



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

MEETING MINUTES: 21-19

DATE: October 20, 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
Edward Harness	Civilian Police Oversight Agency(CPOA)
Ali Abbasi	CPOA
Lieutenant David Saladin	Training Division
Trevor Rigler	City Legal
Dr. William Kass	Civilian Police Oversight Agency Board (CPOAB)
Elaine Maestas	APD Forward
Wanda Harrison	Community Policing Council
Judge Sharon Walton	Compliance Policy Consultant (CPC)
Matt Chavez	Compliance and Oversight Division
Kelly Mensah	CPOA
Commander Rich Evans	Internal Affairs Force Division (IAFD)
Frank Galanis	Safety Officer
Commander Aaron Jones	Special Operations
Commander Zak Cottrell	Internal Affairs Professional Standards (IAPS) Division
Lt. Juan Cabrera	Special Operation

1. SOP 1-4 Biased Based Policing/Profiling	Presented by: Commander Zak Cottrell
Discussion:	Commander Cottrell advised there were no major changes to the policy. There was language and formatting updated throughout the policy. He advised there was a section that was reiterated on the reporting

	<p>requirement to be consistent with SOP 3-41 Complaints Involving Department Personnel. He added a reference to the SOPs when sworn personnel interact with individuals with developmental disabilities, such as contact and interactions with those with hearing or vision disabilities. Commander Cottrell advised he did clean up the sanctions to be consistent with SOP 1-1 Personnel Code of Conduct. Question: There was a use of force proposal that was made for warnings given to individuals who might have a mental or physical impairment that may not be able to hear or comprehend that warning. Commander Cottrell explained this policy is more directed towards general interactions with individuals with disabilities and not specific towards use of force. That is something that probably should be addressed in the use of force policy. However, he said maybe it is something he could look at addressing in this policy also. Commander Cottrell asked the person who asked the question to email him a copy of the recommendation. On the last page of the policy, there was a suggestion to change the language “without reasonable suspicion to believe they have committed, are committing, or will soon commit a crime” to “without reasonable suspicion to believe they are involved in a criminal activity”. Commander Cottrell advised he would change the language.</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.
2. SOP 1-16 (Formerly 5-11) Auto Theft Unit	Presented by: Commander Aaron Jones
Discussion:	<p>Commander Jones stated this is the Auto Theft Unit’s policy and was formerly SOP 5-11. This has been retitled and formatted correctly. The Auto Theft Unit policy discusses their duties to follow for an investigation of property crimes and the bait car program. There is also a portion of the policy that covers wrecker services that is managed through the Auto Theft Unit. They have a full time employee who manages the wrecker services. This employee ensures that City-contracted tow companies meet all the requirements outlined in the City ordinance for wrecker services. The employee also participates with those wrecker companies that tow for us. When a vehicle is unknowingly towed and reported stolen, the 72-hour log helps catch those vehicles that are towed and listed as stolen. We then recover and remove those vehicles from the databases that we have if they are determined to be stolen. The call-out procedures are similar to other units. They conduct preliminary investigations for auto theft and follow-up investigations for more complex cases that need arrest warrants or search warrants. There are times embezzled vehicles where there is an argument as to who the owner of the vehicle is. They are also on-call for questions</p>

regarding auto theft call-outs or anything with an auto theft nexus. The Auto Theft personnel when on call-out states they are on-call 24/7/365 not only for auto theft calls but also for the bait car program. They manage the City's bait car program and respond to all bait car activations. They conduct auto theft related training for Department personnel as directed by APD supervisors and outside agencies. That encompasses Vehicle Identification Number (VIN) investigations in the auto theft world. APD, in conjunction with New Mexico State Police (NMSP), train all New Mexico law enforcement on conducting level 3 VIN investigations. They also do auto theft prevention training community events. For example, this weekend there is a VIN etching event where they get interaction with the community and train them on how to avoid auto theft.

Question: I know auto theft has a bad reputation about how many cars are stolen in Albuquerque. In an attempt to get good information out there, can you give us some background on the trends in auto theft? Has it gone down, or what is the rate and what is it like compared to last year?

Last year was an interesting year when we compare statistics due to the pandemic. One of the things that we noticed last year was, generally, we have had a downward trend in auto thefts since 2017. We use data from 2016 and 2017 to tabulate statistics and they are released nationally around July 1st by the National Insurance Crime Bureau. They are the ones that produce the auto theft statistics and trends on a yearly basis but they come out in July. We get a release on where we sit as a municipality as based on the Albuquerque Metro Area but they are really talking about what occurred in the 6 months prior. This is due to the information ending in December, and then it takes them 6 months to go through that data. Therefore, in 2016 and 2017 when we looked at the data we were at our height with over 10,000 vehicles stolen in the City of Albuquerque. The Albuquerque Metro Area includes Los Lunas, Belen, the east mountains, and Sandoval County. Last year's numbers were in the mid 3,000's for APD. He did not know the statistics for the other municipalities. There was a decrease of around 7,000 decrease from that time period.

As part of the City's crime initiative, the forty (40) point plan that was proposed, part of it was looking at chop shops and looking at being more strict on chop shops. What is the process now for identifying and investigating chop shops?

It has been a concern of ours for a couple of years, he did not know how familiar everyone was with the presentation of chop shop legislation that they have entered in and attempted to get passed. At this time, it has not been passed yet legislatively for them to get it on the books as far as a chop shop bill, we want it where we can rely on state laws to go after the offenders of chop shops. The way that they handle chop shops currently is that they go out to chop shops when they happen and they are investigated. The legislation states that they have to go after those offenders are crimes like tampering with a motor vehicle, removing a

	<p>VIN plate, and receiving/transferring or unlawful taking of a motor vehicle. There is not a chop shop ordinance or statute under which we can charge those individuals. They still investigate them the same, just because that law is not on the books does not mean we don't investigate those, it just means it changes how we can prosecute those and the charges for those. All auto theft detectives in the unit have gone through the VIN investigative course that then empowers them with the knowledge to investigate those chop shops and identify those vehicles correctly using their databases and find if there is a vehicle that has been chopped up. On average there are around 1-2 a year in Albuquerque. What kinds of controls are there on towing regarding auto theft? The way that the city works is that we have towing services with wrecking companies. The wreckers tow for anything needed. The company that is on-call for the towing rotation for that week will go out on any tow call we request. What the wrecker service assignment of the Auto Theft Unit does is manage that on-call rotation for the different wrecker companies depending on the quadrant of the city. They also manage making sure they fall within the City's wrecker service ordinance. The focus of that ordinance is legitimacy and professionalism because when an officer has a vehicle towed that, for example, needs a search warrant, we have to make sure that people that are towing the vehicles for the police department are beyond reproach. Those steps in the ordinance are there to ensure they fall within the guidelines for the City. It is a grand scale of what the Auto Theft Unit does. We have been seeing videos where cities have towing scams where tow companies line up to clear accidents and jockey for a position. I assume that is not happening here. The rotation list is made at the beginning of the year for the year. The officer in the field that requests a tow will get a message of their computer that has the tow company that is going to pick up that vehicle. It provides consistency across the board. We have accountability and control.</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.

<p>3. SOP 2-93 Child Abduction/Missing Child Investigations</p>	Presented by: Lt. Juan Cabrera
	<p>Lt. Cabrera advised the Child Exploitation Detail (CED) is the main unit that handles this topic. The "kidnapping" and "abduction" (of children) definitions were updated in the policy. Abduction is more of a persuasion or fraud. This would be something like an individual telling a child that their parent sent them to pick up the child. He advised they used the state statutes definitions in the policy. CED will be the main unit for this topic and will be called out for these calls. The responding officer's duties were outlined in the policy. The on-scene supervisor is</p>

	<p>the one who makes the call to the on-call CED Detective. The CED Detective's duties and CED Supervisor's duties are outlined in the policy. Almost all units in the Department contribute to these calls and assist CED. The AMBER Alert will stay with CED and will not be moved to the Missing Persons Unit. The AMBER Alert is a centralized process that is done with the NMSP. The CED Supervisor goes through NMSP to send the AMBER Alert. All law enforcement goes through NMSP for the AMBER Alerts. Question: You said that NMSP does the AMBER Alert but is there someone in APD who first creates the alert? Yes, NMSP filters it and is in charge of the alert that is sent out. APD fills out the form with the information from our jurisdiction and will call NMSP who will send out that alert as soon as possible. This is based off of the state statute that governs AMBER Alerts, correct? Yes, that is correct. There was some controversy before with the alert being sent out to cell phones do you remember that? Yes, it was a right to privacy issue where people did not want their cell phones going off in the middle of the night. That is more of a NMSP issue. About how many AMBER Alerts have been sent out by APD? Lt. Cabrera stated APD has only sent out two (2) AMBER Alerts in the last two (2) years. There was another that was about to be sent out but the CED Detective was able to locate the child before the alert was sent out. Most of the AMBER Alerts that APD has seen have been due to domestic violence and custodial issues. An example was given of a similar type of call.</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 2-104 (Currently 4-24) Civil Disputes</p>	<p>Presented by: Officer Tanya La Force</p>
	<p>Officer La Force stated this policy describes how officers are to respond to civil disputes. Civil disputes would be child custody disputes, property disputes when two parties are arguing about property, or bail bondsmen. There were no major changes made other than reorganization to make more sense. Question: No questions were asked.</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>