

Effective: 01/26/2023 Review: 01/26/24 Replaces: 01/11/2020

# 2-56 USE OF FORCE: REPORTING BY DEPARTMENT PERSONNEL

## Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

- A. Related SOP(s)
  - <u>1-61</u> Internal Affairs Force Division (IAFD) (Currently 7-2 and 7-3)
  - 2-8 Use of On-Body Recording Devices (Formerly 1-39)
  - 2-53 Use of Force: Definitions
  - 2-57 Use of Force: Review and Investigation by Department Personnel

## B. Form(s)

PD 1117 Use of Force Recorded Narrative Guide PD 1118 Use of Force Written Narrative for Involved and Witness Officers

C. Other Resource(s)

None

D. Rescinded Special Order(s)

SO 22-17 Amendment to SOP 2-56 Use of Force: Reporting by Department Personnel; On-Body Recording Device (OBRD) Footage Upload SO 22-41 Amendment to SOP 2-56: Use of Force Reporting by Department Personnel; Procedures for Unreported Uses of Force

### 2-56-1 Purpose

The purpose of this policy is to outline the requirements and guidelines for reporting uses of force by Albuquerque Police Department (Department) personnel and to outline the rules and guidelines for determinations about uses of force.

### 2-56-2 Policy

It is the policy of the Department to review all uses of force to determine whether the minimum amount of force was used and whether the force was reasonable and necessary.

## N/A 2-56-3 Definitions

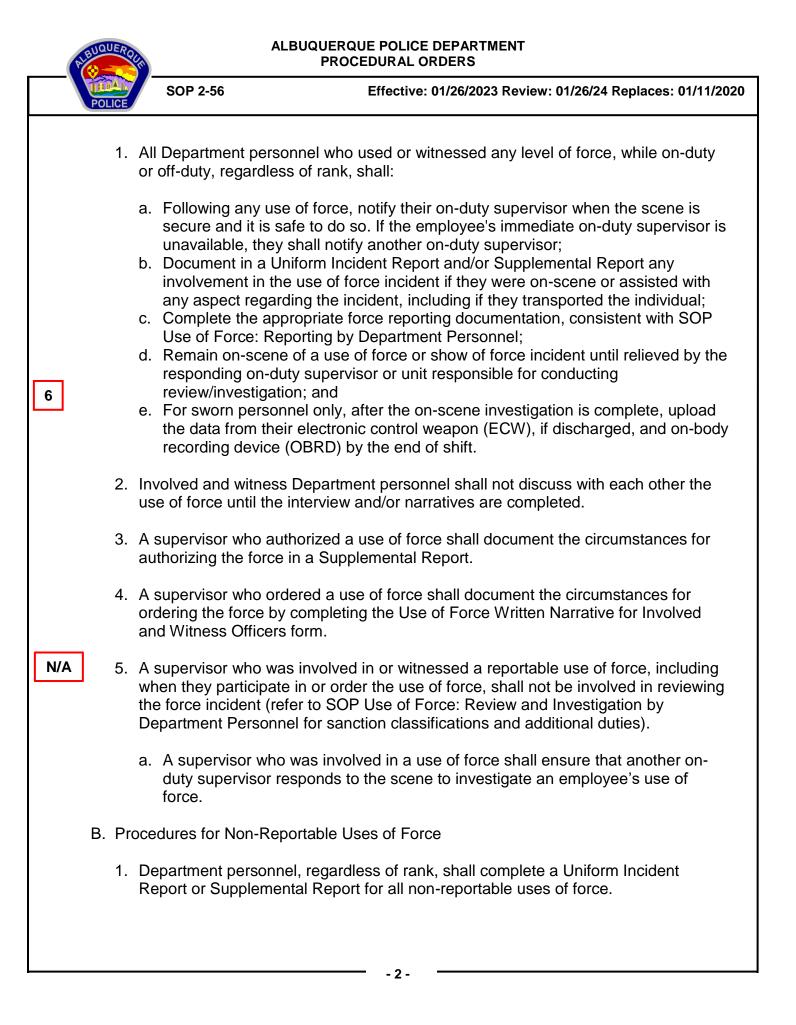
For definitions specific to use of force, refer to SOP Use of Force: Definitions.

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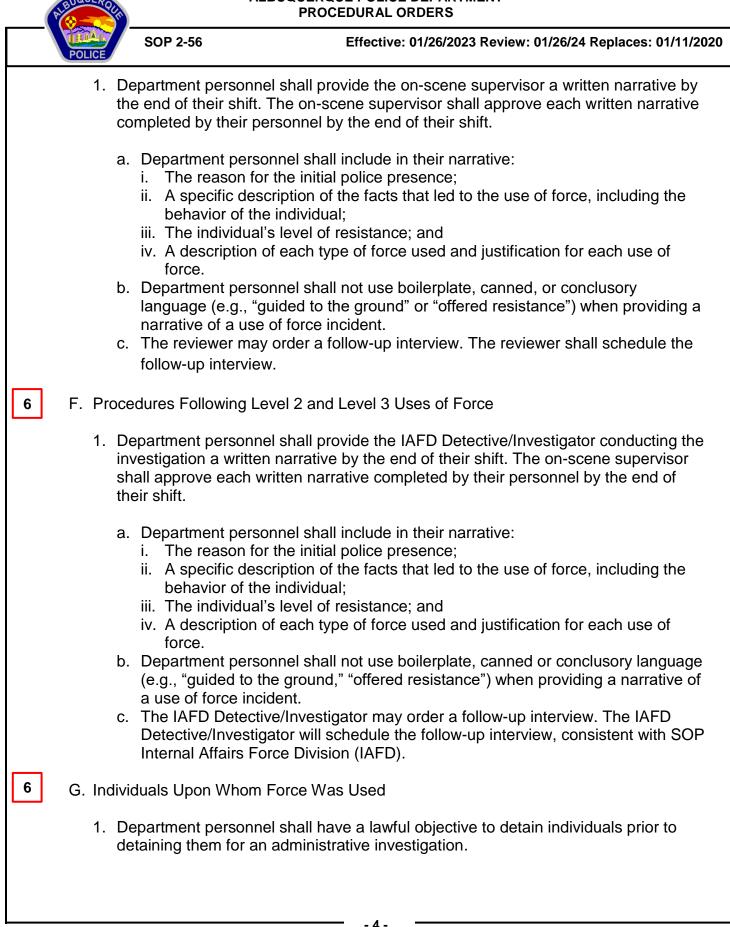
Procedures

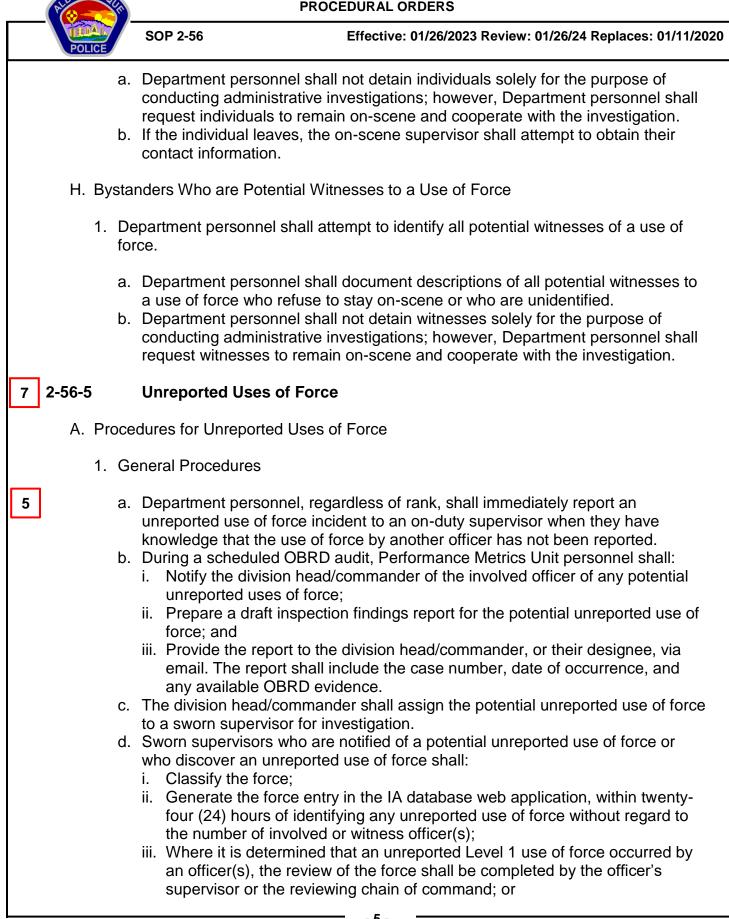
A. Procedures Following All Reportable Uses of Force



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Pho -	PROCEDURAL ORDERS
POLICE	SOP 2-56 Effective: 01/26/2023 Review: 01/26/24 Replaces: 01/11/2020
2.	Department personnel shall document in a Uniform Incident Report the circumstances of an inadvertent covering of an individual with a weapon that is not a reportable Level 1 use of force.
3.	Sworn personnel shall document their involvement in a Uniform Incident Report when they use any type of low-level control tactic as defined in Use of Force: Definitions.
5 C. Pr	ocedures Following Other Reportable Incidents
1.	Following any prisoner injury, complaint of injury or pain, allegation of any use of force, or accidental discharge of a weapon system, Department personnel shall document the incident in a Uniform Incident Report and shall notify the on-duty supervisor when the scene is secure and it is safe to do so.
N/A	a. The on-duty supervisor who has been notified shall conduct an on-scene review, consistent with SOP Use of Force: Review and Investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanction classifications and additional duties).
6 D. OI	BRD Footage of Use of Force Incident
1.	Department personnel involved in or a witness to a use of force shall not leave the scene without providing the responding supervisor access to their OBRD to review footage of the incident.
2.	Upon request, sworn personnel who witnessed a use of force shall provide the responding supervisor access to their OBRD to review footage of the incident.
<b>N/A</b> 3.	Consistent with SOP Use of On-Body Recording Devices, by the end of the employee's shift during which the use of force incident occurred, Department personnel shall upload OBRD footage capturing all use of force incidents in which they witnessed force, ordered force, used force, or were otherwise involved as directed by a supervisor (refer to SOP Use of On-Body Recording Devices for sanction classifications and additional duties).
	a. If Department personnel are not physically capable of uploading their OBRD footage by the end of their shift during which the use of force incident occurred, the employee's immediate supervisor shall ensure the OBRD footage from the affected employee's OBRD is uploaded by the end of the employee's shift during which the use of force incident occurred.
6 E. Pr	ocedures Following Level 1 Use of Force







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- iv. Where it is determined that an unreported Level 2 or Level 3 use of force occurred by an officer(s), a supervisor, regardless of rank, shall immediately contact the IAFD to conduct the force investigation, including any and all policy violations surrounding the failure to report the force.
- 2. Procedures Following Level 1 Unreported Uses of Force
  - a. A supervisor who was involved in an unreported use of force by using force, was a witness to an unreported use of force, or ordered the use of force, shall not be involved in reviewing the incident, consistent with SOP Use of Force: Review and Investigation by Department Personnel.
  - b. The supervisor or reviewer conducting the review of the unreported use of force shall investigate in accordance with SOP Use of Force: Review and Investigation by Department Personnel, excluding the following on-scene investigation procedures:
    - i. Examine personnel and the individual for injuries and request medical attention, where appropriate;
    - ii. Preserve any evidence located at the scene of a Level 1 use of force or higher; and
    - iii. Capture photographs of the officer(s) and the individual(s) involved in the Level 1 use of force.
  - c. The investigating supervisor shall initiate an Internal Affairs Request (IAR) through the IA database web application for any and all policy violations identified during their investigation.
  - d. Where it is determined that no unreported use of force occurred by an officer(s), the investigating supervisor shall submit a non-force entry through the IA database web application.
  - e. Where it is determined that no unreported use of force occurred by an officer(s), the supervisor or unit responsible for conducting the review shall submit a non-force entry through the IA database web application, to include the results of their investigation.
- 3. Procedures Following Level 2 or Level 3 Unreported Use of Force
  - a. The IAFD Investigator shall investigate unreported Level 2 and Level 3 uses of force consistent with SOP Use of Force: Review and Investigation by Department Personnel, excluding the following on-scene investigation procedures:
    - i. Examine personnel and the individual for injuries and request medical attention, where appropriate;
    - ii. Advise the individual involved in the use of force incident of their rights where it is necessary to gather additional information about injuries;
    - iii. Preserve any evidence located at the scene; and
    - iv. Canvass for witness(s).



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- b. The IAFD Investigator shall initiate an IAR through the IA database web application for any and all policy violations identified during their force investigation, including any and all policy violations surrounding the failure to report the force.
- c. Where it is determined that no unreported use of force occurred by an officer(s), an IAFD Investigator shall submit a non-force entry through the IA database web application, to include the results of their investigation.