



# CITY OF ALBUQUERQUE

## Albuquerque Police Department

### Policy and Procedure Unit (P&P)

**MEETING MINUTES: 21-12**

**DATE: July 28, 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
Acting Commander Sean Waite	Compliance and Oversight Division (COD)
Edward Harness	Civilian Police Oversight Agency (CPOA)
Ali Abbasi	Civilian Police Oversight Agency
John D'Amato	Albuquerque Police Officers' Association (APOA)
Trevor Rigler	City Attorney
Dr. William Kass	Civilian Police Oversight Agency Board (CPOAB)
Judge Sharon Walton	Compliance and Oversight Division Policy Consultant
Katherine Roybal-Nunez	Records Division Manager
Stephanie Marquez	National Crime Information Center (NCIC (Records))
Lt. David Saladin	Training Division
Elizabeth Martinez	U.S. Department of Justice (DOJ)
Patty French	CPOAB
Anthony Ballo	Tech Services (Presenter)
Deputy Commander Jason Janopoulos	Special Investigations Section (Presenter)
Commander Zak Cottrell	Internal Affairs Professional Standards Division (Presenter)
Sgt. Benito Martinez	Metro Traffic Division (Presenter)
Lt. Ryan Nelson	Narcotics Section (Presenter)
Commander Terysa Bowie	Special Operations Division (SOD) (Presenter)
Sgt. Bonnie Briones	SOD (Presenter)
D/Commander Nicholas Sanders	Special Victims Section (Presenter)

<b>1. SOP 1-95 (Formerly 6-3) Metro Traffic Division</b>	Presented by: Sgt. Benito Martinez
Discussion:	Sgt. Martinez explained that there weren't any significant changes that were made to the draft. He confirmed he added the definition of "Multi-Agency Fatal Call-Out Team". 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.

<b>2. SOP 2-9 Use of Computer Systems</b>	Presented by: Anthony Ballo
Discussion:	<p>Mr. Ballo discussed the changes that were made to the policy, including updates to systems being used. There was a section added for use of City credentials for personal software use or services. This is due to the City receiving bill payment requests from companies when employees are using their City credentials for personal services. This practice is not allowed. Additional language was added to advise Department personnel they are to provide Tech Services five (5) day lead-time for movement of personnel from one office to another. This would allow Department systems to be transferred to the new office. The computer file section was updated for the new file storage chips that are used now. There were grammatical updates done throughout the policy.</p> <p><b>Question: Could you elaborate on how much overlap there is with other City systems and what is the scope of the Albuquerque Police Department's (APD) responsibility with the number of users and equipment?</b> APD operates as a hub and spoke. The hub being the core City services such as email, passwords, and storage, which are all City levels. All departments in the City use those enterprise services. APD services are Computer-Aided Dispatch (CAD) and Records Management System (RMS) applications, as well as cloud applications used through third parties. These are all services that are built on City services. APD does not have their own internet connection so APD relies on the City. Networking and internet are services that support the applications that are APD specific. When offices are moved, for example, there are connections that need to be made behind the wall that connect to the City data center. These services are built on other services. Some enterprise services are available City-wide and some are specific to APD.</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.

<b>3. SOP 2-20 Hostage Situations, Barricaded Individuals, and Tactical Threat Assessment</b>	Presented by: A/Commander Terysa Bowie and Sgt. Bonnie Briones
Discussion:	Sgt. Briones stated there were areas in the policy that were clarified to coincide with SOP 2-19 Response to Behavioral Health Issues. The definition of an “unwilling individual” was added to this policy. The language for training with the Crisis Intervention Team (CIT) was updated to reflect language in SOP 2-19. There were no questions asked for this policy.
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.

<b>4. SOP 2-22 Juvenile Delinquency</b>	Presented by: D/Commander Nicholas Sanders
Discussion:	D/Commander Sanders stated many updates had to be made to SOP 2-22 due to the creation of the Special Victims Section, which replaced the Juvenile Section Department. The specific language change was to update the responsibilities and roles. The more modern juvenile delinquent definition was added to comply with state codes. The juvenile arrest procedures were redefined due to the juvenile probation office and Juvenile Detention Center changing the way they accept the detention of a juvenile. They now run a Risk Assessment Index (RAI). The charges will be ran through their system to see if the juvenile will qualify to be remanded to the facility or if an alternative option should be pursued. There was supporting language that was added for officers to document the RAI in their Uniform Incident Reports. Under the juvenile citations section, language was updated to reflect if an arrest was necessary. There were no questions asked for this policy.
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.

<b>5. SOP 2-97 Harm Reduction Act/Methadone Distribution Centers</b>	Presented by: Lt. Ryan Nelson
Discussion:	Lt. Nelson advised that the Department wants to archive this policy. The information in this policy is a reflection of New Mexico State Statue 24-2C-1-6, Harm Reduction Act, and relative administrative codes administered by the New Mexico Department of Health. It also corresponds to New Mexico State Statue 30-31-25 Possession of a Controlled Substance. Department Memorandum 21-72 explains to officers how they can identify someone’s sharps card. Any other items

	that need to be addressed are done through state statute. There were no questions for this policy.
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.

<b>6. SOP 2-112 Violence Intervention Program Call-In</b>	Presented by: Commander Luke Languit and D/Commander Jason Janopoulos
Discussion:	<p>D/Commander Janopoulos advised this is a new policy for the Violence Intervention Program. This is related to other policies for the program. The program assists with gun violence in Albuquerque. A call-in is utilized with the assistance of Probation and Parole where individuals who are influencers to individuals or gangs are delivered a message. The message is, "if any violent crime occurs, there will be enforcement action taken against them". This is not just a message of police enforcement action. This also includes other individuals from the community, other law enforcement agencies, and social services who come talk to the individual. They are told about other options to violence and there are programs that can be offered for education or job skills and social services that can be provided. If there is enforcement, if there is a triggering event that is a violent event from an individual that was given a call-in message there is an enforcement action taken against them. This is done with several different methods used, such as operations and custom notifications with known associates. Information is obtained through incident cards, gang cards, the Real Time Crime Center, and the area commands. The policy sets up the procedures and the purpose of the program. <b>Question: Can you provide background and what lead to the creation of the program?</b> In looking at the Violence Intervention Program, APD went to different locations and different departments to identify best practices. They found that call-out enforcement actions are specific to the gangs that are pushing or involved in violence through the City of Albuquerque. One important part is the partnership with Probation and Parole. They allowed APD to bring these individuals in so we can talk to them. This used to be done where several individuals were brought to one room where everyone can hear the same message at the same time. Due to the COVID-19 virus, this has changed. There are some instances where the program goes to the individual with program staff to deliver the message. On some occasions, the Mayor of Albuquerque, the Chief of Police and area commanders have attended the message deliveries. If they listen to the message and take it with them, they can give it to others. APD offers the same services to other individuals from that group or gang they are also assisted. This was effective in other jurisdictions that have had this program being used. With the violence in the city, we identify these individuals to influence them and their group. <b>Question: What happens when attention is called to an individual when the Mayor or Police</b></p>

	<p><b>Chief go to their front door, what does the rest of the gang think of that? It seems calling attention in that way may not be a productive way.</b> There has been a positive response when we go out with higher-ranking people such as the Mayor and the Police Chief. There has not been a problem when we have these individuals there. The people seem to really listen to the message. A large portion of the individuals have reached out for social services. If we can help with education, a job, or a place to live, other individuals see that and see there is another way other than the groups or gangs. We have also had U.S. Attorneys, Youth Development Incorporated (YDI) and social services have come out to assist with the message. The program does identify groups that are driving violence in the city. The program looks at reports and different intelligence sources to gather information. Once a group is identified as a victim or being involved in the violence the program staff goes out to advise there are other resources that could assist them. If after the message is delivered, they are part of a crime there is an enforcement action taken on that group.</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.

<b>7. SOP 3-43 Relief of Duty</b>		Presented by: Commander Zackary Cottrell
Discussion:	Commander Cottrell advised relief of duty is when someone is on administrative assignment or administrative leave. The only change was to subsection C. on the steps taken when relieving someone of duty after normal business hours. There was clarification that states it is the on-duty supervisor's duty to get ahold of the commanding officer to relieve the officer of duty. The officer will then go to the Internal Affairs Professional Standards Division on the next business day to finish paperwork and to get their administrative assignment or to get their administrative leave instructions. No other changes were made to the policy. No questions were asked for this policy.	
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.	

<b>8. SOP 3-45 Due Process Notification to Personnel</b>		Presented by: Commander Zackary Cottrell
Discussion:	Commander Cottrell advised this policy was on the pre-determination hearing process for when an employee's policy violation has been found sustained following an investigation. When updating SOP 3-46, Discipline System, it was found that both policies flowed better if they were combined. The other policy is going through the policy development phase to be published with the information from this policy.	

	The Department wants to archive this policy. No questions were asked for this policy.
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.

<b>9. SOP 3-52 (Formerly 3-29 and 3-65) Policy Development Process</b>	Presented by: The Policy and Procedure Unit
Discussion:	<p>Acting Commander Waite advised the policy was updated to coincide with current policy writing conventions and added citations to forms and resources. Sanctions have been added and updated in the policy. There is a seven (7)-step process that policies go through to be published that has been added and explained. The commentary period for MHRAC has been increased from one (1) week to two (2) weeks. The commentary for all stakeholders has been changed to forty-five (45) days to allow additional time for review. The process for assigning sanctions by the Policy Owner followed by IAPS Division review has been updated. The requirement for the Policy and Procedure Unit to incorporate provisions from Special Orders into policy was added. Before there was no timeline that gave an expiration to the Special Order. An expedited process was added. This process would not apply to any Court-Approved Settlement Agreement (CASA) policies. Under the responsibilities section, the duties of the Policy and Procedure Unit, the Policy Owner, the Policy and Procedure Review Board (PPRB), and the Civilian Police Oversight Agency Board (CPOAB) were updated. The policy development flow chart was updated to reflect current practices. <b>Question: There seems to be a lack of requirement to analyze data when a policy is being reviewed. There should be something more detailed on data. There were improvements in organizing the duties of everyone involved. Who really owns the policy in the development cycle? When a policy is assigned an owner by the chain of command, is that person responsible for the data analysis that should be done in order to update the policy?</b> When you refer to data analysis, I assume you are referring to previous conversations such as, ShotSpotter and how it is fiscally responsible to have ShotSpotter and how does it add to our crime fighting efforts at a reasonable cost. This type of data correct? <b>Yes that type of data and data on citizen complaints and discipline and the paragraphs from the CASA that are being violated the most would be a form of the data we are looking for.</b> That is something we can talk to Policy and Procedure Unit about to see how they can incorporate the data. There are some issues where force is being used in certain situations where there is an on-going discussion going on between the force commander and the Academy to see if there are changes in training or procedures that could be incorporated to reduce that use of force. Some of that is a matter of translating that to an entity of the people working on it to send</p>

	<p>it to the Policy Owner. What we try to do is identify a subject matter expert in the area. For example, the Internal Affairs Force Division Commander is the owner of the force paragraphs, thus, they are the logical Policy Owner. We try not to change the Policy Owner unless they are no longer with the Department. Input on policies from other areas that have an expertise in an area of the policy is also provided.</p> <p><b>Question: I do not know if it should be the Policy Owner or the Policy and Procedure Unit that should make sure the data is available when being presented to stakeholders. For example, IA gives data on discipline or use of force but that is not done with many other policies.</b> The Policy and Procedure Unit will work on getting this into practice. <b>Question: I noticed that the policy is now being sent to the CPOAB before it is being presented to the PPRB for review, why is that?</b> This gives the PPRB the ability to approve the draft after the Policy Owner and the Policy and Procedure Unit have revised the draft after receiving the CPOAB's comments, as well as comments from APD personnel. <b>Question: What is the total review time with the new review process? Is it now a longer process?</b> The Policy and Procedure Unit would have to review to differentiate between the types of policies. Non-CASA polices were taking six (6) months and CASA policies were taking nine (9) months. This year there have been more policies published than in the last few years. <b>Question: There are two versions of the flow chart, which is the correct one?</b> The chart was revised two times, and the first version was captured during Track Changes.</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.