



CITY OF ALBUQUERQUE

Albuquerque Police Department

Policy and Procedure Unit (P&P)

MEETING MINUTES: 23-18

DATE: September 6th, 2023

TIME: 1:00 pm to 3:00 pm

VENUE: Zoom Web Conference

ATTENDEES:

Miles Begay	Policy and Procedure Unit
Michelle Wright	Policy and Procedure Unit
Shea Ulibarri	Policy and Procedure Unit
Miriam Michel	Policy and Procedure Unit
Deputy Commander Paul Haugh (Presenter)	Scientific Evidence Division
Lieutenant Mike Hernandez (Presenter)	Command Staff
Commander Matt Dietzel (Presenter)	Criminal Investigations Division (CID)
Deputy Commander Jeff Barnard (Presenter)	Special Investigations Division (SID)
Commander Rene Barraza (Presenter)	Field Services Bureau (FSB)
Officer Adam Golson	Metro Traffic Division
Sgt. Eric Nelson	Metro Traffic Division
Dr. Jessica Henjy	Academy Division
Deirdre Ewing	Public Community Member
Karen Schwartz	Civilian
Lynn Thompson	Civilian
Sharon Walton	APD Policy Consultant
Kathy-Roybal Sanchez	Mgmt. Services and Support Bureau
Diane McDermott	Civilian Police Oversight
David Lopez	City Legal

1. SOP 1-87 (Formerly 5-5) Scientific Evidence Division	Presented by: Deputy Commander Paul Haugh
Discussion:	Dpty. Cmdr. Haugh explained that the policy there were no significant changes, the only change was to the Automatic Fingerprint Information System (AFIS) definition. No questions were asked.
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.

2. SOP 2-3 (Formerly 2-22) Firearms and Ammunition	Presented by: Lieutenant Mike Hernandez
Discussion:	Lt. Hernandez explained that the policy updated definitions to match tactical and plain clothes to match other policies. Verbiage was added to include department-issued backup handguns to mirror verbiage in policy for qualifications. Questions: Why the change of Department-approved vs. Department-issued backup handguns? Answer: Lt. Hernandez explained that the Department looking into issuing all Department-issued handguns and until it's approved Department-approved handguns will continue to be allowed. Comment: The policy does not mention both throughout the policy. Answer: We can work on the rewording of the draft. Comment: It may be a good idea to add a definition of Department-approved. Answer: Lt. Hernandez agreed.
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.

3. SOP 2-43 Roadblocks and Checkpoints	Presented by: Officer Adam Golson
Discussion:	Officer Golson explained that the policy language was generalized to include traffic laws outside of Driving While Intoxicated (DWI). The Traffic Division wants to start doing insurance, and registration checkpoints so the language was widened to include this. The term roadblock was changed to checkpoint. Also, he explained that language was added for OBRD. Questions: How is a checkpoint going to be tracked to ensure that it's been conducted in a Constitutionally appropriate manner? Answer: Officer Golson explained that data can be utilized from traffic stops and citations written, for insurance and registration we can use statistics from the traffic citations. Question: A roadblock constricts the freedom of movement, have we considered that this will not occur? Answer: Ofc. Golson replied, yes this is the supervisor's responsibility to ensure that our contact is limited to two (2) so we don't hinder the flow of traffic.
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.

4. SOP 2-46 Response to Traffic Crashes	Presented by: Sergeant. Eric Nelson
Discussion:	<p>Sgt. Nelson explained that there were no changes to the policy.</p> <p>Questions: The policy says that officers shall after investigating the crash take any necessary enforcement action. The problem is that when there is a Police Service Aide (PSA) responding there is no enforcement action being taken? Answer: Sgt. Nelson suggested changing from when necessary to when appropriate. Question: Supervisors can grant PSA's permission to take calls for serious crashes should this be better defined? Answer: With serious injury crashes the scene will be blocked and a Traffic Officer will have to be called out.</p>
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.

5. SOP 2-59 Extreme Risk Firearm Protection Order (ERFPO)	Presented by: Commander Matthew Dietzel
Discussion:	<p>Commander Dietzel explained that the policy had minor changes. The only change was adding the definition of reporting party and how all ERFPO's will be sent to the Bernalillo County Sheriff's Office (BCSO) when being filed.</p> <p>Suggested that verbiage be added that sworn personnel be the reporting party and how they are the reporting party. Answer: There is a reason why it's not in there, is because the petition that they complete will support that. Question: What is the consequence of failure to appear? Answer: This is something to think about and may need to be added to the Court Policy. Question: Would it be wise to note the hazard or refusal on the household? Answer: In theory, it should be in the National Crime Information Center (NCIC).</p>
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.

6. SOP 2-71 (Formerly 2-17) Search and Seizure Without a Warrant	Presented by: Deputy Commander Jeff Barnard
Discussion:	<p>Dpty. Cmdr. Barnard explained that there were no major changes to the policy. There were two case laws added to the policy.</p> <p>Questions: Would it be better to add to the policy that whether possible the subject asks for someone of the same sex to complete the pat down or search? Should this be mentioned in the pat search or terry stop? Answer: I agree that they should be similar and agreed to update verbiage to read "when feasible and requested". Comment: The definition of exigent circumstance is missing a verb. Comment: We will make sure that the definition mirrors the definition that is used in Standard Operating Procedure (SOP) 2-68. Comment: Also definition of reasonable suspicion should be broken up and have a subsection. Answer: Dpty. Cmdr. I'm ok with moving and making it a subsection.</p>

Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.
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7. SOP 2-73 (Formerly 2-08) Collection, Submission, and Disposition of Evidence and Property	Presented by: Deputy Commander Paul Haugh
Discussion:	Dpty. Cmdr. Haugh explained that the policy updated verbiage on how to bag and tag fentanyl into evidence which is in the current Special Order (SO). There were no other significant changes. No questions were asked.
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.

8. SOP 2-104 (Formerly 4-24) Civil Disputes	Presented by: Commander Rene Barraza
Discussion:	Commander Barraza explained that the policy had no major changes. Questions: Should a definition of Bondsman Authority be added to the policy? Answer: Cmdr. Barraza said that he would consider adding the definition.
Action:	The draft SOP, as presented, was reviewed by P&P and will be hand-delivered to APD Executive Staff for their review and pre-approval.