



ALBUQUERQUE POLICE DEPARTMENT  
ADMINISTRATIVE ORDERS

SOP 3-43 (Formerly 3-23 and 3-44) Effective: 04/05/22 Review: 04/05/23 Replaces: 01/17/16

**3-43 RELIEF OF DUTY**

**Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

A. Related SOP(s)

None

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

**3-43-1 Purpose**

The purpose of this policy is to outline the procedures for immediately relieving Albuquerque Police Department (Department) personnel from duty.

**3-43-2 Policy**

It is the policy of the Department immediately to relieve from duty Department personnel who are physically or psychologically unfit for duty or who commit other serious offenses or infractions.

**N/A 3-43-3 Definitions**

None

**3-43-4 Rules**

**N/A A. Relief from Duty by Supervisor**

1. An employee may be relieved from duty by a supervisor:

- a. When the employee is alleged to have engaged in serious or criminal misconduct where dismissal from employment is likely;
- b. Reasonable belief the employee has a medical or psychological condition that might be preventing them from performing their job functions in a safe and effective manner, or that the medical or psychological condition could pose a direct threat to the employee’s safety or the safety of others;



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- c. When the employee has failed to maintain proper certifications and training requirements; or
  - d. When alleged actions are of such a serious nature that administrative assignment or leave appears to be in the best interest of the public and the Department.
2. The determination to relieve an employee for cause is a matter of discretion of the Chief of Police.
  3. If an employee is relieved from duty for a medical or psychological condition, the Department shall refer the employee to the Behavioral Sciences Section (BSS) or employee relations within the City's Human Resources Department.

**6** B. Relief from Duty During Normal Business Hours

When an immediate relief of duty has been directed by a supervisor during normal business hours, the supervisor, the employee's immediate supervisor, and the affected employee shall report to the Division Head or Area Commander.

**6** C. Relief from Duty After Normal Duty Hours

1. When an immediate relief of duty has been directed after normal duty hours, the following procedures shall be completed:
  - a. The employee's immediate supervisor shall direct the employee to report to the concerned Division Head or Area Commander at the beginning of the Division Head or Commander's next regular duty shift;
    - i. Any Commander or command staff at a higher rank within the employee's chain of command may make the decision to immediately relieve an employee from duty.
    - ii. The employee's immediate supervisor shall instruct the employee to not conduct Department business or represent the Department in any way and to report to the Internal Affairs Professional Standards (IAPS) Division at the beginning of the next business day.
    - iii. The employee's immediate supervisor shall document the factual basis for relieving the employee from duty.
    - iv. The employee's immediate supervisor shall document the action taken and forward it through the chain of command by the end of their shift.
    - v. In the event that several days elapse before the Division Head or Area Commander's next regular duty shift, the employee's immediate supervisor shall instruct the employee whether they will be permitted to work any intervening assigned shifts. The employee's immediate supervisor shall inform the Division Head or Area Commander of the action taken before they go off-duty.
  - b. Relief from duty shall not be without loss of pay. An employee who is relieved of duty may be placed on administrative leave, may have the time charged to their accrued sick leave, or placed on another leave status as appropriate.



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**N/A**

D. Concurrence by Chief of Police, Superintendent of Police Reform, or Deputy Chief

1. In the event the Chief of Police, Superintendent of Police Reform, or Deputy Chief does not concur with the action taken, the Chief of Police, Superintendent of Police Reform, or Deputy Chief may:
  - a. Request in writing additional clarification from supervisors who have direct personal knowledge of or are involved in the action;
  - b. Require in writing that a further investigation be conducted by the IAPS Division; and
  - c. Suspend further action against the employee, pending the completion of the investigation.