



ALBUQUERQUE POLICE DEPARTMENT PROCEDURAL ORDERS

SOP 2-35

Effective: 09/22/16 Review Due: 09/22/17 Replaces: XX/XX/XX

2-35 NOTIFICATION TO SETTLEMENT AGREEMENT PARTIES

2-35-1 Purpose

This policy provides the procedures to be followed when notifying the parties of serious events. This policy is intended to supplement the [Notification of Significant Events SOP](#).

2-35-2 Policy

The intention of the Department is to abide by all elements of the Settlement Agreement. This includes paragraph 320, which requires that the Monitor be notified as soon as practicable, and in any case within 12 hours, of any critical firearms discharge, in-custody death, or arrest of any officer.

2-35-3 Definitions

A. Critical Firearms Discharge

A discharge of a firearm by an APD officer, including accidental discharges and discharges where no person is struck. Range and training firings, destruction of animals, and off-duty hunting discharges where no person is struck are not critical firearms discharges.

B. Parties

Refers to the parties of the United States of America v. City of Albuquerque Settlement Agreement. These parties include the Department of Justice, the United States Attorney's Office, the City of Albuquerque, the Albuquerque Police Officer's Association, and the Federally-appointed Independent Monitor.

2-35-4 Procedures

A. Events Requiring Notification

When the following events occur, the parties shall be notified as soon as practicable, but not later than 12 hours after the occurrence of any one of the following incidents:

1. Officer-involved shooting
2. Critical firearms discharge
3. In-custody death
4. The arrest of an APD officer



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B. Parties to be Notified

The following parties shall be notified in the event any of the above-listed incidents occur:

1. The Independent Monitor
2. The United States Attorney's Office
3. The Department of Justice
4. The Albuquerque Police Officer's Association
5. The City of Albuquerque

C. Responsibility for Notification

1. It shall be the responsibility of the highest-ranking on-scene Department officer to notify the Duty Chief, who will coordinate with the Assistant City Attorney to notify the parties.
2. Notification shall take place via telephone or email.
3. Notification shall take place as soon as practicable, which shall not exceed 12 hours from the event.
4. The notification to the parties by the Assistant City Attorney shall include everything known about the incident at the time of notification and shall be documented.

D. This policy expires upon termination of the Settlement Agreement as determined by the Court.