Approve May 2018 Meeting Minutes

Passed by the approval of the agenda.

Approve June Agenda

There were four voting members, therefore, a quorum was met.

Determination of a Quorum

Five APD sworn personnel in attendance at the meeting.

Eighteen members of the community in attendance at the meeting.

Community Attendance:

Meeting called to order at 6:05 PM by Chair, Rowan Wyman

Call to Order

Shane Gallegos, CPC Temportal Secretary
Chris Sylvan, CPC Manager

Non-Voting Members:

Absent: None
An Posner
Brandon Jeremelle
Fern Council
Eduardo King

Rowan Wyman, CPC Chair

Young Members:

In Attendance:

Albuquerque, New Mexico
500 Mountain St NW
Johnny Tigua Community Center at Wells Park
6:00 – 7:00 PM
Thursday, June 28, 2018
Valleym Area Command Community Policing Council
Meeting Minutes

Creating Positive Change

Community Policing Council
How close are you to a final policy to be accepted by the DOJ?

Officers working overtime then we are not going to have enough officers in the field.

C: there is a shortage of officers and you guys keep mentioning the overtime but we do not have

A: I have taken notes and I have them in my computer...

G: I have the CPA comments been imported into this draft? The adding has limited amount of input into

what they in acute?

A: This unit will go through every detail as far as the work that week did they get their rest, what area

time?

C: In your investigative process do you take in account how much time an officer has put into over

through this.

A: This is going to be a massive training requirement and it is going to take months and months to get

This illustrates confusion:

C: ASP is under action review & proceeds you from considering other options that are available.

legal requirement is there and this is a policy requirement.

A: Suppose until this meeting exists it if problems officers and directs officers what to do. The

law. What was the officer was done and this unit will not do that.

part of your investigation what a lot of police officers investigate due will get out and try to justify

what you said what we say? What you say is not your part of the free can, what you say is

a: What is going to be done? What is going to be done?

when we conduct sit down interviews and review video and documented.

enough is what does it? Cause an injury, level 2 is what we start using tools, there are injuries.

level 2, 2-25 will direct everything and all the other stuff will come out naturally. The trend is now to take an

Q: when a job if incident happens what their reporting requirements are the process and the timeline is.

Q: Question (4) answer (A) 

Comment (c):

Serious use of force

Use of force

Show of force

Investigation

Internal Affairs force division has been created because there was a huge issue with use of force

stated that even comment that was made was documented and taken into consideration.

color expressed in the policy and expressed that there are been ample moments of impact. He also

taking the steps required from approval from all parties. Commander Middleton explained what each

presents by: Robert Middleton, Commander of Internal Affairs force division with the Albemarle

passed by the approval of the meeting minutes.
July Meeting: TBA

Meeting adjourned at 7:30 by Chair, Rowan Wyman

Adjournment

A: We conduct them and these go through the PPRP (Police)

Q: Do you have a policy analyst for your policies or does each unit write their own

A: All these policies will be submitted to the academy by September
The purpose of this policy is to describe the procedures, requirements, and expectations surrounding the use of force by sworn personnel.

**Purpose**

2-52-1

Investigations

2-52-7: Use of Force Reporting and Use of Force

Supervisory Force

2-52-6: Medical Attention Following Certification

Situation

L: Response to High Threat Level

K: Lethal Force and Motor Vehicles

J: Use of Lethal Force

I: Levels of Force

H: Lawful Objectives

Air

Conduct a Search or Make an Arrest

C: Use of Force to Effect a Detention

F: Unreasonable Force

E: Minimum Amount of Force

D: Objectively Reasonable Force

C: De-escalation

B: Totally of Circumstances

A: General Requirements

Use of Force Requirements

2-52-4: Definitions

2-52-3: Policy

2-52-2: Purpose

2-52-1: Policy Index

**Related SOPs**

1. Force Investigation Team (FIT)

2.45: Pursuit by Motor Vehicle

2.55: Use of Force Apparatus

Supervisory Force Investigation

2.4: Use of Force Reporting and

2.53: Electronic Control Weapon (ECW)

Authorization

2.3: Firearms and Ammunition

2.8: Arrest/Booking Procedures

Hospitals

2.66: Interview/Collection of Evidence

2.69: Emergency Response Team (ERT)

2.68: Use of On-Body Recording Devices

**Effective:** 8/17/17 Review Due: 6/17/18 Replaces: 4/1/16

Abouqaree Police Department

**Procedural Orders**
SOP 2-55 - USE OF FORCE APPENDIX

Key terms specific to use of force in this policy are green in color. Hovering over the text with the mouse cursor will display the definition. For a listing of definitions specific to use of force, refer to SOP 2-55 - USE OF FORCE APPENDIX.

2-52-3 Definitions

consistent with New Mexico law on self-defense or defense of others.

Criminal employees have no power of arrest and therefore may only use force less-than-lethal force weapons while on duty, including electronic control weapons and oleoresin capsaicin. The Department allows for certain classifications of criminal employees to carry firearms and the United States and the State of New Mexico.

The Department allows for certain classifications of criminal employees to carry firearms and the United States and the State of New Mexico.

is not intended to limit the lawful authority of Department officers to use objectively reasonable minimum amount of force necessary in order to bring about their lawful objectives. This policy was established in Graham v. Connor, 490 U.S. 386 (1989), but also strives to utilize the policy and training required that officers not only follow the legal standard of using force, which policy in order to effect an arrest or protect the safety of the officer or another person. Department is objectively reasonable based on a totality of the circumstances the officer is confronted with. Therefore, officers shall only use force that degrades the legitimacy of the officer's authority. Therefore, officers shall only use force that

The Department values the sanctity of human life and is committed to protecting people, their property, and their rights. It is the policy of the Department to de-escalate situations without
8. What is the time available to an officer to make a decision? What efforts has the officer made to gain additional time?

7. Does the proximity of weapons allow the subject to access them?

6. What is the risk of bodily harm to the subject and/or officer as a result of the officer’s lawful use of force in light of the level of threat the subject posed to the officer or others?

5. Does the officer have an opportunity to utilize additional resources or other officers or command?

4. Is the person physically or mentally capable of complying with the officer’s commands?

3. Is the officer using the minimum amount of force necessary to carry out lawful need for the use of force?

2. Can the officer allow the person time to submit to arrest before using force?

1. What resources can the officer use to de-escalate the situation or minimize the need for the use of force?

B. Assessing the Situation

- Array, coordinate, and other techniques to maximize an officer’s advantage. (N/A)
- Assess the risk of escalation by using time, distance, information, isolation, teamwork, force availability to bring a situation to a safe, peaceful conclusion. This conclusion may be de-escalating the event, which can be done by the officer or the officer's chain of command.
- And use, where appropriate, de-escalation techniques. (N/A)

A. General Requirements

1. Policing at times requires an officer exercise control over a violent or resisting community from risk of imminent harm. Clearly and every potential violent subject to make an arrest or to protect the officer, other officers, or members of the community.

Use of Force Requirements
D. Objective: Reasonable Force

6. A degree of force which may have been justified earlier in an encounter does not
remain justified indefinitely. Force shall be de-escalated as resistance decreases.

5. Supervisors will become involved as soon as practicable in the management of an
or control the situation.

4. When a use of force is necessary, officers will assess each incident to determine,

3. Officers are expected to recognize that their approach to a conflict interaction may

2. In their interaction with subjects, officers shall use advisements, warnings, verbal

1. Officers should look for opportunities to de-escalate the situation. When

C. De-escalation

11. Are there hostile bystanders present who are sympathetic to the subject?

10. Are innocent bystanders present who could be harmed if force is or is not used?

9. What are the physical considerations for the officer, such as officer exhaustion or

8. Are there hostile bystanders present who are unsympathetic to the subject?

7. Are there hostile bystanders present who are uninvolved in the situation?

6. Are there hostile bystanders present who are actively attacking the officer?

5. Are there hostile bystanders present who are actively attacking the officer?

4. Are there hostile bystanders present who are actively attacking the officer?

3. Are there hostile bystanders present who are actively attacking the officer?

2. Are there hostile bystanders present who are actively attacking the officer?

1. Are there hostile bystanders present who are actively attacking the officer?
The officer had to use verbal de-escalation or to limit the amount of force used.

The officer's experience in the context of the situation (such as known special knowledge) was considered when weighing the officer's actions in the context of the situation.

The number of subjects compared to the number of officers.

The officer's knowledge of the subject's conduct and condition of the subject, as compared to those of the officer.

The subject's known history to include violent tendencies or previous encounters with law enforcement, which were comparable.

The subject's medical or mental history of condition known to the officer at the time.

The knowledge or belief the subject is under the influence of alcohol and/or drugs.

Other factors which can influence reasonableness include the following:

Whether the suspect is actively resisting arrest or attempting to evade arrest.

Whether the suspect poses an immediate threat to the safety of the officers or others.

The severity of the crime at issue.

The officers actions objectively reasonable, given the facts and circumstances of the situation, not withstanding any later determination of a different conclusion.

The standard of reasonableness in reviewing use of force is an objective one: whether the actions of officers, when evaluated from a perspective of a reasonable officer on the scene, rather than from 20/20 hindsight, apply when police officers make an arrest, investigatory stop, or other seizure of a person.

The court determined in Graham that an objectively reasonable standard shall be:


2. The United States Supreme Court ruled in Graham v. Connor, 490 U.S. 386.

3. The Amendment of the United States Constitution.

4. The reasonable possibility of a particular use of force must be judged from the perspective of a reasonable officer on the scene.

5. The standard of reasonableness recognizes an officer's actions objectively reasonable.

6. The factors which can influence reasonableness include:

- The severity of the crime at issue.
- Whether the suspect is actively resisting arrest or attempting to evade arrest.
- Whether the suspect poses an immediate threat to the safety of the officers or others.
- The knowledge or belief the suspect is under the influence of alcohol and/or drugs.
- The officer's experience in the context of the situation (such as known special knowledge) was considered when weighing the officer's actions in the context of the situation.
- The number of subjects compared to the number of officers.
- The subject's known history to include violent tendencies or previous encounters with law enforcement, which were comparable.
- The subject's medical or mental history of condition known to the officer at the time.
- Other factors which can influence reasonableness include the following.
1. The use of unreasonable force will subject officers to discipline, as well as to possible criminal prosecution and/or civil liability.

2. Officers must not engage in actions or tactics that precipitate the use of unreasonable force.

3. Whenever a particular use of force is the minimum amount of force necessary must be objectively judged from the perspective of a reasonable officer on the scene, the officer's determination of "minimum" must not be rigidly interpreted.

4. Whenever a particular force option, officers should continually assess whether:

   a. Whether the arrest or lawful objection.

   b. Whether the opportunity exists for them to safely de-escalate their level of force while still achieving the arrest or lawful objection.

   c. Whether the officer while obtaining the arrest or lawful objection.

   d. Officers need not start at the lowest level of force in every situation.

5. Minimum amount of force is reasonable and objectively reasonable, officers shall strive to use the minimum amount of force.

6. When force is necessary and objectively reasonable, officers shall strive to use the minimum amount of force.

7. Officers must be aware that the dynamics of a use of force encounter can change.

8. Officers must be aware that the dynamics of a given situation.

9. Officers must be aware that the dynamics of a given situation.
Low Level Control Tactics

Applicable.

This section describes the use of force options available to an officer in situations when force is objectively reasonable and necessary. Each section describes the use of force options used to justify the level of force.

Levels of Force

1. Levels of Force

   a. To conduct a lawful search.
   b. To detain an officer or person from the physical act of another or
   c. To prevent an officer or person from the commission of a crime;
   d. To gain control of a combative subject;
   e. To prevent a lawful arrest or detention of a person;
   f. To detain an officer or person from the physical act of another or
   g. To prevent an officer or person from the commission of a crime;
   h. To gain control of a combative subject;

2. Any use of force, to include a show of force, shall be done only as objectively reasonable to accomplish a lawful objective.

3. The lawful objectives for which force may be appropriate include:

   a. To effect a lawful arrest or detention of a person;
   b. To conduct a lawful search.
   c. To prevent an officer or person from the commission of a crime;
   d. To gain control of a combative subject;

H. Lawful Objectives

The means as peace officers before using force. Officers shall, whenever possible, make clear their intent to detain, search, or arrest or to others.

Prior to escalating to the use of deadly force, an officer must have probable cause to believe that a suspect is fleeing or attempting to escape or a violent heinous

a. To prevent imminent bodily harm to the officer or another person or persons;

b. To overcome active resistance;

c. To employ physical removal when necessary to overcome passive resistance.

4. A use of force against a handcuffed individual, when required, must be objectively reasonable and may only be allowed under the following circumstances:

5. Prior to escalating to the use of deadly force, an officer must have probable cause to believe that a suspect is fleeing or attempting to escape or a violent heinous
### Intermediate Force

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Explanation</th>
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<tbody>
<tr>
<td>1.</td>
<td>Application of hand cuffs or other APD-approved restraint devices to a compliant person.</td>
</tr>
<tr>
<td>2.</td>
<td>Escalation techniques used to de-escalate situations before resorting to physical control methods.</td>
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<tr>
<td>3.</td>
<td>Verbal Communication - Officers should attempt to use verbal communication skills.</td>
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<tr>
<td>4.</td>
<td>Officer Presence - A legally-identified show of force which has the potential to de-</td>
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**Post-deployment considerations**

- Respiratory sensitivity of the elderly, infants, or children.
- Possibility of cross contamination in confined environments.
- Conditions under which it is likely to affect innocent bystanders.

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**Pre-deployment considerations**

- Assist officers in the control of actively resistant subjects.
- Olfaction or capsicum is an inflammatory agent. With proper use, it is meant to

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**Intermittent Force**

- The use of any of the following tactics requires a use of force report and includes:

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**Immediate Force**

- Set forth in SOP 2-5.4 - Use of Force Reporting and Supervisory Force Investigation.
| 6.7 | Political Considerations:

- The distance from which the less-lethal impact munitions are fired will be

| 4.7 | Pre-Deployment Considerations:

- Officers in tactical use of force objectives where such force is authorized by this

- Eyewells, sinuses of the face, and draining sinuses on affected skin areas.

- Common, normal reactions to OC include twitching, contraction of the

In operational levels, officers will have a lethal cover officer.

When deploying less-lethal impact munitions:

- Less-lethal impact munitions

Person within control range refer to SOP 2-3. Electronic Control Weapon.

Electronic Control Weapon

a. EOWS Utilization is considered a use of force and shall be deployed in a manner consistent with the Department’s use of force policies and training guidelines.

Although EOWS are considered a less-lethal force option, officers must remember that improper or unauthorized deployment can result in serious injury or death.

b. EOWS shall not be used solely as a pain compliance physical injury or death. EOWS shall not be used solely as a pain compliance physical injury or death.

c. Electronic control weapon

If an officer inadvertently strikes the head, neck, or spine, the officer shall

- Detach the inserted unit's training capability from the use of a baton.

- Detach the inserted unit and secure the scene.

- Subjects will immediately surrender EOWS personal once control of the

- Post-deployment considerations

- Destruction of impact weapons (using jams or strikes)

- Pre-deployment considerations

- Officers in tactical use of force objectives where such force is authorized by this

- Common, normal reactions to OC include twitching, contraction of the

- Pre-deployment considerations

- Officers in tactical use of force objectives where such force is authorized by this
1. Lethal Force includes, but is not limited to, the following:

- Discharge of a firearm
- Officers may use lethal force when they have a reasonable belief that a subject presents an imminent threat of serious physical injury or death to the officer.
- Officers may use lethal force when there is probable cause to believe the subject has just committed a violent felony involving actual or threatened infliction of serious physical injury to another person or member of the public.
- Officers may use lethal force when there is probable cause to believe the subject has just committed a violent felony involving actual or threatened infliction of serious physical injury to another person or member of the public.
- Officers may use lethal force when they have a reasonable belief that a subject presents an imminent threat of serious physical injury or death to the officer.
- Officers may use lethal force when there is probable cause to believe the subject has just committed a violent felony involving actual or threatened infliction of serious physical injury to another person or member of the public.

2. Use of Lethal Force

<table>
<thead>
<tr>
<th>2-5</th>
<th>2-6</th>
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<tr>
<td>!. Pre-deployment Considerations</td>
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<tr>
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<tr>
<td>Officers will adhere to all firearms safety rules as outlined in departmental training.</td>
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<tr>
<td>Officers will not use the weapons and ammunition that have been approved by the Chief.</td>
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<tr>
<td>Officers small caliber only those weapons and ammunition that have been approved by the Chief.</td>
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<tr>
<td>Firearms (per SOP 3-9: Firearms and Ammunition Authorization).</td>
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3. Effective: 6/27/17; Review Due: 6/27/18; Replaces: 4/17/16
4. When an individual officer arrives on the scene of a potentially violent encounter, perform to the standards established in this policy.

3. Supervisors should possess a working knowledge of force array of tactics and deployment of resources.

2. Officers are expected to recognize and utilize positions of advantage, cover, and concealment as well as utilize barriers to maximize their reaction time and deployment of resources.

1. Absent an immediate need to act, officers should take time to plan how they will respond to High Threat Level Situations.

Police Creates a danger to the public that outweighs the likely benefits of its use.

Additionally, keep in mind that use of lethal force will always remove the danger. The vehicle poses without clearing believes the lethal force is necessary for self-defense, for defense of other officers, or for the protection of innocent persons or defense of property. Such action must be documented in detail.

1. Officers shall not discharge a firearm at or from a moving vehicle unless an imminent threat exists.

2. Officers shall take every effort to move off the path of a moving vehicle to a position of cover.

3. Officers shall discharge shotguns and other non-lethal force.

K. Lethal Force and Motor Vehicles

4. Verbal warning shall be given when feasible.

3. Verbal warnings shall be given when feasible.

2. Officers shall discharge shotguns and other non-lethal force.

1. Officers are prohibited from reaching into vehicles or intentionally placing themselves in the path of a vehicle, thereby creating a justification for the use of lethal force.

Note: Verbal warnings shall be given when feasible.

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Note: Verbal warnings shall be given when feasible.
and it is regardless of visible injury or complaint of injury when the subject is in custody.

4. Medical attention shall be summoned for the following use of force applications:

- Complaints of injury following a use of force.
- Medical attention shall be requested immediately when an individual is injured or
  to reduce airflow or diaphragm function.
- Position the subject on their side of the floor in a face-down position, officers are not
  so and monitor the subject for any respiratory or breathing problems and

1. In situations where the subject is forced into a face-down position, officers are
- Communicating with the subject's safety and ending of the effects

"Medical Attention Following Use of Force"

Academy lesson plans housed on APDWeb, and refer to the Use of Force Appendices.

A. To utilize any department-approved use of force option by the department.

B. Officers must complete and pass a department-approved certification course of

- Use of Force Training and Certification

Encounters by coordinating resources and officers' tactical actions.

Supervisors should manage the overall response to potentially violent

and lethal force regardless as a part of the force array prior to the initial contact.

5. Supervisors should manage the overall response to potentially violent

ongoing situations involving imminent threat of death or serious physical injury.
B. Supervisors shall investigate use of force incidents pursuant to the requirements set forth in SOP 2-52-8. A. Officers shall report use of force incidents pursuant to the requirements set forth in SOP 2-52-8.

- Use of Force Reporting and Supervisory Force Investigations

  1. Less Lethal Impact Munitions
  2. Less Lethal Initiating Munitions
  3. Use of Force with a Vehicle (Refer to SOP 2-45 Pursuit by Motor Vehicle)
  4. Use of Patrol Carbine
  5. Electronic Control Weapons
  6. Pepper Spray
  7. Baton ( Expandable or Stranggli/Boken)
  8. Police Use of Force


ABQ Police Department

PROCEDURAL ORDERS