



ALBUQUERQUE POLICE DEPARTMENT  
GENERAL ORDERS

SOP 1-61 (Formerly 7-2 and 7-3) Effective: 08/24/2022 Review: 08/24/2023 Replaces: 06/07/2016

## 1-61 INTERNAL AFFAIRS FORCE DIVISION (IAFD)

### Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

#### A. Related SOP(s)

- [2-52 Use of Force: General \(Formerly 3-45\)](#)
- [2-53 Use of Force: Definitions](#)
- [2-54 Intermediate Weapon Systems](#)
- [2-55 Use of Force: De-escalation](#)
- [2-56 Use of Force: Reporting by Department Personnel](#)
- [2-57 Use of Force: Review and Investigation by Department Personnel](#)
- [3-32 Performance Evaluations \(Formerly 3-26\)](#)
- [3-41 Complaints Involving Department Personnel \(Formerly 3-22 and 3-43\)](#)
- [3-42 Investigation of Police Personnel \(Formerly 2-30\)](#)
- [3-43 Relief of Duty \(Formerly 3-23 and 3-44\)](#)
- [3-44 Review of Completed Investigations \(Formerly 3-24 and 3-45\)](#)
- [3-46 Discipline System \(Formerly 1-09\)](#)
- [3-47 Acceptance of Disciplinary Action and Right to Appeal](#)

#### B. Form(s)

None

#### C. Other Resource(s)

City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement (CBA) (Effective January 9, 2022)  
Internal Affairs Force Division (IAFD) Manual  
Internal Affairs Force Division (IAFD) Process Narrative  
NMSA 1978, §§ 66-7-1 through 66-7-13 Application of Traffic Laws

#### D. Rescinded Special Order(s)

SO 18-29 Handling of Potential Misconduct Discovered During Serious Use of Force Investigations

### 1-61-1 Purpose

The purpose of this policy is to outline the functions and responsibilities of the Internal Affairs Force Division (IAFD).

### 1-61-2 Policy

It is the policy of the Albuquerque Police Department (Department) for IAFD personnel to conduct timely, fair, objective, and thorough investigations on Level 2 and Level 3 uses of force, uses of force indicating apparent criminal misconduct by an officer, uses of force by



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Department personnel of a rank higher than sergeant, or any other force investigation assigned by the Chief of Police.

**N/A** 1-61-3 **Definitions**

A. Apparent Criminal Misconduct

An act or omission that violates federal or state laws, or local ordinances, except for minor traffic violations pursuant to NMSA 1978, §§ 66-7-1 through 66-7-13 but including driving while under the influence (DWI), reckless driving, leaving the scene of an accident, and vehicular homicide.

B. Critical Firearm Discharge

A discharge of a firearm by Department sworn personnel, including accidental discharges and discharges where no person is struck. Range and training discharges, intentional discharges that result in the destruction of animals, and off-duty hunting discharges where no person is struck are not critical firearms discharges.

C. Force Internal Investigation (I) Number

A unique investigative number assigned for tracking and recording purposes by the Internal Affairs Professional Standards (IAPS) Division to an allegation of misconduct or a policy violation identified by IAFD personnel during a use of force review.

D. Individual

For purposes of this policy, an "Individual" means the person or persons on whom force and/or a show of force was used.

E. Internal Affairs Force Division (IAFD)

The division of the Department responsible for timely, fairly, impartially, and thoroughly investigating internal complaints of policy violations by Department personnel and uses of force.

F. Internal Affairs Request (IAR)

A formal, written request for an Internal Affairs (IA) investigation.

G. Internal Affairs (IA) Database Management System

A data storage system designed for the Department to maintain, track, and analyze internal investigations and uses of force.

H. Involved Officer



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1. An officer who used force or a show of force; or
  2. A supervisor who used force, ordered force, authorized force, or participated in a use of force.
- I. Public Safety Statement (PSS)
1. A series of questions formulated to secure aid for the injured and to provide for the safety of the public and responding sworn personnel in situations where there is a death of an individual or a critical firearms discharge. These questions shall be asked by the first non-involved supervisor to arrive on the scene. The supervisor shall ask only the following five questions and shall not deviate from them. Additionally, the involved officer answering the questions shall provide only information relevant to the questions and shall avoid elaborating on his or her answers. These are the five (5) questions:
    - a. If you know of anyone who is injured, what is their location?
    - b. If you know of any outstanding suspects, what is their description and direction of travel?
    - c. Do you know of any other risk to the safety of the public or to the other officers as a result of the incident?
    - d. Are you aware of any evidence that needs to be protected?
    - e. Are you aware of any witnesses who need to be located?

**N/A** 1-61-4 **Internal Affairs Force Division (IAFD) Personnel**

- A. The IAFD shall consist of:
1. Commander;
  2. Deputy Commander;
  3. Lieutenant;
  4. Sergeants;
  5. IAFD Investigators;
  6. IAFD Coordinator;
  7. Administrative Assistants; and
  8. Performance Review Unit (PRU).

**6** 1-61-5 **Training Requirements for IAFD Personnel**

- A. Required training for IAFD investigative personnel includes:



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1. Forty (40) hours of IAFD training. Before performing force investigations, IAFD personnel shall receive force investigation training that includes, at a minimum, the following areas:
  - a. Force investigation procedures;
  - b. Call-out and investigative protocols;
  - c. Proper roles of on-scene personnel; and
  - d. Investigative equipment and techniques.
2. IAFD personnel shall receive annual in-service use of force investigation training.
3. IAFD shall maintain an Internal Affairs Force Division (IAFD) Manual. IAFD personnel shall ensure that the IAFD Manual includes, but is not limited to:
  - a. Intake requirements;
  - b. Investigative requirements;
  - c. Investigative timelines; and
  - d. Reporting requirements.

**6 1-61-6 IAFD Personnel Responsibilities**

- A. The IAFD Commander or their designee shall:
  1. Ensure the timeliness, completeness, thoroughness, and accuracy of IAFD's investigation reports and work products;
    - a. The IAFD Commander or their designee shall ensure that all investigations are completed so as there are no restrictions to discipline or other corrective action based on the CBA with the APOA.
  2. Notify the Superintendent of Police Reform when an investigation indicates apparent criminal misconduct by Department personnel;
  3. Maintain criminal and administrative case separation by ensuring criminal investigators do not have access to IAFD files and ensuring that administrative investigators do not share information with criminal investigators;
  4. For all IAFD investigations, review the proposed disposition, and, if necessary, order additional investigation when there is relevant evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, or where there is evidence of a collateral allegation falling under the purview of IAFD;
  5. Prepare personnel performance evaluations on a quarterly basis, consistent with SOP Performance Evaluations, and take reasonable corrective or disciplinary actions when an employee repeatedly fails to conduct appropriate investigations;



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6. Take appropriate action to address any inadequately supported determination and remediate any investigative deficiencies by assigning the case for additional investigation or by taking any other reasonable action when reviewing cases completed by IAFD; and

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7. Maintain confidentiality of all investigations.

B. The IAFD Deputy Commander shall:

1. Ensure the timeliness, completeness, and accuracy of IAFD's work product;
2. Notify the IAFD Commander, who shall also notify the Superintendent of Police Reform of criminal misconduct complaints by Department personnel or when serious physical injury or death of a police officer or civilian occurs as a result of police actions;
3. Maintain criminal and administrative case separation by ensuring criminal investigators do not have access to IAFD files and ensuring that administrative investigators do not share information with criminal investigators;
4. Review IAFD reports and ensure that they are timely, complete, and thorough;
5. On all IAFD investigations, review the proposed disposition and, if necessary, order additional investigation when there is relevant evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, or where there is evidence of a collateral allegation falling under the purview of IAFD;
6. Take appropriate action to address any inadequately supported determination and remediate any investigative deficiencies by assigning the case for additional investigation or by taking any other reasonable action when reviewing cases completed by IAFD;
7. Prepare personnel performance evaluations on a quarterly basis, consistent with SOP Performance Evaluations, and take corrective or disciplinary actions when an employee fails to conduct appropriate investigations;
8. Be responsible for the timeliness, accuracy, and completeness of investigation reports prepared by IAFD; and

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9. Maintain confidentiality of all investigations.

C. The IAFD Lieutenant shall:

1. Ensure the timeliness, completeness, and accuracy of IAFD and their work product;



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2. Notify the IAFD Commander or IAFD Deputy Commander of criminal misconduct complaints by Department personnel or when serious physical injury or death of a police officer or civilian occurs as a result of police actions;
3. Plan and coordinate daily activities and investigations with subordinates;
4. Keep the chain of command informed on the progress of major investigations;
5. Assist in investigations when necessary;
6. Assign cases for investigation in a timely manner so that investigators can complete a fair and thorough investigation within the timelines required by the City's CBA with APOA to impose discipline;
  - a. The IAFD Lieutenant shall assign cases for investigation in a timely manner that allows corrective action consistent with APOA contract deadlines.
  - b. The IAFD Lieutenant shall monitor case investigation and completion rates in a manner that allows corrective action consistent to APOA contract deadlines.
7. On all IAFD investigations, review the proposed disposition, and if necessary, order additional investigation when it appears there is relevant evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, or where there is evidence of a collateral allegation falling under the purview of IAFD;
  - a. If the IAFD investigation generates evidence of collateral misconduct that is not force-related, IAFD personnel shall forward that evidence to the IAPS Division in a timely manner.
8. Ensure that IAFD reports are thorough, complete, and distributed on time so as not to preclude disciplinary actions if such action is warranted based on the results of the investigation;
9. Ensure compliance with training requirements for IAFD personnel;
10. Maintain criminal and administrative case separation by ensuring that criminal investigators do not have access to IAFD files and ensure that administrative investigators do not share information with criminal investigators;
11. Be on-call, as needed;
12. Prepare personnel performance evaluations on a quarterly basis, consistent with SOP Performance Evaluations, and take corrective or disciplinary actions when an employee fails to conduct appropriate investigations; and
13. Maintain confidentiality of all IAFD investigations.



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D. The IAFD Sergeant shall:

1. Assist in investigations when necessary;
2. Ensure that cases are timely, professionally, and objectively investigated and dispositions are consistent with the SOP Use of Force: Review and Investigation by Department Personnel and SOP Investigation of Police Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel and SOP Investigation of Police Personnel for sanction classifications and additional duties);
3. Review the proposed disposition and, if necessary, order additional investigation when it appears there is relevant evidence that may assist in resolving inconsistencies, or where there is evidence of a collateral allegation falling under the purview of IAFD;
4. Prepare the on-call roster and distribute it to Emergency Communications Center (ECC) personnel and IAFD personnel;
5. Be on-call, as needed;
6. Prepare personnel performance evaluations on a quarterly basis, consistent with SOP Performance Evaluations, and take corrective or disciplinary actions when an employee fails to conduct appropriate investigations;
7. Assist supervisors outside of IAFD when they are conducting administrative investigations when requested;
8. Maintain a working knowledge of current employee labor contracts, the City's Merit Ordinance System, and Department Standard Operating Procedures (SOP); and
9. Maintain confidentiality of all investigations.

N/A

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E. The IAFD Investigator shall:

1. Complete case assignments as soon as practicable and, in all events, within the time limits imposed by Section 1-61-7 C.;
2. Prepare cases in a thorough, comprehensive, timely, and professional manner;
3. Be on an on-call rotation with other IAFD Investigators;
4. Assist supervisors outside of IAFD when they are conducting administrative investigations;
5. Maintain confidentiality of all investigations;

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6. Maintain a working knowledge of current employee labor contracts, the City's Merit Ordinance System, and Department SOPs; and
7. Maintain current information on investigations in the IA database management system.

F. The IAFD Coordinator shall:

1. Have overall responsibility for the efficient conduct of the IAFD's administrative functions;
2. Supervise all administrative assistants assigned to IAFD;
3. Ensure that all outbound correspondence is properly formatted, grammatically correct, and professional in appearance;
4. Maintain current records and information in IA database management system;
5. Be responsible for IA database management system password distribution and tier-level access;
6. Maintain a log of New Mexico Inspection of Public Records Act and legal requests;
7. Ensure that files are properly secured;
8. Maintain office supplies in sufficient quantities to facilitate the proper operation of the office;
9. Assist the IAFD Lieutenant with all reports as needed;
10. Maintain a sufficient quantity of forms at all outlets; and
11. Maintain logs of incoming/outgoing cases and correspondence

G. The IAFD In-take Case Manager shall:

1. Assign and track all incoming force and misconduct investigations submitted to IAFD;
2. Assist with reviewing and editing investigative reports;
3. Assist with completing Disciplinary Action Packets (DAP);
4. Manage all IAFD intake functions and IAFD intake staff; and
5. Complete special projects (i.e., statistical reporting and analysis) as directed by the IAFD Commander.





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H. The IAFD Administrative Assistant shall assist the IAFD Coordinator with administrative functions, as directed.

I. IAFD personnel shall:

N/A

1. Adhere to the investigative procedures outlined in the IAFD Process Narrative and SOP Use of Force: Review and Investigation of Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanction classifications and additional duties);
2. Track, monitor, audit, document, and provide statistical analysis of force investigations involving Department personnel;
3. Maintain and secure all records that pertain to force investigations and administrative cases;
4. Maintain the IA database management system access rights for IAFD personnel; and
5. Timely, fairly, and thoroughly complete investigations, consistent with SOP Complaints Involving Department Personnel, and force investigations conducted by IAFD.

**6** 1-61-7 **Investigation Procedures**

A. Use of Force

1. The IAFD Investigator shall identify, investigate, and properly refer the following concerns to the appropriate division:
  - a. Policy concerns or deficiencies;
  - b. Training concerns or deficiencies;
  - c. Tactical concerns or deficiencies;
  - d. Equipment concerns or deficiencies; and/or
  - e. Supervisory concerns or deficiencies.

B. Policy Violations

1. The IAFD Investigator shall, while conducting a use of force investigation, identify and investigate related collateral policy violations.
2. The IAFD Investigator may request to suspend an investigation into a potential policy violation for extenuating circumstances, including, but not limited to the involved officer's military deployments, officer hospitalizations, and extended absences.



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- a. The Superintendent of Police Reform or their designee has the final authority to approve suspension requests.

C. IAFD Investigation Timelines

1. The IAFD Investigator shall complete an initial use of force data report to distribute through the chain of command to the Superintendent of Police Reform as soon as possible, but in no circumstances no later than twenty-four (24) hours after learning of the use of force.
2. The IAFD Investigator shall complete the use of force investigation as soon as practicable and, in all events, within sixty (60) calendar days of notification of the use of force incident.
3. The chain of command review shall be completed as soon as practicable and, in all events, within thirty (30) calendar days of receiving the investigation.
4. When it is not practical to complete a force investigation within the timelines set forth in this section, IAFD personnel may request an extension of an additional thirty (30) calendar days to complete the use of force investigation. Any request for an extension shall state the reasons why it was not possible to complete the investigation within the timelines set forth in this section. Any request for extension shall be subject to approval by the Superintendent of Police Reform.
5. The investigation shall be considered closed when the commanding officer has completed a review.

D. United States Attorney's Office (USAO), Office of the New Mexico Attorney General, or District Attorney Consultation Procedures

1. The IAFD Investigator shall notify the Internal Affairs Professional Standards (IAPS) Division Commander through the chain of command, to brief the Superintendent of Police Reform when there are possible criminal allegations identified during an IAFD investigation.
2. If during a Level 2 or Level 3 force investigation the IAFD Investigator identifies potential criminal misconduct of the involved officer, the Superintendent of Police Reform or the Chief of Police or their designee shall notify and consult with the Attorney General and/or District Attorney, USAO, or other appropriate agency based on jurisdiction over the case and shall seek direction on how to proceed.
3. Administrative and criminal investigations shall run concurrently, after consultation with the appropriate prosecutorial entity, unless otherwise directed by the Superintendent of Police Reform.
4. When a Department employee refuses to give a voluntary statement and the IAFD Investigator has reason to believe that the person committed a crime, the



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investigator shall consult with the appropriate prosecuting agency and shall seek the approval of the Superintendent of Police Reform, through the chain of command before taking a compelled statement.

**6** 1-61-8 **Administrative Review**

A. The IAFD Commander or their designee shall:

1. Ensure that all requests for an extension of time are supported by reasons establishing the impracticality of completing an investigation within the timelines set by Subsections 1-61-7 C.2. and C.3. and, if properly supported, ensure that the request is sent to the Superintendent of Police Reform;
2. Order additional investigation when there may be relevant evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, when the findings were not supported by a preponderance of the evidence, or when there are additional concerns, including, but not limited to, policy violations; and
3. Notify their chain of command when an IAFD Investigator identifies potential criminal conduct during an investigation.
  - a. The IAFD Commander or their designee shall notify the Superintendent of Police Reform or their designee immediately upon identification of potential criminal conduct.

**6** 1-61-9 **Performance Review Unit (PRU)**

A. For review of Level 1 chain of command investigations, PRU Detectives shall:

1. Use the PRU form to ensure that all proper documents and videos are attached to the investigation;
2. Review involved and witness officer narratives;
  - a. PRU Detectives shall ensure that questions were appropriately asked and answered.
    - i. If a question was not properly asked or answered, identify if the IAFD chain of command followed up on the question in the investigation.
  - b. PRU Detectives shall verify the respective author signed the forms.
3. Review chain of command reviews;
  - a. Review the chain of command's findings to ensure that the findings were supported by the preponderance of the evidence.
  - b. Verify the respective author signed all forms.



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4. View the audit log for each on-body recording device (OBRD) and ensure that appropriate personnel viewed the related OBRD footage;
5. View the use of force on the related OBRD footage when available from witness and involved officers;
6. Document the areas that need to be addressed and return the investigation to the reviewing commander, when the PRU review finds that the investigation is incomplete;
  - a. A thirty (30) day period shall be provided for the reviewing commander to address the investigation and return it to PRU.
  - b. If the reviewing commander does not address the concerns identified by the PRU, PRU Detectives shall send the review to the commander's Deputy Chief of Police.
7. Start an IAR and forward it to IAPS Division personnel for proper assignment within twenty-four (24) hours of PRU identifying a policy violation during their review which was not identified by the reviewing chain of command;
8. Establish that the Level 1 use of force investigation is complete and the finding is supported by the preponderance of the evidence;
  - a. PRU Detectives shall forward the PRU evaluation when completed to the reviewing PRU Lieutenant. The PRU Lieutenant shall ensure that the PRU Detective completed the appropriate forms and shall review their work.
  - b. PRU Detectives shall forward the review to IAFD administrative personnel for final closure.
  - c. When a PRU Detective determines that the chain of command's finding is not supported by the preponderance of the evidence and the original chain of command does not agree with the PRU Detective, the case shall be forwarded to IAFD for investigation and the Superintendent of Police shall be notified through the chain of command.
    - i. PRU shall cite evidence to support their determination that the chain of command's finding is incorrect.
9. Attach their review form, which shall detail any observed problems and how they were resolved or not resolved; and
10. Forward any performance deficiencies in the investigation or review by the commander to the respective Deputy Chief to be noted in the affected commander's performance records.
  - a. The deficiencies shall be noted in the PRU reviewing document.
  - b. The performance records shall be used to track the performance of Department personnel.



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**N/A 1-61-10 Cooperation with the Civilian Police Oversight Agency (CPOA)**

- A. IAFD personnel shall provide CPOA personnel with reasonable access to IAFD files, documents, reports, and other materials that are reasonably necessary for the CPOA to perform timely, thorough, objective, and independent investigations of civilian complaints and reviews of Level 3 use of force incidents.