



CITY OF ALBUQUERQUE

Albuquerque Police Department

Policy and Procedure Unit (P&P)

MEETING MINUTES: 21-20

DATE: November 10, 2021

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
A/Commander Jason Sanchez	Compliance and Oversight Division
Edward Harness	Civilian Police Oversight Agency (CPOA)
Ali Abbasi	Civilian Police Oversight Agency (CPOA)
Trevor Rigler	Assistant City Attorney
Dr. William Kass	Civilian Police Oversight Agency Board (CPOAB)
Commander Art Sanchez (Presenter)	Northwest Area Commander
Det. James Burton (Presenter)	Operations Review Section
Judge Sharon Walton	Compliance and Oversight Division Policy Consultant
Diane McDermott	CPOA
Deputy Chief Cori Lowe (Presenter)	Accountability and Analytics Bureau
Kelly Mensah	Community Policing Council (CPC) Liaison
Maria Garcia-Cunningham (Presenter)	Planning Division
Josiah Zamora	Property Unit
Sgt. Benito Martinez (Presenter)	Metro Traffic Division
Sgt. Steve Martinez	Academy Division

1. SOP 1-25 Chaplain Unit	Presented by: Det. James Burton
Discussion:	Det. Burton advised the language was updated throughout the policy. There is a change that will be made to state approval will be received from the Volunteer Program Coordinator and Head Chaplain instead of

	the Chaplain Board. The change will be made after the P&P Meeting. No questions were asked.
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.

2. SOP 1-45 (Formerly 5-3) Family Abuse and Stalking Training Team (FASTT)	Presented by: Officer Tanya La Force
Discussion:	Officer La Force advised the policy is being presented to be archived because APD Impact Teams now investigate felony domestic violence case investigations. How do we track when a policy is being archived and where it was incorporated? In terms of tracking changes, P&P has an internal tracking system that shows current and former Standard Operating Procedure (SOP) numbers. That information is also on APD's public-facing webpage.
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 2-2 Department Property	Presented by: Maria Garcia-Cunningham
Discussion:	Ms. Garcia-Cunningham took over the Property Unit a few years ago and Josiah Zamora is the Property Assets Manager. She explained that this policy had not be updated in a few years. Ms. Garcia-Cunningham and Mr. Zamora both went through the policy and met with subject matter experts inside and outside APD that are impacted by this policy, such as personnel with the Department of Technology and Innovation, the Operations Review Section, and the Firearms Range. They went through the policy to update language and processes. Ms. Garcia-Cunningham explained that she needs to update the policy draft by citing to City of Albuquerque Administrative Instruction 8-1 on cell phone usage. Ms. Garcia-Cunningham explained there was also an update to the names of the Department-approved. No questions were asked.
	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.

4. SOP 2-6 Use of Emergency Warning Equipment	Presented by: Commander Arturo Sanchez
Discussion:	Commander Sanchez advised there were not many changes to the policy. He explained that for one of the subsections on a Code 1 Response, he modified the directive to be permissive by replacing "shall" with "may". There were no questions asked.

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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5. SOP 2-41 Traffic Stops		Presented by: Sgt. Benito Martinez
Discussion:	<p>Sgt. Martinez stated there were not a lot of changes that were made. He explained the language was reorganized to improve readability. He explained that under section on traffic stops, he added language that prohibits officers from charging an individual “who fails to stop for a traffic stop with aggravated fleeing from a law enforcement officer unless the officer is in a marked unit and has decals or other prominent visible insignias identifying the vehicle as a law enforcement officer”. That is the only change in the language that was made to the policy.</p> <p>Question: There have been proposed changes for making traffic stops for minor infractions or for anything other than moving violations, such as broken taillights. Is there greater change that will come about as a result of a a different focus on that kind of a traffic stop? To Sgt. Martinez's knowledge, he said there will not be a change to traffic stops in this SOP. How will that show up in this policy? If there is less emphasis on, for example, conducting traffic stops for minor infractions like broken taillights, and more focus on moving violations, how is that going to be reflected in this policy? Sgt. Martinez stated traffic cameras and electronic enforcement will be in another policy. He said as far as how officers conduct traffic stops and how they process traffic violations will not affect this SOP. In relation to some of the community member complaints the CPOAB receives, they will state, “I drove to this area that I deemed was safe”. The policy states the traffic stop will be conducted in a safe location. Is there some definition that needs to occur or is there dialogue that happens with the community member at the time? The community member states they drove to a safe place and the officer says they did not stop when they told them to stop. Is there anything in the policy that could or would be beneficial to help guide that conflict? Sgt. Martinez advised if the individual pulls to a location that the officer does not deem safe, usually the officer will get on their PA system to let them know to go to another spot..</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.	

6. SOP 2-58 (Formerly 2-56) Force Review Board		Presented by: Deputy Chief Cori Lowe
Discussion:	Deputy Chief Lowe explained that the Purpose and Policy statements were revised. She said that the definition of “deficient investigation” was	

updated. There was significant research done to come up with the definition. She said they are trying to look at the relevant information to get to a well-rounded finding. This is to take out the assumptions to facts. The voting member and non-voting member language was updated. The previous policy was very strict about who can be a designee and they are trying to open that up as APD has trained personnel who should be able to vote. They are also trying to engage in succession planning. If the FRB has a small percentage of people who are allowed to vote and they retire, they are seeing a significant number this year, then that number is limited. The FRB chair can break a tie and can help establish a quorum because the Chair is responsible for reviewing the entire case for the FRB review, as well. Language was updated to coincide with the Court-Approved Settlement Agreement (CASA) to meet compliance. The requirements for case review remains the same for tactical activations and uses of force. DC Lowe explained the section on the identification of concerns was revised the FRB does not need to vote to make an Internal Affairs Request referral for a potential policy violation. There used to be a deadline for when FRB referral needed to be completed. She said the deadline became problematic due to it rarely being met. For example, there have been times when a training referral was made yet they were unable to complete the referral within seven (7) days. **Question: In a recent case there were a number of referrals for the case but if you look at subsequent FRB reports we cannot keep track of what happened and whether those referrals had been made or how they were attached to the FRB finding for that particular case. I am trying to figure out how to fill that hole where the information might be out there but it does not seem to be attached to the FRB findings.** DC Lowe advised they keep a referral ledger in house that tracks everything. She said she thought they could provide an update to those referrals and attach them to the minutes in order to document what is going on with those referrals. FRB tracks these by different case types. Therefore, when the FRB sends these to the CPOAB, they will have an idea of what referrals were made, what progress was made or lack thereof, such as for training referrals. **The spirit of it is to improve the process and if that means changing the policy or training, that should be made known or available so for the cases the CPOAB gets, we have that information Whatever you can do to improve that would be good. I also wonder if there is a way, when we are getting the reports, they are redacted FRB reports that include redaction of every name including the members of the FRB. I understand redacting the person who is reporting but not the members of the FRB. They should be known and not redacted given it is by the SOP. It seems to me that there is turnover within the FRB and there is required training. How is that training administered given there's a significant amount of turnover?** DC

	<p>Lowé stated they are in the middle of conducting training that has been approved by the Independent Monitor. This is the first one in a while. Due to the turnover, we do have significant changes coming up, we needed to get people trained immediately. She confirmed they will be revising the training to reflect the changes in this policy. . She said that instead of trying to wait for another big group, she is going to try to find another mechanism so that it doesn't overwhelm the Academy Division with training because it requires tactical personnel and IAFD personnel to train. DC Lowé explained that since 2020 there has been a discussion on the redaction or the lack of redaction DC Lowé stated she will follow-up with more information at another time.</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>