



## 2-54 USE OF FORCE REPORTING AND SUPERVISORY FORCE INVESTIGATION

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### 2-54-1 Purpose

This policy is intended to supplement SOP 2-52 – Use of Force by expanding on the expectations regarding use of force reporting and supervisory force investigations. All definitions in SOP 2-55 – [Use of Force Appendix](#) apply to this policy.

### 2-54-2 Policy

It is the policy of the Department to accurately document uses of force and to conduct timely, thorough, and objective investigations of uses of force. Supervisors and specialized force investigation units shall investigate uses of force in accordance with the Department’s classification system.

### 2-54-3 Definitions

For all related definitions, please see SOP 2-55 – [Use of Force Appendix](#).

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### 2-54-4 Use of Force Reporting Procedures

#### A. Reporting Requirements

1. All officers will immediately notify their on-duty supervisor following any use of force, prisoner injury, allegation of any use of force, or a show of force where an officer points a firearm at a subject or uses an ECW to point a subject. In all



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- cases, officers will notify an on-duty supervisor prior to leaving the scene of the use of force or show of force incident.
2. Lieutenants and higher ranks who have used any level of force shall notify dispatch to initiate CIRT and FIT response to the scene. If an acting lieutenant uses force or shows force, it will be investigated by a ranking lieutenant.
  3. Personnel who have knowledge of an unreported use of force by another officer on or off-duty will immediately report the incident to an on-duty supervisor.
  4. Failure to report any use of force, a known prisoner injury resulting from an officer's actions, or allegation of any use of force will result in disciplinary action.
  5. Supervisors who are notified of a use of force shall immediately respond to the scene to ensure all directives set forth in this policy are followed. These duties include initiating the force investigation and ensuring the use of force is classified according to APD's force classification, as described below. See SOP 7-1 – [Internal Affairs Section](#) and SOP 7-2 – Critical Incident Review Team ([CIRT](#)).
  6. The responding supervisor shall be one rank higher than any involved officer at the time of the investigation. An acting first-line supervisor who has not completed the 24-hour supervisory use of force investigation training will not conduct any portion of a use of force investigation. Acting first-line supervisors who have completed the 24-hour supervisory use of force investigation are authorized to conduct use of force investigations.
  7. The responding supervisor shall make a determination whether or not a use of force or investigable show of force has occurred in accordance with the SOP 2-52 – Use of Force.
  8. If a subject complains of injury or sustains an actual injury, an initial assessment regarding the potential cause of injury shall be conducted by a first-line supervisor. If the injury is determined to be a result of a use of force, a complete investigation shall be conducted and documented using BlueTeam. If the initial assessment concludes there was no use of force, the assessment shall be documented on a department memorandum and forwarded to Internal Affairs Division for statistical tracking.
  9. Upon further review, the chain of command may override the responding supervisor's classification of the use of force and direct an increased level of investigation, as appropriate.
  10. A supervisor who was involved in a reportable use of force, including by participating in or ordering the force being reviewed, shall not review the incident or use of force reports for approval. "Participating" is defined as physically assisting in overcoming the subject's resistance.



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11. At the discretion of the Chief, a supervisory force investigation may be assigned or reassigned to another supervisor, whether within or outside of the Command in which the incident occurred, or may be returned to the original supervisor for further investigation or analysis. This assignment or reassignment shall be explained in writing.

B. Classifications of Use of Force

1. Upon reporting to the scene and determining that there was a use of force, the initial on-scene supervisor shall classify the use of force and initiate appropriate investigation as described in this section.
2. Use of force subject to supervisory force investigation.
  - a. Any use of force that does not qualify as a serious use of force shall be investigated by the supervisor as described [below](#).
  - b. A show of force event during which an officer points a firearm at a subject or uses an ECW to point a subject shall be investigated by the supervisor and documented in BlueTeam with a show of force data report. [Personnel of the rank of Lieutenant or above will notify the on-call CIRT Sergeant, who will investigate and review the incident in BlueTeam \(as outlined in 2-54-5B\).](#)
  - c. Drawing a tool from a duty belt, retrieving a weapon from a department vehicle, or displaying a weapon at the low ready do not require a show of force data report.
3. Any serious use of force and uses of force by an officer holding the rank of lieutenant or higher shall be investigated by the Critical Incident Review Team (CIRT) for the administrative investigation and by the Force Investigation Team (FIT) to assume case responsibility for the underlying crime. Upon classifying the use of force as serious, the supervisor shall notify APD Dispatch to make the appropriate notifications. See SOP 7-2 – Critical Incident Response Team.
4. Any use of lethal force, which is a subset of serious use of force, shall additionally be investigated by the Force Investigation Team (FIT) and the Multi-Jurisdictional Task Force. See SOP 7-3 – Force Investigation Team (FIT). Upon classifying the use of force as lethal, the supervisor shall notify APD dispatch so they can make the appropriate notifications.
5. Once CIRT and FIT assume investigative responsibility for the use of force, the involved officer's direct supervisor will still review the OBRD video of the incident within 72 hours. While responsibility for the overall investigation of the incident rests with CIRT and FIT, the direct supervisor is not relieved of their responsibility for taking appropriate first-line supervisory steps of identifying and taking corrective action for any additional concerns noted during their video review. This timely intervention by the first line supervisor is crucial since serious use of force investigations can take several weeks to complete. If additional concerns are



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identified, the direct supervisor will send official correspondence to the appropriate unit(s) detailing the concern and steps taken to address those concerns.

6. If while investigating a non-serious use of force, a supervisor determines at any stage of the investigation or review process that there is apparent criminal misconduct by an officer, the supervisor shall notify the chain of command, who will assign the appropriate unit to conduct a criminal investigation. The Internal Affairs section shall assume the administrative investigation.
7. When an investigative team has been dispatched to initiate an investigation, the initial on-scene supervisor shall ensure the scene is secure and witnesses are separated before the investigative team arrives and assumes responsibility. Refer to [SOP 2-51 - Detention of Witnesses to Crimes or Major Events](#).

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**2-54-5 Supervisory Force Investigation Procedures**

A. Officer Responsibilities Involving a Use of Force or Show of Force

1. The primary officer shall complete a uniform incident report providing an accurate, detailed account of the incident, from the officer's perspective. Officers should use descriptive language detailing their observations of the event rather than judgments, generic, or conclusory statements. Officers shall not merely use "canned" or "boilerplate" language. Officers should be aware of the requirements for supervisory force investigations and should articulate all aspects of the incident which are relevant to the supervisory investigation. At a minimum, officers' accounts must include these elements:
  - a. The justification for police contact with the subject
  - b. All circumstances which led to the decision to use force, including a specific description of the subject's behavior
  - c. The amount and type(s) of force used, including a specific description of the officer's actions and any physical contact with the subject
  - d. A specific description of any resistance by the subject
  - e. The officer's justification for the amount and type of force used
  - f. A specific description of any de-escalation tactics employed by the officer
  - g. The identity of all officers, witnesses, subjects, and any other involved parties
  - h. The nature of medical aid provided
2. All officers who are present and/or involved during a use of force incident must complete supplemental incident reports detailing the above information, including their own actions and their observations of other officers' actions.
3. All officers present during or involved in the use of force are individually responsible for activating their on-body recording devices, as required by SOP 2-



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8 – Use of On-Body Recording Devices. If the officer does not have a recording of the incident, this must be documented and explained in the officer's report.

4. If an officer is the victim and/or is unable to write a report, the on-duty supervisor will assign another officer to write the initial report. This will not relieve the original or injured officer of his or her obligation to document their observations in a report written at a later date.

**B. Supervisory Responsibilities Involving a Show of Force**

1. For all reportable shows of force, the on-duty supervisor shall:
  - a. Screen the report either in person or by phone. Supervisors are given the discretion as to whether they will respond to the scene.
  - b. Verify no higher levels of force were used by any officer during the incident
  - c. Have involved officer complete a BlueTeam entry and a narrative police report articulating the facts and circumstances surrounding the show of force.
  - d. Review the involved officer's video from the initiation to conclusion of the detention of the individual.
  - e. Review other officers' videos as needed if significant uncertainty remains about specific actions taken during a show of force event after review of the involved officer's video.
  - f. Complete a narrative assessing whether or not the officer(s) had sufficient legal reason to detain the individual(s) at the time; whether or not a show of force occurred; and whether or not the officer(s) show of force was objectively reasonable given the totality of the circumstances articulated by the officer.
  - g. Address any policy violations, training, or equipment concerns in the same manner as required for a Use of Force investigation (see section C).
2. Review of the show-of-force investigation
  - a. The completed show of force investigation shall be forwarded to the Watch Commander within 72 hours of the incident unless an extension is authorized in writing by the Watch Commander.
  - b. The Watch Commander will review the investigation for completeness and, upon approval, will forward the investigation through the Commander to Internal Affairs for tracking in laPro.

**C. Supervisory Responsibilities Involving a Use of Force**

1. For all uses of force, investigating supervisors shall follow these procedures:
  - a. Refrain from reviewing any use of force which they ordered or participated in. "Participating" is defined as physically assisting in overcoming the subject's resistance.



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- b. Respond to the scene; visually examine all personnel and subjects involved in the use of force for injuries; interview the subject(s) for complaints of pain; and ensure that the officers and/or subjects(s) receive medical attention, if applicable.
  - c. Determine the classification of the use of force (e.g. use of force or serious use of force), and make appropriate notifications.
2. For all uses of force subject to supervisory force investigation, the supervisor shall take these actions:
- a. Identify and ensure collection of all relevant evidence, including audio and video recordings, photographs, and other documentation of injuries or the absence of injuries.
  - b. Ensure that a canvass of the scene and an interview of witnesses is conducted. In addition, witnesses are to be encouraged to provide and sign a written statement in their own words.
  - c. Ensure that all officers witnessing a use of force incident by another officer provide a supplemental narrative of the facts leading to the use of force.
  - d. Separate all officers involved in a use of force incident until each has been interviewed, and never conduct group interviews of these officers.
  - e. Allow officers who were directly involved in a use of force incident an opportunity for them to consult with a representative before being interviewed, if they so request, provided the interview is not delayed for more than two hours. The representative may be present during the interview.
  - f. Ensure that all Use of Force reports identify all officers who were involved in the incident, were witness to the incident, or were on the scene when it occurred.
  - g. Conduct investigations in a rigorous manner, designed to determine the facts; and, when conducting interviews, avoid asking leading questions; and never ask officers or other witnesses any questions that may suggest legal justifications for the officers' conduct.
  - h. Utilize on-body recording systems to record all interviews.
  - i. Review all use of force narratives and ensure that all Use of Force reports include the information required by APD policy.
  - j. Consider all relevant evidence, including circumstantial, direct, and physical evidence, as appropriate, and make credibility determinations, if able.
  - k. Review all available audio and video of the incident from the time of contact with the subject until the subject is successfully detained in a police vehicle, or in the event of no arrest, when contact with the subject is over.
  - l. Make all reasonable efforts to resolve material inconsistencies between the officer, subject, and witness statements, as well as to resolve inconsistencies between the level of force described by the officer and any injuries sustained by personnel or subjects.
  - m. Evaluate all evidence to determine whether the use of force was consistent with APD policy and identify any policy, training, tactical, or equipment concerns.



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- n. Where a supervisor determines that there may have been a violation of APD policy in the use of force, notify the chain of command and the Internal Affairs section.

D. Supervisor Documentation of Use of Force

The investigating supervisor will document the information listed below by completing the “on-scene checklist” and “sergeant’s sign-off and narrative” forms in their entirety. The supervisor will then upload those forms in BlueTeam along with any necessary supporting documentation as listed below within 72 hours of completing the on-scene investigation. -

1. All written or recorded use of force narratives or statements provided by personnel or others will be entered.
2. Documentation of all evidence that was gathered, including names, phone numbers, and addresses of witnesses to the incident are included. In situations where there are no known witnesses, the report shall specifically state this fact. In situations in which witnesses were present but circumstances prevented the author of the report from determining the identification, phone numbers, or addresses of the witnesses, the report shall state the reasons. The report should also include all available identifying information for anyone who refuses to provide a statement.
3. All recordings of the incident and explanations for any lack of recordings must be noted.
4. The names of all known APD employees who witnessed the use of force or who may have witnessed the use of force will be specified.
5. An Additional Concern Memorandum (ACM) is to be completed when supervisors investigating the use of force identify specific policy or training violations unrelated to the reasonableness of the use of force. The supervisor identifying the violation shall state the follow-up and/or corrective action they have taken or recommended. ACMs are not required for every supervisory force investigation.
6. Completed ACMs will be uploaded into BlueTeam.
7. If an Internal Affairs investigation is required, a separate memorandum will be completed and addressed to the Internal Affairs commander, requesting a formal investigation.
8. The investigating supervisor will complete and submit his or her investigation using BlueTeam and forward the report to the involved employee’s lieutenant within 72 hours of completing the on-scene investigation. Any extension must be



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authorized by the primary officer's commander and documented in writing, such as in an email.

9. The completion date and time will be noted in the investigating supervisor's report.

E. Review of Supervisory Force Investigations. **Lieutenants and Commanders shall complete the relevant level job-aid for their review of the use of force incident and investigation. The information completed in the job-aids will assist in accounting for the following required steps:**

1. The chain of command shall review the report to ensure that it is complete and that the findings are supported using the preponderance of evidence standard. The chain of command shall order an additional investigation when it appears that there is additional relevant evidence that may assist in resolving inconsistencies, improving the reliability or credibility of the findings, or clarifying the classification of the use of force. In conducting this review, the lieutenant shall review all available audio and video of the incident from the time of contact with the subject until the subject is successfully detained in a police vehicle, or in the event of no arrest, when contact with the subject is over. The lieutenant will bookmark relevant portions of the video for the commander. The commander will review portions of audio and video on a case by case basis as he/she deems necessary to review or resolve issues in the investigation.
2. Where the findings of the Use of Force report are not supported by a preponderance of the evidence, the supervisor's chain of command shall document the reasons for this determination and shall include this documentation as an addendum to the original investigation. The supervisor's superior shall take appropriate action to address the inadequately supported determination and any investigative deficiencies that led to it.
3. Commanders shall be responsible for the accuracy and completeness of Use of Force reports prepared by supervisors under their command.
4. If a commander finds that the supervisory force investigation is complete, and the findings are supported by the evidence, the investigation is forwarded to the Internal Affairs division for recordkeeping and entry into IAPro for tracking, analysis, and trend data.
5. A reliable sample of supervisory force investigations will be reviewed by the Force Review Board. See SOP 2-56 – Force Review Board.
6. The quality of supervisory force investigations shall be taken into account in the performance evaluations of the officers who complete such reviews and investigations.





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7. If a supervisor repeatedly submits deficient supervisory force investigations, the supervisor shall receive the appropriate corrective and/or disciplinary action, which may include training, demotion, and/or removal from a supervisory position. This action will be in accordance with performance evaluation procedures and consistent with any existing collective bargaining agreements, personnel rules, the Labor-Management Relations Ordinance, the Merit System Ordinance, regulations, or administrative rules.