<p>4. SOP 1-70 (Currently 6-11) Open Space Unit</p>	<p>Presented by: Sergeant Chris Schroeder</p>
Discussion:	<p>Sgt. Schroeder stated the previous policy had unnecessary information that would be covered in daily operations as opposed to being a directive. There were many abbreviations that were unnecessary or that needed to an explanation. One of the biggest updates was to include the new Department physical fitness standards. The table for the Physical Training (PT), which was added to explain the requirements sworn personnel must meet to be assigned and work for the unit. There has not been any other major changes to the responsibilities of the unit in the draft. Who composes the Search and Rescue (SAR) Team? Why were you not given headline for the Sandia Peak Tram rescue? Sgt. Schroeder stated that the SAR Team is composed of himself and five (5) other rangers. They work with New Mexico State Police (NMSP) who runs all SAR operations. There are times when they have good location for a situation and that typically the NMSP SAR will advise the APD SAR Unit to work the case. They do work with other entities, such as Albuquerque Fire Rescue (AFR), Bernalillo County Fire Department (BCFD), Albuquerque Mountain Rescue, or Sandia Search Dogs. If we do not have more information, then the other agencies that have more information will assist with the call. As far as the Sandia Peak Tram situation, APD was not called to that situation. Is there policy or plan that checks for traps in open spaces? Would you check other areas if one is found? Sgt. Schroeder stated if there is something suspicious, our community members are great at contacting</p>

	APD. If something is found, there will be a mix of specific units called depending on the device and there will be a search of the area. There are also cameras and drones that are being utilized to assist in these types of situations.
Action:	The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department's document management system for the 15-day commentary period.

5. SOP 2-26 (Currently 4-20) Event Application and Permit	Presented by: Sergeant Ryan Stone
Discussion:	Sgt. Stone stated this policy is being archived because event applications and permits are processed through a web-based system. The process goes through different City Departments now. There is going to be a Department Memorandum that will be sent out to advise of the current procedures. If someone needed a permit for something, would they call 311? Sgt. Stone stated the community member would call 311 or go through the Arts and Culture Department for guidance on the web-based system. Where would it be important for APD to have this notice? Sgt. Stone stated the community would need a permit for things such as large block parties or needing to block a roadway. So this would not be handled at all by APD and it will be done through the City? Sgt. Stone stated an APD commander does have to sign off to allow the permit when the individuals are going to use a park or to block off a roadway. The City does advise the individual of the requirements they must meet.
Action:	The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department's document management system for the 15-day commentary period.

6. SOP 2-44 Traffic and Roadway Services	Presented by: Lieutenant Nick Wheeler
Discussion:	Lt. Wheeler stated he updated the language throughout the policy to coincide with current practices. Language was added to state that Department personnel shall not use their vehicles to push start a community member's vehicle. The information on personnel getting into locked vehicles was updated to coincide with current practice to include that personnel are only allowed to enter a locked vehicle to retrieve a child or animal that is under distress. Lt. Wheeler stated there was no language about driving a community member to a gas station for fuel. Department personnel are allowed to help community members get gas when they are stranded. There was clarification added about contacting the barricade company employees for barricades. Lt. Wheeler stated this needs to be done through the ECC. Personnel cannot contact the company directly. Question: When you talk about getting into a locked vehicle with a car unlocking device, there was an allegation

	<p>where an officer demanded to be given an antenna from a bystander’s vehicle to get into a locked vehicle to get a child. Is there device that the Department can give officers to get into a vehicle? Lt. Wheeler stated there can be training created to teach officers; however, the Department normally calls a locksmith. He will get with City Legal and the Department to see if there could be a lockout kit purchased for officers. There are many times when a child or animal is in distress and the officer will break the window or do what they can to get to the child or animal out of the vehicle. This is done in an emergency. Normally when individuals are being transported in police vehicles, they are to be handcuffed. This policy states that the individual is not handcuffed. How do you recognize that change to the normal policy? Lt. Wheeler stated there is no language stating this when they are transporting victims and community members.. We do not require handcuffing for roadside assistance. The language can be added to the policy to clarify that the individual is not going to be handcuffed.</p>
	<p>The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department’s document management system for the 15-day commentary period.</p>

<p>7. 2-46 Response to Traffic Crashes</p>		<p>Presented by: Sergeant Ryan Stone</p>
<p>Discussion:</p>	<p>Sgt. Stone stated there were no major changes and that the language was updated throughout the policy. There was a change to the definition of “life-threatening injury” to be “serious injury”. The crossing guard section was removed, as there is no longer a Crossing Guard Unit with APD. There was information removed regarding officers making a diagram of the crash during crash investigations. There have been complaints when officers stated it was their discretion not to cite an individual in a crash. When it talks about officers taking any enforcement action yet there are times the victim or non-responsible party asks why the other party was not cited. There have also been problems with documentation and community members will then advise that the officer did not write down the information correctly or the officer wrote something they did not say. Sgt. Stone stated enforcement action should be taken in all crashes. He stated he could add language to the policy to address when the officer should take enforcement action. Can you describe the type of training field officers get for traffic crash investigations? Sgt. Stone stated the Metro Traffic Division does a weeklong traffic training course. Field Training Officers (FTO) should also be trained on traffic crashes while doing on-the-job (OJT) training; however, there are specific call-out procedures the Metro Traffic Division is responsible for. How many officers are in the Metro Traffic Division? Sgt. Stone state there are around twenty (20) officers in the division.</p>	

Action:	The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department's document management system for the 15-day commentary period.
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8. SOP 2-51 Safe Driver Award Program	Presented by: Lieutenant Nick Wheeler
Discussion:	<p>Lt. Wheeler stated the Safe Driver Award Program is an APD program that incentivizes and rewards safe driving. Department personnel that operate a marked unit are awarded when they do not have any crashes for a twelve (12) month period and yearly thereafter. Every month, the Crash Review Board reviews around 35 crashes. This program encourages personnel to slow down and drive safe. He understands it is not a large monetary award but it does help. There was a change to the due date to give out the checks to the recipient in March, rather than February. The date for the checks was always February; however, there was an issue with timing. There was not enough time to vet the recipients and the program did not want to miss anyone that should receive an award. He stated this allows program personnel to review the guidelines for all qualified personnel that use a marked unit. The names of all personnel are sent to Payroll Section personnel to verify they are still employed, then awards are deposited in March. This program has been going on for many years. Since you have been doing this for years, have you ever realized the effectiveness of this program? Lt. Wheeler stated he has been in traffic for two years and has not done any research. He has talked to personnel who were involved in a crash and mention since they were in a crash they knew they are not qualified for the program. He stated some officers think it is a good idea and avoid crashes to qualify for the program. He is unsure if increasing the monetary amount would help but he wants to make sure that personnel are driving safe. He stated he could look into doing the research on the effectiveness of the program. How much money does the program disperse yearly? Lt. Wheeler stated the grants analyst is the one that processes this and it is done through the Department. He stated he could request the amount and email it to the participants of the meeting today.</p>
Action:	The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department's document management system for the 15-day commentary period.

9. SOP 2-73 Collection, Submission, and Disposition of Evidence and Property	Presented by: Lieutenant Matthew McElroy
Discussion:	Lt. McElroy stated much of the removed information was added to a handbook. There were updates to the definitions in the policy. Some of the removed information was added to Standard Operating Procedure

	<p>(SOP) 1-35 Crime Scene Specialists Unit. The photograph section was updated to advise the minimum requirements for taking photographs. We outlined what can and cannot be done when taking pictures in an investigation. He stated if an officer is asked by hospital personnel to stop taking pictures, Department personnel need to document their request as a form of tracking. There are many timelines for the disposition of evidence to align with state statutes. There was a list of what photographs can be taken when investigating a use of force.</p> <p>When there is a homeless individual who has property that cannot be tagged because it is soiled, is there a procedure for when these items are disposed of? Could there be language added that advises that this has to be documented in the report as to why it was disposed of? Lt. McElroy stated he would work to find out if this is in another policy or he will research where to add that information. I see a big focus on unconscious victims, but I am not seeing the procedures for taking photos of conscious victims. Am I missing this? Lt. McElroy stated that an individual has the right to deny photographs be taken. There is not wording about a conscious child not having pictures taken without a parent. There is a section stating this as a subsection of unconscious child. Lt. McElroy stated that he would work on the wording of this. Can you use an on-body recording device (OBRD) to take photographs? Lt. McElroy stated the Crime Scene Specialists that are trained in photography could take pictures. They cannot use an OBRD to take photographs. What if there is an OBRD on and pointed at an individual who should not be photographed? Lt. McElroy stated that is addressed in SOP 2-8 Use On-Body Recording Devices. On page ten, it talks about leaving objects or articles of non-evidentiary nature with next of kin. I would suggest adding a line about documenting that in the report or Computer-Aided Dispatch (CAD) system. Lt. McElroy stated he can add the language to the policy.</p>
Action:	The draft SOP, as presented, was reviewed by P&P and will be uploaded in the Department's document management system for the 15-day commentary period.