



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-52

Effective: 05/10/16 Expires: 11/06/16 Replaces: 05/10/12

3-52 POLICY DEVELOPMENT PROCESS

3-52-1 Policy

Policies and procedures are necessary for the Department to operate predictably, objectively, and transparently, as well as to ensure accountability for meeting the Department's mission to provide effective and constitutional policing. Policies and procedures should be clear, up-to-date, and accessible to Department personnel as they fulfill their duties. The Department is developing and expanding a system designed to encourage personnel to contribute their input in the development of policies and procedures for the Department.

3-52-2 Definitions

A. Citizen Police Oversight Agency (CPOA)

An independent agency of City Government, not part of either the City Administration or City Council that consists of a Police Oversight Board (the "POB") and an Administrative Office led by the CPOA Executive Director. The Administrative Office serves as the administrative and investigative unit of the Police Oversight Board (POB).

B. Police Oversight Board (POB)

A volunteer citizen board members of which are selected by the City Council and which is tasked with hearing civilian complaints, reviewing administrative investigations of officers, and analyzing Department policies and making recommendations for improvements to those policies.

C. Policy and Procedures Review Board (PPRB)

An administrative body which conducts the final review of policies and procedures forwarded by the SOPRC.

D. Policies

Policies summarize the department's position on specific matters. Policies are concise position statements based on underlying organizational principles, goals, values, and operational philosophies. They are designed for broad general direction and guidance primarily designed for use by all members of the department or by more than one operational division.

E. PowerDMS

Intra-agency Document Management System possessing a comment function that allows all Department employees, CPOA, and POB to comment on proposed new policies and those being reviewed.



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F. Standard Operating Procedure Liaison

A department civilian employee assigned to the Policy and Planning Division tasked with the upkeep and logistical responsibilities related to department SOPs.

G. Standard Operating Procedure Review Committee (SOPRC)

Committee tasked with assisting PPBR with reviewing, correcting, and updating new and current Department Standard Operating Procedures.



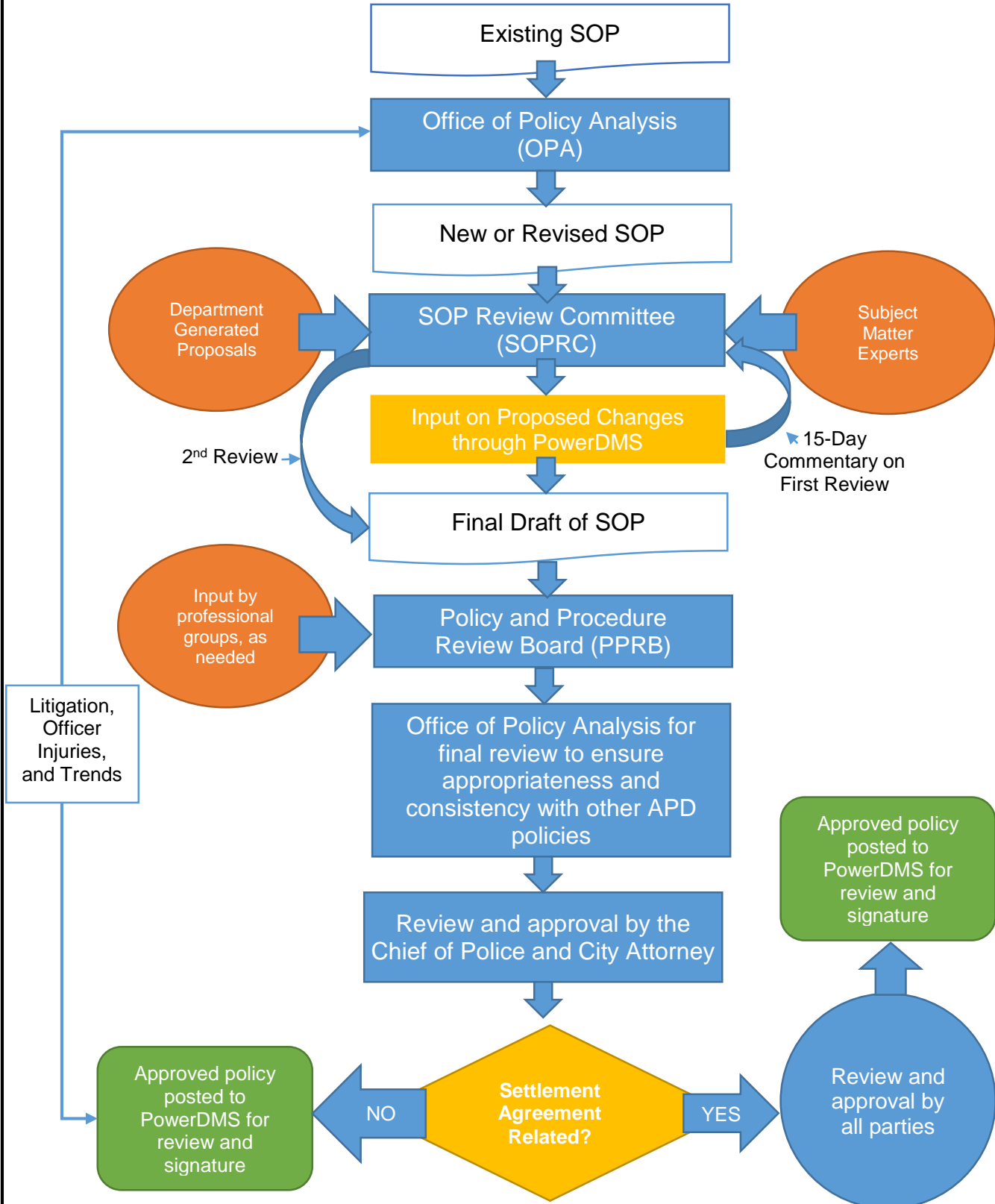
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3-52-3 Policy Development Process

A. Flowchart





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B. Policy Development Overview

1. Anyone, including but not limited to any employee of the department, members of the CPOA, APOA, POB, OPA, and the general public, may submit their ideas and proposals for a new policy or revision of current department policy.
2. Any member of this department who requests, or is made aware of a request for a new policy or revision of current policy shall inform the department SOP Liaison and provide him or her with the proposed revision and/or contact information for the party requesting the revision.
3. Before initiating the policy development process, the SOP Liaison shall, using his or her best judgment, training and experience, review and ensure that the submitted request for a new policy or proposed revision to current policy is feasible, reasonable, within the best interests of the public, and within the best interests of the department. If any questions arise as to possibility of introducing the proposal, the SOP Liaison shall consult with department personnel, as appropriate.
4. If the SOP Liaison determines that a proposed policy revision or new policy submittal is not feasible, unreasonable, not in the best interest of the public and/or the department, he or she shall draft a letter to the submitting party and to the Chief of Police through his or her chain of command and provide the reason(s) why the proposal was not considered.
5. All new policy proposals and requests to revise existing SOPs shall enter the policy development process at the Standard Operating Procedures Review Committee (SOPRC).
6. The sponsor of the policy proposal may be present at the SOPRC at the request of any SOPRC member to answer questions and provide input.
7. Any policy relating to mental health response will be forwarded to the Mental Health Response Advisory Committee (MHRAC) for review and comment. This involvement from MHRAC will occur prior to posting a potential policy on PowerDMS for commentary. The chairs of MHRAC will be invited to PPRB when the relevant SOP is considered. MHRAC involvement will also be encouraged during public meetings of the OPA.
8. Once a policy proposal is reviewed by the SOPRC to ensure that it meets best practices, department practices, and legal standards/case law, it is placed on the DMS for 15-Day Commentary.
9. At the end of the 15-Day Commentary, the comments generated during this process will be reviewed by the SOPRC. The SOPRC will make appropriate changes based on the comments.



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10. The SOPRC, upon completion of its review and appropriate changes, shall forward the policy proposal to the PPRB.
11. The PPRB shall review the policy proposal and changes made by the SOPRC, if applicable. The sponsor of the policy proposal and members of the SOPRC will be present to explain the proposal and the changes made.
12. The PPRB may make additional changes as they see fit to the policy proposal.
13. The PPRB has the final authority to pass, table, or deny a policy proposal.
14. If the policy proposal is tabled, the Chair shall appoint a member to make necessary corrections or complete the necessary research to ensure that the policy may be heard at the next regular scheduled meeting.
15. If the policy proposal is denied, the PPRB shall provide explanation and further instruction, if applicable, to the SOPRC.
16. If the policy proposal is passed, the SOP Liaison shall publish the revised policy on the DMS without unreasonable delay once the Chief of Police gives final approval.
17. The OPA will be involved in continuously reviewing department policies at six month intervals after implementation and annually thereafter. Part of that review process will be to engage with community groups for their input on policy changes over time to reflect the experience of the department and the community with existing policies.

C. Office of Policy Analysis (OPA)

1. OPA is designed to gather information on national standards and best practices and to integrate their findings into existing APD policy while providing a “big picture” view and deep analysis of APD policy.
2. OPA will also review collected information on lawsuits, officer injuries, and trend data that may indicate the need for policy change.
3. OPA is composed of the following individuals:
 - a. The SOP Liaison provides guidance and context regarding APD SOPs.
 - b. A representative from the City Attorney’s Office is a resource providing information concerning legal standards and lessons learned from litigation.
 - c. A representative from the Civilian Police Oversight Administration provides insight into trends regarding citizen complaints.
 - d. A representative from the Albuquerque Police Officer Association provides insight into the usability aspect of SOPs.



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- e. A representative from the Albuquerque Police Department Academy provides insight into the training process of new and experienced police officers.
 - f. Volunteer officers and department personnel provide fresh analysis and helpful review of current policy.
4. Although not subject to the Open Meetings Act, the OPA will hold some of its meetings in a public location so as to provide access to all who wish to participate. The general public is welcome to attend and provide input at those meetings.
 5. Recommendations generated by OPA for improvements of department policy will be submitted to the SOPRC for review and approval.
 6. Part of the OPA's work will be to initiate reviews of department policies six months after implementation and annually thereafter to ensure that the policy provides effective direction to department personnel and remains consistent with the department's mission, best practices, and current law. Recommendations from the OPA for policy changes based upon these periodic reviews will be reviewed by the SOPRC and the PPRB according to the normal policy development process set forth in this policy.

C. Standard Operating Procedures Review Committee (SOPRC)

1. The SOPRC vets newly-submitted policies as to best practices and reviews existing policies to ensure continuing compliance with case law and union contracts. New policies or suggestions for improving existing policies may be presented by intra-departmental sources, members of the CPOA, and OPA.
2. This committee will have a chair and seven members. The SOP Liaison will serve as the chair of the SOPRC. The members will consist of four Lieutenants, one Quality Assurance Auditor, one representative from the CPOA, and one representative from the APOA. These members will apply for their position on the committee, and will be selected by the Chair of the PPRB. Members will serve for a term of one year.
3. The SOPRC meets at a regular time on a weekly or bi-weekly basis. The Chair will be responsible for the scheduling of meetings.
4. The SOPRC will review and revise policies that have been:
 - a. Submitted for the first time and require an initial review.
 - b. Returned from 15-day commentary.
 - c. Rejected by the PPRB.
5. The SOPRC may request the presence of the sponsor of the SOP revision or the new SOP at the SOPRC meetings to answer questions and provide input.



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6. Proposed changes will be marked clearly on the existing policy so that the future reviewers will be able to easily see proposed changes.
7. Upon the initial approval by the SOPRC, the policy will be posted on PowerDMS for a maximum of 15 days for APD employees, CPOA and POB to review and comment.
8. At the conclusion of the 15 days, the comments will be reviewed by SOPRC for additional changes and then the policy will go to PPRB for a broader group discussion.

D. Policy and Procedure Review Board

1. The PPRB is established under the direct authority of the Chief of Police and has the power to:
 - a. Initiate, review, and evaluate department policies and procedures.
 - b. Involve personnel, who may also attend meetings, by encouraging them to supply facts pertinent to the proposed policy.
 - c. Advise and assist the Chief of Police on policy development.
 - d. Receive and recommend approval/disapproval policies and procedures via PowerDMS.
2. The Chief of Police appoints PPRB members.
3. Appointed representatives will serve on the PPRB for one year, unless removed by the Chief of Police. However, the Executive Director, Deputy Chiefs, Majors, a City legal representative, the CPOA Director, and the union representative shall be standing members.
4. The Executive Director is the chairman (presiding officer) of the PPRB.
5. This PPRB is permanent within the Department and will conduct regular meetings, as necessary. The scheduling of necessary meetings will be the responsibility of the SOP Liaison.
6. The PPRB is composed of:
 - a. Executive Director, Administrative Support Bureau
 - b. Deputy Chief, Investigative Bureau
 - c. Deputy Chief, Special Services Bureau
 - d. Major, Field Services Bureau West Division
 - e. Major, Field Services Bureau East Division
 - f. Major, Training Division
 - g. One Representative, Investigative Bureau
 - h. One Representative, Special Services Bureau
 - i. Two Representatives, Field Services Bureau



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- j. Legal Advisor
 - k. Technical Services Division Manager
 - l. Two Representatives, Emergency Communications
 - m. One Representative, APOA
 - n. CPOA Investigator (non-voting)
 - o. CPOA Director
 - p. POB representative
7. The PPRB will evaluate proposals for the following elements:
- a. Clarity of language;
 - b. Conflict with other existing policies and procedures;
 - c. Compatibility with federal, state, and local laws;
 - d. Compatibility with union contracts;
 - e. Compatibility with City administrative orders or directives; and
 - f. Other applicable issues.
8. If a member should transfer during this period, the member's replacement shall serve a period of one year from the date of appointment.
- a. If a member is transferred, the member shall notify the Chairman.
 - b. The member shall be replaced within the area that the member is being transferred from.
 - c. The transferred member may continue to serve at the discretion of the Chairman or until any unfinished business is completed.
9. Any changes made to a policy by the PPRB will be final, subject to final approval by the Chief of Police. If the proposed changes are rejected, reasoning must be provided by the PPRB to the SOPRC for future planning.
9. All policies, once approved by the Chief of Police, will be marked with an effective date and the date for re-evaluation.
10. The SOP Liaison will publish the approved policy on PowerDMS.