

ALBUQUERQUE POLICE DEPARTMENT PROCEDURAL ORDERS

SOP 2-54

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

2-54 USE OF FORCE: INTERMEDIATE WEAPON SYSTEMS (FORMERLY USE OF FORCE REPORTING AND SUPERVISORY FORCE INVESTIGATION REQUIREMENTS)

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

- A. Related SOP(s)
 - 1-56 Horse Mounted Unit (Formerly 6-12)
 - 2-52 Use of Force: General (Formerly 3-45)
 - 2-53 Use of Force: Definitions
 - 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
 - 2-82 Restraints and Transportation of Individuals (Formerly 2-19)
 - 3-41 Complaints Involving Department Personnel (Formerly 3-22 and 3-43)
- B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

SO 20-57	Electronic Control Weapon (ECW) Taser 7 Administrative Procedures
SO 21-27	Amendment to SOP 2-54 Intermediate Weapon Systems
SO 21-154	Amendment to SOP 2-54 Intermediate Weapon Systems; Electronic
	Control Weapon (ECW) Undetermined Discharges

2-54-1 Purpose

The purpose of this policy is to identify Department-issued intermediate weapon systems used by sworn personnel of the Albuquerque Police Department (Department) and to establish uniform guidelines for sworn personnel in the use and deployment of intermediate weapon systems.

2-54-2 Policy

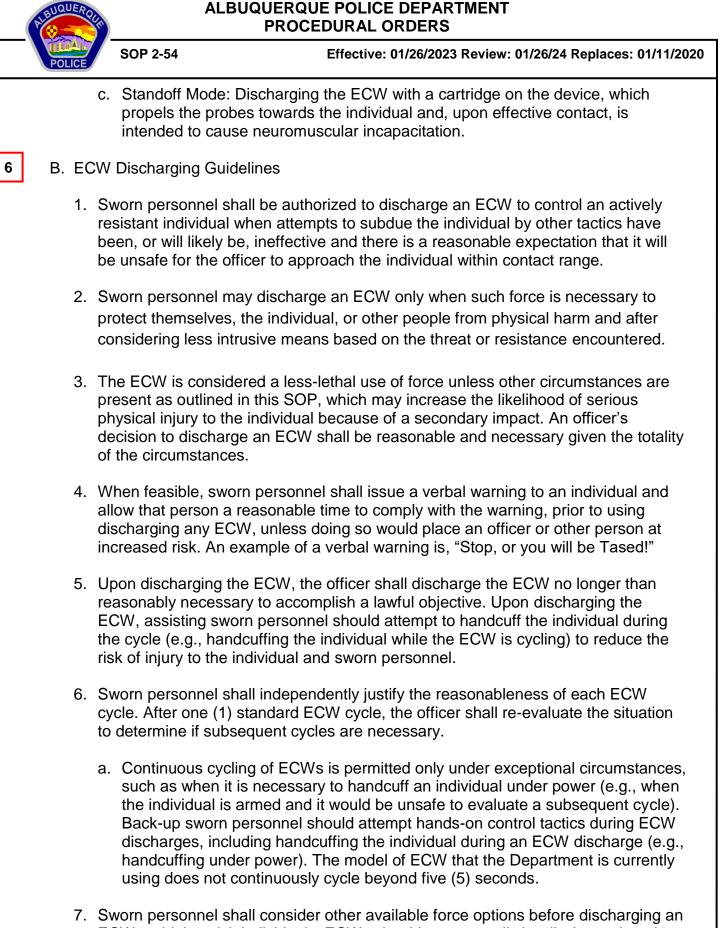
It is the policy of the Department to use intermediate weapon systems only when necessary in order to gain compliance from an individual who is actively resisting and to enforce lawful objectives.

N/A 2-54-3 Definitions

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For definitions specific to use of force, refer to SOP Use of Force: Definitions.					
2-54-	4	Intermediate Weapon System General Requirements			
6 A.	Re	equirements to Carry Intermediate Weapon Systems			
	1.	Sworn personnel shall only carry Department-issued intermediate weapon systems.			
	2.	Sworn personnel shall not carry any intermediate weapon system unless they have been trained and currently qualified to use the system or certified to carry the system.			
	3.	Uniformed sworn personnel shall carry a Department-issued electronic control weapon (ECW) and oleoresin capsicum (OC) spray on their person while on-duty.			
N/A	4.	Sworn personnel may carry the expandable baton as an optional force tool.			
N/A	5.	Sworn personnel and supervisors who are assigned to a specialized unit may carry intermediate weapon systems as dictated by their responsibilities.			
		 Each division commander shall ensure that sworn personnel in their division carry intermediate weapon systems according to the division's Standard Operating Procedures (SOP). 			
6 B.	Int	termediate Weapon System Use Guidelines			
	1.	Sworn personnel shall:			
		 a. Use an intermediate weapon system that is consistent with their training; b. Ensure that the use of an intermediate weapon system is within the minimum amount of force that is reasonable and necessary, and shall be used only to bring about a lawful objective, considering the totality of the circumstances; c. When feasible, issue a verbal warning to an individual and allow that individual a reasonable amount of time to comply with the warning prior to using any intermediate weapon system unless doing so would place an officer or another person at increased risk. An example of a verbal warning is: "Stop or you will be Tased!"; 			
		 d. When feasible, give a verbal announcement in order to notify on-scene sworn personnel that an intermediate weapon system is about to be used, e.g., "Taser, Taser, Taser, "Beanbag, beanbag, beanbag!"; e. Consider that some individuals may be more susceptible to injury as a result of using an intermediate weapon system. These higher-risk individuals include visibly pregnant women, young children, elderly individuals, visibly frail individuals exhibiting signs of medical distress, and individuals with low body mass; and 			

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		f. Objectively evaluate whether a situational hazard poses a substantial risk of serious physical injury or death based on the totality of the circumstances.
	2.	Unless deadly force would be permitted, sworn personnel shall not use an intermediate weapon system where such deployment poses a substantial risk of serious physical injury or death from situational hazards.
3		a. Sworn personnel shall objectively evaluate whether a situational hazard poses a substantial risk of serious physical injury or death based on the totality of the circumstances.
	3.	Shows of force are not considered the same as the application of the same force option. With the exception of pointing a firearm at an individual, sworn personnel may use a show of force to gain compliance with an individual who is passively resistant so long as the force is otherwise reasonable and is the minimum amount of force necessary.
	4.	Sworn personnel shall not point a firearm at an individual unless the officer reasonably believes the individual presents a threat to the officer, other sworn personnel, or community members.
N/A C.	Re	porting
	wit Fo	vorn personnel shall report their use of intermediate weapon systems, consistent In SOP Use of Force: Reporting by Department Personnel (refer to SOP Use of rce: Reporting by Department Personnel for sanction classifications and additional ties).
2-54-	5	Oleoresin Capsicum (OC) Spray
6 A.	00	C Spray Use Guidelines
	1.	Sworn personnel shall:
		 Use OC spray when it is reasonable and necessary in order to gain control of an actively resistant individual or to protect sworn personnel and/or others from a threat; and
		 b. Direct OC spray only at the specific individual(s) posing a threat, and shall attempt to minimize exposure to other people; and
	2.	Sworn personnel shall not use OC spray to overcome passive resistance by nonviolent and/or peaceful protestors.
N/A	3.	Sworn personnel may use OC spray on an animal to deter an attack or to prevent injury to an officer or other people.
		a. Sworn personnel shall document this action in a Uniform Incident Report.

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ical Attention After Use of OC Spray Sworn personnel shall:
 Act to minimize the risk of positional asphyxia to the individual after OC spray has been used on the individual. If the individual is face down and there is pressure on the individual, the officer shall release the pressure/weight from the individual and position the individual on their side or sit them up as soon as they are restrained and it is safe to do so. An officer shall not leave the individual in a face-down position; Monitor the individual for any respiratory or breathing problems or change in mental status (e.g., loss of consciousness, confusion, or difficulty speaking), consistent with SOP Restraints and Transportation of Individuals (refer to SOP Restraints and Transportation of Individuals (refer to SOP Restraints and tuties); Request medical attention following the use of OC spray as soon as the scene is secure and it is safe to do so; and Remove the individual from the contaminated area as soon as possible and allow the individual to breathe fresh air if they were exposed to OC spray in a confined space.
Electronic Control Weapon (ECW)
V Modes
Sworn personnel shall choose which mode they discharge depending upon the articulable facts and circumstances at the time of discharge and the guidelines and estrictions set forth in this SOP. The three (3) types of ECW modes are:
 Show of Force Mode: Pointing an ECW and/or a laser sight an individual or by using a warning arc; Drive Stun Mode; and Pressing and holding the ECW against the individual as it is cycled. This can be done in two (2) configurations: Drive stun only: A technique that involves pressing the ECW against the individual while it is energized without deploying the probes, causing pain but minimal or no neuromuscular incapacitation. This technique is solely a pain compliance technique. Follow-up drive stun: A technique that is used as a follow-up to the discharge of the ECW probes in standoff mode. It can increase the effectiveness of the ECW by increasing the spread between the connections in the event of a close-quarter probe discharge, completing the circuit in the event of a clothing disconnect or when only one probe has made a connection with the individual.



ECW on higher-risk individuals. ECWs should not generally be discharged against

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		visibly pregnant women, elderly individuals, young children, or visibly frail individuals. In some cases, other control techniques may be more appropriate as determined by the individual's threat level to themselves or other people.			
N/A		a. As a result of the incapacitating effects of the ECW, an individual may lose the ability to protect themselves from injury in a fall. This increases the potential for serious physical injury from a secondary impact.			
	8.	When possible, in standoff mode, sworn personnel shall primarily target the center mass of the individual's back. If feasible, in situations when a frontal deployment is the only available option, low-center mass and/or the legs should be the targeted area.			
	9.	If an officer is confronted with an imminent threat that requires a close-quarter discharge of the ECW, sworn personnel shall use the opportunity, when feasible, to create distance from the individual and evaluate whether further discharges may be necessary.			
N/A		a. If the individual is too close to engage, sworn personnel may discharge the ECW probes and use the ECW in follow-up drive stun mode in order to disengage from the individual, create distance, and consider other force options.			
N/A	10	. Sworn personnel may discharge an ECW in follow-up drive stun mode after deploying the ECW probes in standoff mode in order to complete the circuit.			
6 C.	EC	CW Restrictions			
	1.	Sworn personnel shall not discharge an ECW solely as a pain compliance technique or to overcome passive resistance.			
	2.	The following restrictions, considerations, and conditions apply to an ECW discharge:			
2		 a. Sworn personnel shall never use an ECW in a punitive manner; b. Sworn personnel shall not use an ECW on a handcuffed, restrained, or subdued individual unless doing so is necessary to prevent them from causing serious physical injury to themselves, sworn personnel, or other people, and if lesser attempts to control have been ineffective; 			
4		c. Sworn personnel shall not intentionally target an individual's head, neck, throat, chest, or groin, except where deadly force would be permitted;			
4		d. A sworn officer shall not simultaneously point both an ECW and a firearm at an individual;			
4		 e. Sworn personnel shall only carry and use Department-issued ECWs; f. Sworn personnel shall not discharge an ECW in any environment where they know or reasonably should know that potentially flammable, volatile, or 			
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N/A	 explosive materials are present, including, but not limited to, OC spray with volatile propellant, gasoline, natural gas, drug lab flammables, or propane; g. Exposure to the ECW for longer than fifteen (15) seconds, whether due to multiple cycles or continuous cycling may increase the risk of death or serious physical injury. Sworn personnel shall also weigh the risks of subsequent or continuous cycles against other force options; and h. Generally, sworn personnel shall not discharge an ECW based solely on the fact that an individual is fleeing a lawful detention or arrest. i. However, sworn personnel may be justified to discharge their ECW based on the totality of the circumstances. Sworn personnel shall consider the totality of the circumstances before discharging an ECW on a fleeing individual, including, but not limited to: Severity of the offense; Whether the individual is actively resisting; or Whether the individual poses an imminent threat to sworn personnel, other people, or themselves.
7 D. Ho	olstering and Securing the ECW
1.	Sworn personnel shall carry their ECW in a weak-side holster to reduce the chances of accidentally drawing and/or firing a firearm.
2.	Sworn personnel shall secure their ECWs in a Department-approved holster.
3.	Uniformed sworn personnel, unless specifically exempted by the Chief of Police, shall carry the ECW in the holster on their person at all times while on-duty.
4.	Non-uniformed sworn personnel issued an ECW shall carry the ECW during the performance of any law enforcement function involving public contact unless otherwise exempted by their commander.
5 E. EC	CW Post-Use Guidelines and Requirements
N/A 1.	After discharging an ECW, sworn personnel shall act to minimize the risk of positional asphyxia to the individual. While restraining the individual, sworn personnel shall release the pressure/weight from the individual and position the individual on their side or sit them up as soon as they are restrained and it is safe to do so. An officer shall not leave the individual in a face-down position. Sworn personnel shall monitor the individual for any respiratory or breathing problems or change in mental status (e.g., loss of consciousness, confusion, or difficulty speaking), consistent with SOP Restraints and Transportation of Individuals (refer to SOP Restraints and Transportation of Individuals (refer additional duties).
N/A 2.	Once the scene is secure sworn personnel shall immediately notify their immediate supervisor, or if unavailable, the next available on-duty supervisor after discharging the ECW. The supervisor shall respond to the scene, consistent with SOP Use of

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	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).	
	a. Once the officer notifies the on-duty supervisor of the use of force, the on-duty supervisor shall immediately respond to the scene.	У
3.	 Department personnel shall call emergency medical services (EMS) personnel to the scene to provide medical treatment.)
N/A	a. Based on their protocol, EMS personnel determine whether the individual nee to be transported to a medical facility for a high-risk or sensitive-probe remova and/or other medical care.	
	 b. If it is determined that the individual should be transported, transportation sha be provided as soon as practicable. In the absence of exigent circumstances, only medical personnel will remove the probes from the individual's skin. 	
6 4.	. If EMS personnel determine the individual requires medical transport, a supervise shall ensure an officer accompanies or follows the individual to the medical facilit	
6 5.	 Sworn personnel shall independently justify the reasonableness of each cycle of their ECW in their use of force documentation. 	
7 F. Ad	Accidental Discharge of the ECW Cartridge	
1.	 In the event an officer accidentally discharges their ECW cartridge, they shall immediately notify their immediate supervisor or, if unavailable, the next available on-duty supervisor. An intentional discharge of the ECW that misses the individual is not consider an accidental discharge. 	
N/A 2.	The responding supervisor shall assume investigative responsibility for the accidental discharge of an ECW cartridge. The accidental discharge of an ECW cartridge shall not be considered a use of force and shall be investigated using th same standard as an accidental discharge of a less-lethal impact munition, 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).	Ie
3.	Sworn personnel shall document the accidental discharge in a Uniform Incident Report and shall include the serial number of the discharged ECW cartridge.	
N/A	a. The investigating supervisor shall generate an internal affairs request (IAR) for the accidental discharge of the ECW probe, consistent with SOP Complaints Involving Department Personnel (refer to SOP Complaints Involving Department Personnel for sanction classifications and additional duties).)r
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G.	Di	scharge of an ECW on Dangerous Animals
N/A	1.	Sworn personnel may discharge their ECW on dangerous animals that pose a threat to them or others.
		a. If sworn personnel are required to discharge an ECW against a dangerous animal, they shall notify their immediate supervisor regarding the discharge once the scene has been secured.
	2.	An on-scene supervisor should consider contacting the City's Animal Welfare Department to respond to the scene when an officer successfully discharges an ECW against an animal.
6 H.	Ac	Iministrative Procedures for the ECW
	1.	Sworn personnel shall complete a function check at least once per week.
N/A		 a. The instructions for an ECW function check are as follows: Leave the cartridges in the ECW. The ECW will not discharge the cartridges unless the trigger is pulled; Press both side arc buttons while the ECW is pointed in a safe direction and powered off; Confirm the ECW display shows the percentage of battery power and the number of the current firmware; Turn the ECW power to the on position. The outer part of the display will appear in yellow with the center squares showing up in black. This indicates the ECW is in function mode; Press either of the side arc buttons. This will cause the ECW to spark over the ECW cartridges for five seconds. The display will show the count to five (5) seconds; Check the Central Information Display (CID) for error codes and addresses per training; and Turn the power to the off position to complete the function check.
	2.	Sworn personnel shall exchange an ECW battery at least once per calendar month from a battery docking station.
N/A N/A		 a. The ECW batteries are not assigned to a specific ECW and will store and upload data from the ECW when a battery is inserted. b. Exchanging the battery will accomplish the following: Provide the ECW user with a fully charged ECW battery; Upload the data from the ECW. Data are stored and uploaded from the ECW batteries; and Upload Firmware updates from Axon.
N/A	3.	The ECW is subject to direct and random audits for undetermined discharges and docking of the ECW battery.

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2-54-7	Expandable Baton, Straight Baton, and Bokken Baton
6 A. Ba	ton Use Guidelines
N/A 1.	The expandable baton is an impact tool or weapon that is a friction lock expandable baton made of lightweight alloy. The expandable baton is issued to all sworn personnel as an optional force tool and is not required to be carried on-duty.
2.	The straight baton is an impact tool or weapon that is a round wooden baton approximately thirty inches (30") to thirty-six inches (36") in length. The straight baton shall only be equipped by Emergency Response Team (ERT) sworn personnel during field force deployments.
3.	Sworn personnel may use the expandable baton when such force is reasonable and necessary to control an actively resistant individual or protect the officer or another person from a threat.
N/A 4.	The Bokken baton is an impact tool or weapon that is a white oak or polypropylene baton. It has an overall length of forty-one inches (41") or less, and has no sharp edges or points. The Bokken baton is used instead of an expandable/straight baton for the sworn personnel in the Horse Mounted Unit (HMU). Sworn HMU personnel may use the Bokken baton instead of an expandable/straight baton while on horseback, consistent with SOP Horse Mounted Unit.
4 5.	Sworn personnel shall not intentionally strike an individual's head, neck, throat, chest, or groin with an expandable baton, straight baton, or Bokken baton, except where deadly force is justified.
B. Me	edical Attention After Use of Baton
N/A 1.	Following the use of an expandable baton, straight baton, or Bokken baton and once it is safe to do so, sworn personnel shall immediately call EMS personnel to the scene to provide medical attention, consistent with SOP Use of Force: General (refer to SOP Use of Force: General for sanction classifications and additional duties).
6	a. If EMS personnel determine that the individual requires medical transport, a supervisor shall ensure that an officer accompanies or follows the individual to the medical facility.
2-54-8	Beanbag Shotgun
6 A. Be	eanbag Shotgun Use Guidelines
N/A 1.	The beanbag shotgun is a less-lethal impact weapon with an optimal range between twenty feet (20') to fifty feet (50') and a maximum effective range of - 10 -

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	seventy-five feet (75'). The effectiveness and accuracy of the beanbag shotgun starts to diminish at distances between fifty feet (50') and seventy-five feet (75').
6 2	 Sworn personnel shall ensure that their beanbag shotgun is plainly marked with high visibility yellow or orange tape, or paint, on the buttstock and muzzle area of the barrel.
3	 Sworn personnel may deploy the beanbag shotgun when such force is reasonable and necessary to control an actively resistant individual or protect the officer or another person from an imminent threat.
4	 In potentially deadly force situations, sworn personnel shall have a lethal-cover officer when using less-lethal impact munitions.
B. E	Beanbag Shotgun Restrictions
4 1	. In the absence of deadly force situations, sworn personnel shall not intentionally target an individual's head, neck, throat, chest, or groin.
N/A 2	 Sworn personnel should understand there is an increased risk of serious physical injury when shooting beanbag shotgun rounds inside twenty feet (20').
	a. Because of an increased risk of serious physical injury may occur with beanbag shotgun deployments closer than twenty feet (20'), when feasible sworn personnel should consider transitioning to other force options.
6 3	8. Sworn personnel shall consider other available force options before shooting a beanbag shotgun round on potentially higher-risk individuals. Beanbag shotgun rounds should not generally be used against visibly pregnant women, elderly individuals, young children, or visibly frail individuals.
C. N	ledical Attention After Use of Beanbag Shotgun
N/A 1	 Following the use of a beanbag shotgun and once it is safe to do so, sworn personnel shall immediately call EMS personnel to the scene to provide medical attention, consistent with SOP Use of Force General (refer to SOP Use of Force: General for sanction classifications and additional duties).
6	a. If EMS personnel determine that the individual requires medical transport, a supervisor shall ensure that an officer accompanies of follows the individual to the medical facility.
6 2-54-9	40-millimeter Impact Launcher
A. 4	0-millimeter Impact Launcher Use Guidelines

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N/A	1.	The 40-millimeter impact launcher is a less-lethal impact weapon with an optimal energy range of between five feet (5') to one-hundred twenty feet (120') and a maximum effective range one-hundred twenty feet (120'). The effectiveness and accuracy of the 40-millimeter impact launcher starts to diminish at distances beyond one hundred and twenty feet (120').
5	2.	The officer shall ensure the 40-millimeter impact launcher is plainly marked with high visibility yellow or orange tape, or paint, on the buttstock and muzzle area of the barrel.
	3.	An officer may deploy their 40-millimeter impact launcher when such force is reasonable and necessary to control an actively-resistant individual or to protect the officer or another person from an imminent threat.
	4.	In potentially lethal force situations, sworn personnel shall have a lethal-cover officer when deploying less-lethal impact munitions.
E	3. 40	-millimeter Impact Launcher Restrictions
4	1.	Absent deadly force situations, sworn personnel shall not intentionally target an individual's head, neck, throat, chest, or groin.
N/A	2.	Sworn personnel should understand there is an increased risk of serious physical injury when using a 40-millimeter impact launcher inside five feet (5').
		a. Because of an increased risk of serious physical injury may occur with 40- millimeter impact launcher deployments inside five feet (5'), sworn personnel shall consider transitioning to other force options.
6	3.	Sworn personnel shall consider other available force options before using a 40- millimeter impact launcher on potentially higher-risk individuals. The 40-millimeter impact launcher should not generally be used against visibly pregnant women, elderly individuals, young children, or visibly frail individuals. In some cases, other control techniques may be more appropriate as determined by the individual's threat to themselves, sworn personnel, or other people.
0	C. M	edical Attention After Use of 40-millimeter Impact Launcher
N/A	1.	Following the use of a 40-millimeter impact launcher and once it is safe to do so, sworn personnel shall immediately call EMS personnel to the scene to provide medical attention, consistent with SOP Use of Force: General (refer to SOP Use of Force: General for sanction classifications and additional duties.)
	2.	If EMS personnel determine that the individual requires a medical transport, a supervisor shall ensure that an officer accompanies or follows the individual to the medical facility.
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N/A	2-54-10	Intermediate	e Weapon System	s Approved for U	se by Specialized	Units
	A. Interr acco	mediate weapo rdance with the	on systems approve Department use c	ed for use by specia of force SOPs and t	alized units shall be heir units' SOPs.	e used in
